

JOURNAL
of the
SENATE OF THE ELEVENTH LEGISLATURE
of the
STATE OF HAWAII

Regular Session of 1982

Convened Wednesday, January 20, 1982
Adjourned Wednesday, April 28, 1982

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HONORABLE DUKE T. KAWASAKI Honolulu, Hawaii

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Assistant Clerk

RICHARD K. PERKINS Honolulu, Hawaii

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BIENVENIDO C. VILLAFLORES Honolulu, Hawaii

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of the
STATE OF HAWAII

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First	Carpenter, Dante K. (D)	176 Likeke Street Hilo, Hawaii 96720
	Henderson, Richard (R)	P.O. Box 747 Hilo, Hawaii 96720
	Ushijima, John T. (D)	State Capitol Honolulu, Hawaii 96813
Second	Machida, Gerald (D)	508 Kamehameha Avenue Kahului, Maui, Hawaii 96732
	Yamasaki, Mamoru (D)	P.O. Box 1516 Kahului, Maui, Hawaii 96732
Third	Ajifu, Ralph K. (R)	State Capitol Honolulu, Hawaii 96813
	Anderson, D.G. (R)	State Capitol Honolulu, Hawaii 96813
	George, Mary (R)	State Capitol Honolulu, Hawaii 96813
Fourth	Cayetano, Benjamin J. (D)	State Capitol Honolulu, Hawaii 96813
	Kuroda, Joseph T. (D)	State Capitol Honolulu, Hawaii 96813
	Mizuguchi, Norman (D)	State Capitol Honolulu, Hawaii 96813
	Young, Patsy K. (D)	State Capitol Honolulu, Hawaii 96813
Fifth	Campbell, Charles M. (D)	948 Ala Kapua Street Honolulu, Hawaii 96818
	Holt, Milton (D)	State Capitol Honolulu, Hawaii 96813
	Kawasaki, Duke T. (D)	State Capitol Honolulu, Hawaii 96813
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Sixth	Abercrombie, Neil (D)	State Capitol Honolulu, Hawaii 96813
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	Uwaine, Clifford T. (D)	State Capitol Honolulu, Hawaii 96813
	Yee, Wadsworth (R)	State Capitol Honolulu, Hawaii 96813
Seventh	Cobb, Steve (D)	State Capitol Honolulu, Hawaii 96813
	O'Connor, Dennis (D)	State Capitol Honolulu, Hawaii 96813
	Saiki, Patricia (R)	State Capitol Honolulu, Hawaii 96813
	Soares, W. Buddy (R)	State Capitol Honolulu, Hawaii 96813
Eighth	Toyofuku, George H. (D)	State Capitol Honolulu, Hawaii 96813

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Senator Duke T. Kawasaki		Senator Richard Henderson
Senator Mamoru Yamasaki		

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Senator Charles M. Campbell		Senator Richard Henderson
Senator Benjamin J. Cayetano		Senator Patricia Saiki
Senator Duke T. Kawasaki		Senator Wadsworth Yee
Senator Patsy K. Young		

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ELEVENTH LEGISLATURE
STATE OF HAWAII
REGULAR SESSION OF 1982**



RICHARD S. H. WONG
Fifth Senatorial District
President



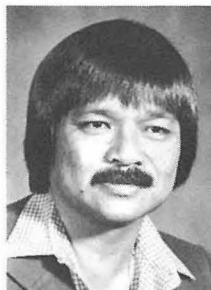
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Vice-President
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Operations and
Intergovernmental Relations



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Majority Leader
Chairman: Tourism



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Majority Floor Leader
Chairman: Consumer
Protection and Commerce



BENJAMIN J. CAYETANO
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Chairman: Health



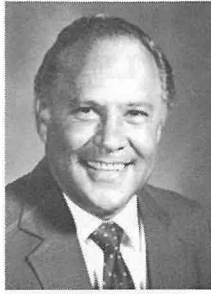
WADSWORTH YEE
Sixth Senatorial District
Republican Leader



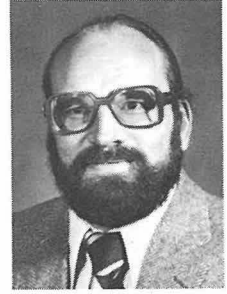
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Republican Floor Leader



PATRICIA SAIKI
Seventh Senatorial District
Assistant Republican Leader
Chairman:
Higher Education



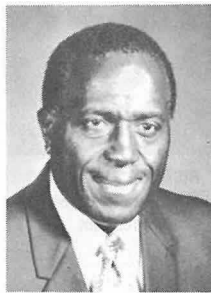
W. BUDDY SOARES
Seventh Senatorial District
Assistant Republican
Floor Leader
Chairman: Public Utilities



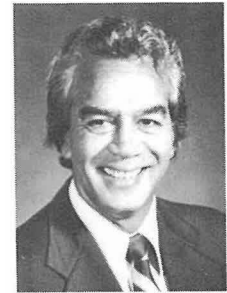
NEIL ABERCROMBIE
Sixth Senatorial District
Chairman: Education



RALPH K. AJIFU
Third Senatorial District
Chairman: Agriculture



CHARLES CAMPBELL
Fifth Senatorial District



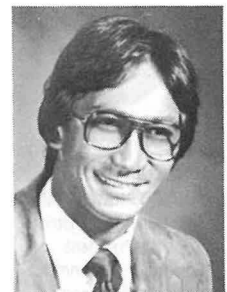
DANTE K. CARPENTER
First Senatorial District
Chairman: Judiciary



MARY GEORGE
Third Senatorial District
Chairman: Transportation



RICHARD HENDERSON
First Senatorial District
Chairman:
Economic Development



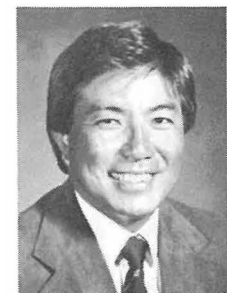
MILTON HOLT
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ANN KOBAYASHI
Sixth Senatorial District
Chairman: Ecology
Environment and Recreation



GERALD MACHIDA
Second Senatorial District



NORMAN MIZUGUCHI
Fourth Senatorial District



DENNIS O'CONNOR
Seventh Senatorial District



GEORGE TOYOFUKU
Eighth Senatorial District



JOHN T. USHIJIMA
First Senatorial District



CLIFFORD T. UWAINÉ
Sixth Senatorial District
Chairman: Human Resources



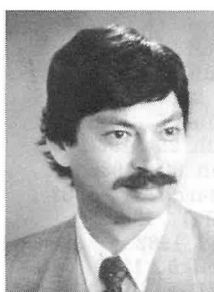
MAMORU YAMASAKI
Second Senatorial District
Chairman: Ways and Means



PATSY K. YOUNG
Fourth Senatorial District
Chairman: Housing and
Hawaiian Homes; Legislative
Management



TIMOTHY DAVID WOO, JR.
Clerk



RICHARD K. PERKINS
Assistant Clerk



BIENVENIDO C. VILLAFLO
Sergeant-at-Arms

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THE
ELEVENTH LEGISLATURE
STATE OF HAWAII
REGULAR SESSION OF 1982
JOURNAL OF THE SENATE

FIRST DAY

Wednesday, January 20, 1982

In accordance with the provisions of Section 10 of Article III of the Constitution of the State of Hawaii, the Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, was called to order at 10:00 o'clock a.m., Wednesday, January 20, 1982, by the Honorable Richard S.H. Wong, President of the Senate.

At this time, the members of the Senate, their guests and the entire audience rose to sing the National Anthem, followed by Hawaii's state song, "Hawaii Ponoï," led by Zulu.

The President then appointed Senators Cayetano, Saiki, and Soares to escort the Reverend David Kaupu to the dais for the invocation.

The Committee of three escorted Reverend Kaupu to the dais and was discharged with thanks.

The Divine Blessing was then invoked by Reverend David Kaupu.

The Roll was then called showing all Senators present.

At 10:15 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:24 o'clock a.m.

At this time, the President addressed the members of the Senate and guests as follows:

"Governor Ariyoshi, Lieutenant Governor King, Chief Justice Richardson, distinguished guests, members of the Senate, ladies and gentlemen.

"The Opening Day of the legislative session is traditionally one of festivities, a time of joy for us, the legislators, and for our families and friends gathered together here. I must confess that today

I feel a special sense of poignancy. Along with all the members of the Senate, I deeply feel the loss of Shadow Hirai's presence on the floor with us. It feels strange not having him here. However, I am sure that Shadow is here with us in spirit, hopefully, making sure we don't stray too far off course. God rest your soul, Shadow.

"Also, on a personal note, my son Kevin who has attended all of the Opening Day ceremonies ever since I was first elected to office is away in the Army at Fort Sam Houston in Texas, probably feeling very homesick for Hawaii.

"The beginning of the session is also a time of hope and high expectations. We stand ready and eager to address the issue and problems that will come before us in the weeks ahead. It is my sincere hope that we will be able to do our work in a productive, creative and intelligent manner.

"As President of the Senate, one of my responsibilities is to outline to you what I see as some of the more important issues confronting the Legislature during the session.

"I will endeavor to do so at this time.

"To begin, there is no legislative power--and responsibility--greater than the one we exercise over the state budget. How wisely we use that power determines in good measure the future direction of the State of Hawaii.

"This year, we are faced with a gamut of difficult budgetary concerns.

"Because of drastic cutbacks in federal funds, many state agencies and programs will have to curtail their activities--cutting back operations, consolidating programs, restricting services, reducing staffs. Many community organizations--especially in the human services area--

will be similarly affected. The process of curtailment for these public and private agencies will be a difficult and even painful one. Coming as I do from a social work background, I am personally greatly distressed by this situation.

"I think one of the most important things the Legislature will have to do this session is to address the problem of the federal cuts. We may have to provide additional state funds for some of those programs. However, I want to make one point clear. While there are many worthwhile programs, it will not be possible for the Legislature to provide funds for all of them to make up for the loss of federal funds. There is not enough money to go around for all.

"I know there has been some suggestions made for the Legislature to exceed the constitutional spending ceiling. I want to make it clear that I do not favor exceeding the ceiling and this is also the position of the Senate. The 1978 Constitutional Convention established the ceiling and it was approved by the voters. I believe we in the Legislature have a mandate to abide by it.

"One area where I feel the Legislature should give priority attention, I believe, are programs for the elderly. For too many of our elderly, growing old in America--growing old in Hawaii--means neglect, sickness, despair, and poverty. Let us pledge to do more for them; let us pledge to do right by them.

"In the foreseeable future, with diminishing fiscal resources and increasing competition for those scarce resources, elderly programs will have a harder and harder time in getting funds. As an alternative, I want the Legislature to consider the feasibility of establishing a state lottery, the proceeds of which will go to elderly programs. This is what has been established in Pennsylvania. We should give this possibility serious thought.

"At the risk of sounding like a broken record, I would like once again to ask for consideration of a hotel room tax. We are all agreed on the need to improve and enhance our tourist destination plan which is the keystone of our economy. Because of the state's tight fiscal constraints, it will be extremely difficult for the moneys to be forthcoming from the general fund. The hotel room tax provides an assured way to finance needed tourist-related improvements.

"I would also like to say a few words about time-sharing. For the past few sessions, we in the Legislature have tried to come up with workable laws to regulate this industry. Yet, problems and abuses persist. Let me say this--I think we should come up with workable legislation once and for all or we better start thinking about banning time-sharing altogether.

"An on-going and vexing problem before us is that of crime. Tightening our criminal laws, developing and enhancing programs against crime is a difficult and complex proposition. However, I know of no issue of greater concern to our people. We must exert ourselves to do whatever we can to help in the fight against crime. It is intolerable to me that our people should be fearful for themselves, their families, their homes, their possessions.

"Recent developments in the sugar and pineapple industries underscore the weakening position of these two industries which have historically been two of the main props of Hawaii's economy. In the long run, I am not optimistic about the future of sugar and pineapple. We have to take strong and decisive action to preserve these industries as much as possible and to pursue economic alternatives for the future. Jobs are at stake, the preservation of our agricultural lands are at stake. I consider the plight of sugar and pineapple to be an area of special concern to us this session.

"I have not attempted to present to you an exhaustive legislative agenda but merely the highlights of some issues which I feel we must face. You, the members of the Senate, will be the ones shaping the ultimate agenda, guided in large measure by our bi-partisan program.

"In doing so, I know that you will join me in our pledge to the people of Hawaii that in the days ahead, we will work hard to protect and advance the interests of our people. I look for the active involvement of all the members of the Senate--Democrat and Republican, coalition member and non-coalition member, everybody. We must all work together among ourselves in the Senate and also together with the state administration, with our colleagues in the House, with the counties, with community groups--in short, with all sectors of our community.

"We have our work cut out for us. Let's get started.

"Thank you."

Senator Yee then spoke as follows:

"Mr. President, I thank you for your remarks. I think they are very fitting and portrays the difficult times that this session will face.

"Mr. President, fellow Senators, and people of Hawaii, I would like to begin the 1982 Session of the State Legislature, our second year of bi-partisan leadership, by noting the broad challenges we must face in the coming days. Our current economic conditions will compel the Legislature to make some difficult decisions. We must adjust to the shifting federal funding policies of Washington, and the re-defining of state-federal responsibilities. I do not anticipate a session without controversy. 1982 is an election year and some do not approve of the Republican-Democrat coalition.

"May I remind this body that a public poll was taken by The Honolulu Advertiser which reported that last year's legislative session received the best favorable rating it ever had for the past several years. It was this coalition, and I am certain that this bi-partisan leadership in the Senate will continue to demonstrate that it places the public good before party politics. This should be the goal for the '80's.

"On a personal note, the Senate finds itself, for the first time in 20 years, convening without the loyal and trusted support of Shadow Hirai. His untimely death fills me with a deep sense of loss, as it does the entire body. Knowing this, Mr. President, the Republican caucus will spare no effort to see that the public's work is done and to support our newly-elected Clerk David Woo. The caucus will conduct its work openly and honestly. Faced with the complex choices ahead, we will continue to assure that we serve the public good and you can depend upon us to examine all the facts before we make a decision.

"Thank you, Mr. President."

At 10:37 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:58 o'clock a.m.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 1 and 2) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 1), entitled:

"SENATE RESOLUTION HONORING THE MEMORY AND CONTRIBUTION TO THE STATE OF HAWAII OF THE LATE SEICHI 'SHADOW' HIRAI," was offered by Senators Ushijima, Anderson, Kobayashi, George, Kawasaki, Soares, Abercrombie, Henderson, Kuroda, Holt, Yamasaki, Toyofuku, Wong, Cobb, O'Connor, Saiki, Carpenter, Campbell, Uwayne, Machida, Cayetano, Yee, Mizuguchi, Ajifu and Young.

Senator Ushijima moved that S.R. No. 1 be adopted, seconded by Senator Anderson.

Senator Ushijima then spoke as follows:

"Mr. President, in moving for the adoption of the resolution, I would like to state for the Journal and the record that Seichi 'Shadow' Hirai was a dedicated and loyal Clerk of the Senate for almost 20 years; that he served with distinction, devotion, and great ability. He'll be sorely missed by all, especially the Senate."

The motion was put by the Chair and carried by a rising vote.

At this time, Messrs. Clay and Al Naluai of the Surfers, sang a rendition of the song, "He Ain't Heavy," in memory of the late Seichi "Shadow" Hirai.

A resolution (S.R. No. 2), electing Timothy David Woo, Jr., Clerk of the Senate, was offered by Senators Kuroda and Yee.

On motion by Senator Kuroda, seconded by Senator Yee and carried, S.R. No. 2 was adopted.

The President then administered the oath of office to Timothy David Woo, Jr.

At 11:10 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:56 o'clock a.m.

HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 1), transmitting House Concurrent Resolution No. 1, which was adopted by the House of Representatives on January 20, 1982, was read by the Clerk and was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried,

H.C.R. No. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO ADDRESS THE LEGISLATURE ASSEMBLED IN JOINT SESSION," was adopted.

At 11:59 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:15 o'clock p.m.

The President then extended thanks

and appreciation to Al Harrington, Zulu, Clay and Al Naluai of the Surfers, comedian Frank DeLima with Dean Shimabukuro and Dean Lum, pianist Rene Paulo, and their back-up crews for the fine entertainment provided.

ADJOURNMENT

At 12:17 o'clock p.m., on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, January 21, 1982.

SECOND DAY

Thursday, January 21, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the Vice-President in the Chair.

The Divine Blessing was invoked by the Reverend Doctor William C. Garland, Pastor of the First Southern Baptist Church of Pearl Harbor.

The President announced that he had read and approved the Journal of the First Day after which the Roll was called showing all Senators present with the exception of Senators Saiki,

Toyofuku and Wong who were excused.

The President then announced that tomorrow is aloha attire day and he hoped that all members will continue to wear aloha attire on Fridays.

ADJOURNMENT

At 11:40 o'clock a.m., on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, January 22, 1982.

THIRD DAY

Friday, January 22, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the Vice-President in the Chair.

The Divine Blessing was invoked by Father Mark Guerin, Rector of Our Lady of Peace Cathedral, after which the Roll was called showing all Senators present with the exception of Senators Machida, Mizuguchi, O'Connor, Saiki, Ushijima and Wong who were excused.

The President announced that he had read and approved the Journal of the Second Day.

The following introductions were then made to the members of the Senate:

Senator Carpenter introduced Mr. Tracey Lauder, representative of the Anthurium Association of Hawaii, who brought some flowers from the Keum Soon Anthurium Garden of Mountain View, Hawaii, for each of the Senators.

The Chair introduced Dr. Ron Sahara and his wife Freida of Los Angeles, California, who were accompanied by Mrs. "Drum" (Dorothy) Inouye and Mrs. Duke (Lucy) Kawasaki.

Senator Holt then introduced a group from the People's Republic of China Tennis Team: Mr. Zhang Fan, National

Men's Hard Court Champion; Mr. Zhao Zhigiang, 9th ranked in the Men's National; Mr. Huang Daxun, Men's National Captain; Miss Hu Na, Women's Hard Court Champion; Miss Pu Xiufeng, National Junior Women's Champion; Miss Yu Weting, Women's National Captain; and Ms. Carol Ching of Honolulu who escorted the group.

STANDING COMMITTEE REPORT

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1-82) informing the Senate that Senate Resolution Nos. 1 and 2 have been printed and are ready for distribution.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

At 11:53 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:54 o'clock p.m.

ADJOURNMENT

At 11:55 o'clock a.m., on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate adjourned until 9:30 o'clock a.m., Monday, January 25, 1982.

FOURTH DAY

Monday, January 25, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 9:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Ms. Leona G. Salvador of the Christian Science Society of Wahiawa, after which the Roll was called showing all Senators present with the exception of Senators Abercrombie, Kobayashi, O'Connor and Yee who were excused.

The President announced that he had read and approved the Journal of the Third Day.

At 9:37 o'clock a.m., the Senate stood in recess subject to the call of the Chair to meet in joint session with the House of Representatives in accordance with House Concurrent Resolution No. 1.

JOINT SESSION

The Joint Session of the Senate and House of Representatives was called to order at 10:00 o'clock a.m., by the Honorable Henry H. Peters, Speaker of the House of Representatives.

At this time, the Speaker introduced to the members of the Joint Session the First Lady of Hawaii, Mrs. Jean Ariyoshi, and members of her family, Lieutenant Governor Jean King and Chief Justice William Richardson.

The Speaker also introduced dignitaries of the various Consular delegations:

Mrs. Armenia Adames de White, Honorary Consul General of Panama and the Dean of the Consular Corps of Hawaii;

Consul General Chong Hoon Kim from Korea;

Consul Hideo Tanaka, representing Consul General Enomoto;

Consul Polly S. Cancio, representing Consul General Alconcel; and

other members of the Consular Corps.

The Speaker then appointed the Committee from the Senate, composed of Senators Kuroda and Soares, and the Committee from the House, composed of Representatives Stanley, Hashimoto, Waihee and Ikeda to escort the Honorable George R. Ariyoshi, Governor of the State of Hawaii, to the rostrum.

Representative Stanley presented Governor Ariyoshi with a white carnation lei on behalf of the Senate and the House of Representatives.

The Speaker presented to the members of the Eleventh Legislature, the Honorable George R. Ariyoshi, stating:

"Members, ladies and gentlemen, it gives me a personal privilege to introduce to all of you the Governor of the State of Hawaii, the Honorable George R. Ariyoshi."

Governor Ariyoshi addressed the Joint Session as follows:

"Mr. President, Mr. Speaker, Madam Lieutenant Governor, members of the Consular Corps, members of the Eleventh Legislature, Mayors of the Counties, ladies and gentlemen:

"Aloha. Today is Chinese New Year, and I would appropriately like to extend my greetings to you: Kung Hee Fat Choy!

"I appreciate this opportunity to address the Legislature, and the citizens of our state. I want to review some of the progress we have made, working together, in the past -- for that allows us to take better aim at the future.

"I must concede that my tendency as an individual -- and this was true long before I became Governor -- is to focus on what needs to be done next, rather than dwell on the past.

"But, sometimes, a look at the past, as it relates to the present, and to the future, is important and essential.

"I propose to offer here today a straightforward review of what we have done in the past, and a guide to the things that we still must do.

"Let us begin by taking a moment to view this handsome room in which we have come together.

"It is so familiar to me, and to you in the Legislature, and to the members of the media, that it is easy to lose sight of its significance. But there is no other legislative hall in the world quite like it.

"Architecturally, this room -- and this entire capitol building -- is a tribute to the history, the culture, and the natural beauty of Hawaii. This building probably would not be standing on this spot if an Englishman named James Cook had not landed on Kauai a little more than 200 years ago. When Captain Cook and his men came ashore on these islands, the written history of Hawaii began.

"That history often has borne testimony to bitterness and anger. And, as we have heard from the eloquent testimony presented recently at public hearings held throughout our state, we still are dealing with the impact of Cook's landing. But, despite past and present difficulties and inequities, it is important for all of us to remember that Hawaii began in generosity.

"First, there was the generosity of the land, sharing its bounty with the ancient settlers who first arrived upon its shores.

"Then, there was the generosity of the early Hawaiians in welcoming the first foreigners who came from across the Eastern Pacific and who later were followed by other immigrants from across the Western Pacific.

"These islands were shared. And when we talk of regaining and redeeming those values that we prize in these islands, certainly generosity must stand at the head of the list. For, without a sense of generosity, there can be no community, there can be no civilization.

"Rooted here as we are, living here as we do, we cannot afford to represent a superficial public relations example of racial and religious harmony. Rather, we must enhance our understanding of the equality and the dignity of all men and women.

"Although my remarks today will be essentially affirmative and forward-looking, we must acknowledge at the outset that the problems that now plague our number one agricultural industry -- sugar -- obviously are going to have an impact on the lives of all of us.

"This past year has been a difficult year for sugar. This has led some to predict the demise of sugar in Hawaii.

"I do not share this pessimistic view.

"At the same time, I am not minimizing the seriousness of the situation which has led to the announced closing of one plantation, and possibly could lead to more, with all the human heartaches and dislocations that this involves.

"Since Congress decided to eliminate the Sugar Act more than eight years ago, our industry has been on a roller coaster ride...rising to the heights, and plunging to the depths. Unfortunately, we are in an economic valley at the moment.

"But, I am determined to offer whatever state assistance can be mounted, working in concert with the sugar industry itself.

"I am convinced that new, and innovative, efforts can be made.

"And I am convinced that even with the lack of understanding of this very essential industry at the national level, we will prevail.

"This period is a real challenge, and a new crisis in an industry that already has known too many challenges and crises. But the fact is that the industry has survived, and I am convinced that it will continue to survive, and to prosper, if all of us exert our best efforts and our most creative thinking.

"While unemployment of 5.3 percent in Hawaii looks good against the 8.9 percent national rate, any further decline in sugar can have a negative impact on our citizens and we must watch this very carefully.

"Now, permit me to report on the principal things we have accomplished during the past year.

"Shortly, my office will release a year-end report. It will contain a more detailed list of what your government has achieved. I know every citizen will have the opportunity to read it. I believe that our work, along with the work of the Legislature, has been constructive and impressive. And, to be honest about it, I hope our citizens will come to the same conclusion.

"Each thing that has been accomplished, it seems, leads to new challenges, to new things that must be accomplished tomorrow, but that is how progress is achieved.

"The serious public official knows that this work must be approached with a sense of steadiness and a sense of continuity. Though conflicts are inevitable, and sometimes even useful, the conscientious public official does not cultivate conflict or chaos. For he or she knows that what we do today does, indeed, set the tone for tomorrow.

"I've been in office for some time now, long enough to get a feeling for what's called 'the sweep of history,' and I can tell you that nothing we have done gives me a greater sense of solid achievement than the Hawaii State Plan, which is now the law of the land. Although it is not yet fully implemented, its presence is reassuring to me.

"I see the State Plan primarily as a great gift to our children. This state is the first and only state in the Union to legislatively adopt a 'blueprint for the future,' and that is because our own experience has given us a view of how fragile these beautiful islands really are.

"When I returned home from law school in 1952, I came home to a plantation economy -- the basic old historic Hawaiian economy. And one of the things most clear to me as I began to build a career as a lawyer in Honolulu was that if the economy had a wider base, we would all be better off.

"Along with many citizens, I was a strong proponent of the diversification and growth of Hawaii's economic base. And, though that growth was useful and necessary in the 60's and early 70's, after a decade of uncontrolled growth, we saw that it could not continue indefinitely along these avenues. We were losing our balance. We were losing our way.

"When my Administration proposed the State Plan concept four years ago, it was a revolutionary idea to many. And yet, I think we all came to understand that adopting it was a necessity if we were to avoid a thousand more complex problems a decade from now. We came to understand that the government of Hawaii was going to have to deal with the future of Hawaii. As I have said before, it was necessary for us to become the masters of our destiny, rather than the unwilling victims of circumstance. And so, today, we have our skeleton State Plan. But there is still more work for tomorrow. I have here in my hand, a copy of each of the 12 Functional Plans, and I strongly urge you to adopt them in the coming session.

"Let me read their titles, so everyone can appreciate their scope and how they affect our lives.

The State Agriculture Plan;

The State Housing Plan;

The State Water Resources
Development Plan;

The State Tourism Plan;

The State Transportation Plan;

The State Energy Plan;

The State Historic Preservation
Plan;

The State Recreation Plan;

The State Health Plan;

The State Education Plan;

The State Conservation
Lands Plan; and

The State Higher Education Plan.

"Yes...we need these Functional Plans to flesh out the State Plan, to make it really work.

"The people themselves have spoken, in a 1981 survey, about our future path. They supported substantially -- 93 percent, in fact -- the concept of the state having a major role in planning for the future. And they also support the concept of having the state and the counties come together to share that planning role.

"I urge all of our citizens to become as familiar with the State Plan, and the Functional Plans, as we are here in the capitol building. This booklet, 'Where Does Hawaii Go From Here?' tells part of the story, and the rest of it can be found by reading the Functional Plans.

"Now, if you can't find the time to read all of them, then at least read the ones that directly affect your life. If you are working on the land or with the land, read the Agriculture Plan.

"If you're working in the visitor industry, read the Tourism Plan.

"If you think a highway should be widened, read the Transportation Plan.

"The fact is that these plans are going to have a powerful impact on your personal future. You owe it to yourself, and to your family, to find out what is going on -- and also to register an approval or a complaint.

"Hawaii is small enough, and personal enough, so that you can actually get in touch with the people who represent you, including me.

"We may not agree on everything, but an informed and concerned public is one of the best allies that a Legislature, and a Governor, can have.

"I fully recognize that possibly every legislator has certain reservations about certain plans, but given these reservations, let us find out what they are right here on the floor of the House -- or across the rotunda in the Senate Chambers. Let us grapple with the problems and the details. Let us grasp the nettles, whatever they may be. Let us make changes if we see they are needed. But let us, also, adopt Functional Plans this session which will bring life to the State Plan, and start the movement of Hawaii into an orderly, and planned future.

"The Administration awaits your favorable votes on the 12 plans, but in the meantime, we are moving ahead in a qualified way to implement that which can be implemented.

"Thus, the renovation and restoration of Aloha Tower, along with the development of an office building, shops, public areas, and a downtown hotel -- all of it now supported by your authorization of the sale of \$33 million in revenue bonds -- will become a reality.

"The bill sent to you last year which establishes a method of state control over the allocation of our precious water is within the boundaries and the spirit of the State Water Resources Development Plan.

"Our achievement in bringing in Hawaii's first geothermal generator plant on the Big Island last July also is within the spirit of the State Energy Plan.

"And, perhaps nowhere is the spirit of the State Plan more clearly revealed than in our approach to the development of agricultural park land. This has been going on for seven years now. The state develops the land -- nearly 1,000 acres by now -- and then leases it to people who know how to work it.

"Yes... the Functional Plans already are enjoying this Administration's support. And I do hope that the Legislature will act now so that our complete planning process will be implemented. At that time, this gift to our children will become more secure and meaningful.

"I turn now from a matter of pride to a matter of considerable concern.

"I am referring to crime in this state. Crime is perceived by the people -- and by this Administration -- as possibly the most dangerous and vexing problem we face.

"An obvious solution to most crime is to build a better society, one in which everyone shares equally in the abundance of the economy and the good things of

life.

"That is an ideal, but until this utopia is reached, we must combat crime -- which I have called a cancer growing in our society -- with all the means, and the energy, and the intelligence, that society can muster.

"We must discourage potential crime by taking a powerful and consistent stand against existing crime.

"To protect ourselves, we must become in some ways as tough as the criminal.

"During 1981, I convened four Governor's Conferences on Crime. Four times, we brought together all of the public officials with major responsibility for Hawaii's criminal justice system.

"This has never happened before. Much was accomplished in these meetings.

"They were long, and exhausting. But they provided a forum in which a dialogue that never before had existed was made possible.

"Many frustrations were relieved.

"Many cooperative efforts were initiated.

"Many innovative actions evolved.

"And importantly, proposed legislation emerged which is designed to strike at the heart of some of our crime problems.

"This portfolio of anti-crime measures is now being drafted, and will soon be on your desks for consideration.

"I am going to speak in some detail about this package which is designed to help us in our fight against crime.

"It is important, I feel, that our citizens know exactly what we have in mind. And it is also important that the criminal knows what we have in mind. With your help, and with your votes, we can turn this proposed anti-crime package into law.

"If it becomes law, we will be able to train more people to help with the serious business of protecting witnesses -- of keeping witnesses secure and safe in order that their testimony can be effectively used in court.

"If it becomes law, we will make bail a better tool of law enforcement by having the penalty for bail-jumping be the same as the penalty for the crime originally charged against the defendant.

"And the whole idea of bail will be redefined so that the amount of bail and the appropriateness of bail will help insure public safety.

"Our conferences came to important conclusions in the areas of criminal insanity and the claims of insanity. Under the proposed legislative package, the burden of proving insanity shifts to the defendant. We will also shift to the defendant the burden of proof of safety to the community after a person is acquitted by reason of insanity. And, if adopted, the statute will allow a new verdict -- 'Guilty, but mentally ill.'

"Whenever the condition of the human mind has to be defined by law, we move into an area where it is difficult to find agreement -- and impossible to find perfection. But the conferences agreed in principle that these proposed moves would limit the present use of the insanity defense, and therefore, would improve public safety.

"Our four conferences also focused on the importation, the sale, and the use of illegal drugs. Under proposed legislation, the government would be able to confiscate the implements of marijuana cultivation, as well as the property on which it is being grown. And since marijuana is illegally grown on public land, a further penalty would be a mandatory jail term for the cultivation of it.

"Finally, a new law would state that the use of a firearm in the commission of a felony would carry a mandatory prison term.

"Obviously, decisions affecting human lives, and freedoms, and safety, must be made very carefully, and I fully expect the anti-crime package we submit to the Legislature to receive considerable scrutiny and examination. This is as it should be. But at the same time, I feel that it is essential, and imperative, that we act now to protect the vast majority of our citizens from the minority that would do it harm and injury.

"We are continuing to make progress in other areas in our fight against crime.

"In the past two years, the state government, with your help, has provided the counties \$1.5 million to support the Career Criminal Program. Two hundred and fifty criminals

have been convicted as a result. These are people who were making a career out of crime.

"Then, too, there is the community restitution program on the Neighbor Islands.

"Under this plan, a judge can sentence a non-dangerous criminal to community service instead of a term in jail, probation, or a fine.

"Last year alone, 800 offenders did 38,000 hours of public work.

"And I should note too that by placing a larger number of officers on duty in our parks and mountain areas, we have made these areas safer for everybody.

"Let me assure you that we are determined to protect the community. Let me assure you that we are determined that our society will not be in permanent bondage to anybody.

"It is heartening that what is considered to be 'serious crime,' decreased in Hawaii by 11 percent in the first nine months of last year. However, none of us should take pride in this decline.

"Every crime is an insult to another human being.

"It does them damage.

"It injures them economically.

"Oftentimes, it hurts them physically.

"And, sometimes, it kills them.

"Crime, and the roots of crime, cannot be tolerated, and this Administration is determined to attack this disease in our society with all possible means.

"At this point, I would like to say a word about our judicial and correctional systems.

"There is a perception that in Hawaii, we are soft on criminals, that the Judiciary is soft and that the Parole Board is soft. But, the fact is, the system has responded to the need to get tougher.

"Hence, we find the courts sentencing more people to prison and the Parole Board letting fewer people out of prison.

"As a result, the prison population has gone from 216 to 709 from 1975 to 1981, more than a threefold increase. The average length of imprisonment has doubled, from 25 months to 50

months -- longer than anywhere else in the United States.

"So, while none of us takes pleasure in confining people, the figures indicate a genuine effort to offer protection to our society.

"For most citizens in our state, the subject of taxes is, like the subject of crime, difficult and distasteful. But, here in Hawaii, I am happy to say that our tax record is superior. Since I have been Governor, there has been no increase in income or excise tax rates, and there has been a General Fund surplus every year. The treasury of Hawaii is one of the few in our nation that today has a surplus.

"We have a surplus because revenues generally have held up to expectations, but, also, because we have been prudent.

"We have a surplus because often I have had to say 'No' to certain projects, or operations, instead of 'Yes.'

"These are not easy personal experiences for me, and, certainly not beneficial political episodes. But they were necessary ones if we were to maintain the monetary integrity and stability of this state, and if we were to be faithful to all of our people.

"At the same time, I take pride in the fact that we have provided outstanding governmental services to our people while maintaining a strong financial foundation for this state.

"From time to time, you, in the Legislature, and I have disagreed on what is the right amount to spend. There have been times when I have not felt it was prudent to spend the entire amount you have authorized. But we have worked out the differences. And, so, while most states are having great financial problems, we have a surplus of more than \$231 million, as of June 1981.

"In the last session, the Legislature granted a \$100 tax rebate to every resident of Hawaii. For an average family of four, that is \$400.

"Because of the financial stability of this state, I am submitting legislation this session that would eliminate the four percent tax on prescription drugs.

"At the same time, I am proposing that we give a permanent annual \$50 tax credit-rebate to every resident of Hawaii.

"I realize there is a considerable movement, and even a great emotional appeal, for the removal of the four percent excise tax on food, as well as prescription drugs.

"My position is, and remains, that removing the excise tax on food does not benefit

our permanent residents as much, or as directly, as does the tax rebate.

"Many visitors, come to Hawaii and stay a number of months. Many of them live in apartments with cooking facilities, and they shop in our food stores.

"Since these visitors, welcome as they are, pay no income taxes to the State of Hawaii which provides them with many of the services they utilize, the removal of the 4 percent excise tax on food would provide them with a 'free-ride' in Hawaii.

"A permanent tax credit-rebate for each resident of Hawaii -- man, woman, and child -- will offset the taxes paid on food. The average expenditure on food is \$1,300 a year. Four percent of that comes out to approximately \$50, and that is how we arrived at this figure. Importantly, it will only go to the residents of Hawaii.

"It would be the cheapest and most efficient way of providing this relief.

"While we are talking taxes and finance, I would like to point out to the Legislature, and our people, a substantial problem we are now facing. It is having a severe impact on us.

"I have supported, to a point, the Reagan Administration's efforts to cut down on government spending and, also reducing a huge, and sometimes, unwieldy federal bureaucracy.

"Without question, many of us have felt that the federal government in some areas has gotten 'out of hand,' that there were too many programs, too many regulations, and too much paper work.

"That is agreed. But I have become increasingly concerned with the Reagan Administration's efforts to 'unload' critical programs to the states, without providing a transition period, without providing sufficient resources, and without allowing the states the needed flexibility to decide.

"Even with the most stringent management, there is no way that a state government can compensate in some instances for a 25 percent budget reduction simply through a savings in 'overhead.'

"I know that many people in our community have begun to feel the

jolt of what some knowledgeable Washington observers have called a revolutionary shift in the direction of the federal government. Clear and definitive information about the specifics of these changes -- particularly regarding reductions in the federal budget -- has been extremely slow in coming.

"As we enter the second quarter of the federal fiscal year, we still do not have all of the exact numbers on monies available to finance federally-mandated programs.

"Distressing as this lack of information is, even more distressing is that the states are now being asked, in certain areas, to return to the first fiscal quarter and cut some more. This is like asking a citizen to spend less of what has already been spent at already reduced levels.

"This is an extremely unsettled, and unsettling, period. It is most important that all of us, here in Hawaii, work together to establish, and refine, our priorities.

"There will be great demands for the state government to pick up the programs which have been affected by federal budget cuts. While we may look at selective programs, the state cannot make up for all of these cuts.

"Turning to something more affirmative, permit me to speak with pride on what is happening in this state in the field of energy.

"Scientists from all over the world are coming here to learn how we are lessening our dependence on oil.

"At the beginning of the energy crunch, more than half a decade ago, Hawaii was the state most dependent on oil, but we have moved away faster from this dependency than any other state.

"Last July, a geothermal generating plant on the Big Island started up.

"This project not only will be a functioning source of energy, but also will provide essential information for similar projects on all islands.

"A huge experimental windmill has been built on Oahu.

"Because of its success, a private firm has plans to build 20 windmills that will provide 80 megawatts of electricity, which is nearly nine percent of Oahu's present electricity needs.

"The burning of bagasse for energy is also being conducted on a commercial scale.

"One of my jobs when I was Lieutenant Governor was to work with the sugar companies to meet the EPA restrictions on dumping bagasse into the ocean -- where it was a pollutant. Now, this former pollutant has been turned into power, providing about one-half of the electrical energy used on the islands of Hawaii and Kauai, and about one third on the island of Maui.

"One of the most remarkable experiments and achievements -- and one that possibly has attracted the most attention because of its newness -- is our state's development of OTEC generators, which uses the difference in temperature between the cold waters of the deep ocean and the warm surface waters to power electric generators. OTEC refers to Ocean Thermal Energy Conversion.

"When I hear experts from the Mainland talking about things such as coal gasification, and when I hear that there are 300 years of coal beneath the Western States, and when I hear how difficult it will be to get to that coal without destroying the land itself -- my response is that here in Hawaii we are developing practical new energy resources that will last forever.

"From the wind... from the sun... from the ocean.

"Without question, Hawaii is the leader of our nation, and possibly the world, in the essential search for alternative energy resources. I am convinced, too, that Hawaii will become the first electrically self-sufficient state in our country.

"We have made great strides here, and we have achieved much. In recognition of this, our state will host an international energy conference in August.

"There is a definite element of hope and imagination in what we have accomplished here that I find inspiring. So let us continue to add hope and imagination to the values that we want to retain in Hawaii. There surely is nothing new about them. All the people who came to Hawaii carried in their vessels a cargo of hope. And only people of imagination could have built what we all have worked together to build here in Hawaii.

"Other pioneering efforts in this state have taken aquaculture from the experimental to the commercial, and have produced, with state

encouragement and support, a new industry which produces prawns, marine shrimps, and oysters.

"The enhancement of our third largest export industry -- the Hawaii garment industry -- through marketing agreements with the Hawaii Fashion Guild, and through the training of people to work in the industry, has resulted in a physical, and profitable, extension of Hawaii throughout the world.

"The Hawaiian International Fashions Trade Show last September created \$2.5 million in sales.

"Hawaii has been successfully promoted as a site for motion pictures, television shows, and commercials.

"The \$4.5 million public-and-private sector programs, called HAWAII/82, is our most powerful effort so far to promote our number one source of income -- tourism.

"Arrangements with producer-associations to promote and market a wide range of agricultural products have resulted in significantly increased sales. These include papayas...taro...guava...anthurium...protea...dendrobiums...coffee... and, of course, the goods grown and manufactured in this state.

"Hawaii has one of the best, and most flexible, Foreign Trade Zones in the United States -- a zone that received a Presidential award for excellence.

"A substantial expansion of senior citizen centers and lunch sites has been accomplished. Also, the remarkable Senior Companion Program, in which our seniors become volunteers to help the needy and disabled has been expanded.

"A continuous upgrading of the facilities of our schools and our university has represented a high priority. Almost \$200 million has been spent for public school improvements, and \$170 million for new classrooms and laboratories and student housing at the University's campuses. Ours is a state that has and continues to provide strong support for education.

"Nearly \$30 million has been spent to improve community drinking water systems, and \$8 million to take hazardous asbestos out of our schools.

"An accelerated parks program has led to the creation of 13 new state parks.

"In the field of health, major additions and improvements have been made to the Hilo, Kona, the Maui Memorial, Kauai

Veterans, and the Samuel Mahelona Hospitals, and to three new regional health centers on Oahu. Organized ambulance services have been extended to all islands in a statewide Emergency Medical Services Program.

"Persistent prosecution of fraud and other abuses in welfare and health services, and in unemployment insurance benefits, have saved many taxpayer dollars.

"The Career Kokua Program at many schools in our state has provided job opportunity information for our students.

"Airports, highways, and harbors -- our economic lifelines -- are the focus of constant improvement which will continue.

"The development of 5,600 new housing units for low and moderate income families, and the remarkably successful HULA MAE lower interest mortgage program, have provided a margin of relief in the exceedingly difficult real estate market.

"The construction of 1,300 new homes for qualified Hawaiians on Hawaiian Homestead land, represents more housing in the past six years than in the previous 30 years.

"Our precious past has not been neglected either. The restoration of the birthplace of Kamehameha the First...the acquisition of Kamao Point for future restoration... and the historical site restoration now going on at Iolani Palace and Iolani Barracks -- just a few hundred feet from where we meet this morning. These projects prove that this state, and our people, have more than an historic concern for the Hawaiian past. We have an affection for it, too.

"Finally, let me turn from these very specific accomplishments to something that I see as a great future opportunity for all of us. These islands are the pivotal point in the Pacific, and the Pacific Basin, today, increasingly is a principal trading area of the United States. Based on recent trends, the projected trade increases for the future are dramatic and impressive.

"The Pacific Basin is also a vast treasure house of natural resources, particularly in oceanic mining and in fisheries. In the near future, this area, with two-thirds of the world's population, is going to explode

with economic activity.

"There is a spirit of independence, of hope, and of zest, that pervades this vast basin today. It is an exciting time. And it is a time of great opportunity for us.

"Our membership in the Pacific Basin Development Council and our membership in the Pacific Island Conference, are substantial first steps. But in the time ahead, we can use our financial base, our educational base, our information base, our research and technical facilities, our market opportunities, and our understanding of the various cultures, to take the lead in dealings with the Pacific Ocean Area. We have much to offer the people of the Pacific. And, they, in turn and in many ways, can enrich our lives.

"We are the logical Americans to carry this great work forward. The opportunity is so vast that it is sometimes diffused and difficult to see. But only as we see it can we grasp it, and only as we grasp it can we truly lead. This is our chance, and it would be a terrible mistake to let it pass by through the lack of vision. As with our concern and our approach to energy -- let us once again exercise our hope and our imagination in this very vital area.

"In closing, let me say a few words of thanks. A person does not run for office alone, and after he is elected, he does not govern alone. And, so, to you members of the Senate and the House, let me thank you for your work and your help, not only in the past year but in the earlier years, too.

"We have argued, to be sure, but that is what the process is all about. I want the people to know that this dedicated group of individuals who make up the Legislature -- my political allies, and possibly my political adversaries, are a precious asset to the people of the state.

"And my appreciation goes to another group -- the mayors of our state. It is essential for the state administration to establish a viable working relationship with the mayors and the councils of our counties for it is the responsibility of all government -- at all levels -- to serve the people.

"And I cannot fail to express my appreciation to those who represent us in Congress, and who represent our link to the rest of our Nation, and to the world.

"In my 1977 State of the State address, I said these words:

'I think we share a common dream for Hawaii, a dream of programmed expansion and a better life for all.

'To do this, we must be the masters of our fate. Then, we can forge ahead, with the confidence of success that is so essential to achieving the dream all of us have for our beloved Hawaii.

'We have moved this state forward on the guidelines of the goodness of man and the opportunities and justice for all.

'We have made many decisions, most of them right, I feel; some of them wrong. We have not eliminated our problems and probably never will. There always will be problems to tax our courage and our determination to move this state forward along prudent paths, to reject the simple and expedient solution, in favor of what will be the best for our people in the years to come.

'We have come so far, my friends, in such a short time that sometimes we lose sight of our progress and tend too much to dwell on our problems. Problems we have. Of that, there can be no doubt.

'But none of them are unsolvable. Working together, we will arrive at the solutions. Of that, I have no doubt.'

"These words were valid in 1977, and they are valid in 1982.

"We have made considerable progress in achieving, and articulating, our destiny, and I am confident we will continue to do so.

"There is no question that geographically we are islands in a vast ocean, but we are not, cannot be, and should not be, islands either socially, economically, or culturally.

"From this relatively insignificant land mass in the middle of the Pacific, a giant culture has emerged.

"It is a culture, and a way of life that pays tribute to the essential dignity of all people, regardless of ethnic origins, and economic circumstances.

"This is our heritage, and this is our unique offering to the world.

"Carl Sandburg, one of America's

foremost authors and philosophers, once wrote that the story of America was the story of people arriving. If there is verity to these words, Hawaii is its affirmation.

"Our society, truly, is composed of 'people arriving,' whether it be the first Polynesians braving the uncharted seas in outrigger canoes, or the latest immigrants arriving on a 747.

"Ours, very definitely, is a story of 'people arriving,' and of a people achieving success, and respect, and dignity.

"We hold in our hands the instruments to further mold, and to shape, and to refine our society.

"Let us use them wisely.

"Mahalo and Aloha."

Senate President Wong then rose and stated:

"Governor Ariyoshi, thank you very much for sharing with the Legislature your aspirations and dreams for a better

Hawaii. I can assure you that, in the coming weeks, we, in the Legislature will consider carefully the specific legislative proposals submitted by your Administration. I hope we can work together cooperatively to carry out the aspirations and dreams that you and we share together.

"If there be no further discussion by the members in this joint session, I hereby declare this Joint Session adjourned."

At 10:50 o'clock a.m., the President declared the Joint Session with the House of Representatives adjourned.

The Senate reconvened at 10:55 o'clock a.m., with the President in the Chair.

ADJOURNMENT

At 10:57 o'clock a.m., on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, January 26, 1982.

FIFTH DAY

Tuesday, January 26, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the Vice-President in the Chair.

The Divine Blessing was invoked by the Reverend Richard DuFresne of the Community Church of Honolulu, after which the Roll was called showing all Senators present with the exception of Senators Kobayashi, Kuroda, Yee and Wong who were excused.

The President announced that he had read and approved the Journal of the Fourth Day.

At this time, Senator Abercrombie introduced to the members of the Senate a group of Kiwanis and "K-Family" sponsored youth club representatives, in recognition of Worldwide Kiwanis Week and the 67th Anniversary of the founding of the Kiwanis International. Sitting in the Senate gallery: Mrs. June Brown, Mrs. Renie Hammann, Louise Berge, Harold K. Berge, District Director of Administration (Kiwanis), Cheryl Millham and Thomas W. Millham, Lt. Governor of California, Division 45 (Kiwanis), Jackie Millham and Al Millham, Treasurer and Past President of the Kiwanis Club of Temple City, California, Division 10; members of Hawaii Kiwanis Clubs on Oahu: Samuel T. Sakamaki, Wallace L. Pitchford, Terry T. Tamura, James S. Takishita, Admiral W. Jefferson, Albert T. Anderson, Wallace Shackle and Karl D. Jahnke; Ray U. Uchimura, member of Circle "K," University of Hawaii Club; Mike Teramoto and Roy T. Fujinaka, members of Key Clubs in the high schools; Sheryl Arakaki and A. Dale Miller, members of Keywanettes in the high schools.

Senator Abercrombie stated: "Kiwanians internationally, including the members in the State of Hawaii, exemplify concern for others and appreciation of human value through community service projects and this legislative body extends congratulations and commendation for their significant contributions and outstanding evidence of good citizenship."

Senator Abercrombie then introduced Mr. Bill Wesley Brown, Governor of the California-Nevada-Hawaii District, Kiwanis International, and Mr. Arthur H. Hammann, Lieutenant Governor for the Hawaii Division, Kiwanis International, who were presented with leis by Senators Saiki and Young and Senate certificates

by Senator Abercrombie.

At 11:40 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:41 o'clock a.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 1 to 32) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 1), transmitting copies of the progress report of the Long Term Care Channeling Demonstration Project by the Department of Social Services and Housing, in response to House Resolution No. 418 (1981), was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 2), transmitting copies of reports prepared by the Department of Education in response to:

1. House Bill No. 1 (1981), relating to the Hawaiian Studies Program;

2. House Bill No. 1 (1981), relating to the Asian, European and Pacific Languages Program;

3. House Bill No. 1 (1981), relating to alternative housing for the Office of Instructional Services;

4. House Bill No. 1 (1981), relating to Project Holomua;

5. House Resolution No. 39 (1981), requesting the Board of Education to take corrective measures against school violence and vandalism;

6. House Resolution No. 212 (1981), requesting increased training for educational officers;

7. House Resolution No. 428 (1981), requesting the relocation plan for Department of Education rental offices;

8. House Resolution No. 528 (1981), requesting the Board of Education to study the feasibility of more equitably distributing off-ratio teachers to the elementary and secondary schools to strengthen programs for gifted and talented students;

9. House Resolution No. 580 (1981), requesting the Board of Education to

report on measures taken to resolve the issues relating to the Job Sharing Program;

10. Senate Resolution No. 44 (1981), requesting the Department of Education to broaden course offerings in vocational agriculture and to submit a report on this subject;

11. Senate Resolution No. 153 (1981), regarding cardiopulmonary resuscitation training in high schools;

12. Senate Resolution No. 176 (1981), requesting the preparation of a weighted class size formula;

13. Senate Resolution No. 251 (1981), requesting the Board of Education to report on the efforts to reduce unnecessary expenses by consolidating underutilized schools.

14. Senate Resolution No. 257 (1981), requesting the Department of Education to conduct a feasibility study on establishing a new high school in the Kealakehe Complex in West Hawaii;

15. Senate Resolution No. 274 (1981), encouraging the Department of Education to continue its commitment to nutrition education within the public schools; and

16. Senate Resolution No. 282 (1981), concerning minimum curriculum offerings at all high schools;

was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 3), transmitting copies of a report prepared by the Department of the Attorney General, in response to Senate Resolution No. 279 (1981), requesting the Attorney General to examine the feasibility of amending the Hawaii Rules of Evidence, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 4), transmitting copies of a plan prepared by the Executive Office on Aging, Office of the Governor, in response to Part III, Section 38, Act 1, 1981, "Plan for a Systematic Review and Selection of All Requests for Grants," was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 5), transmitting copies of a report prepared by the Department of Education, in response to House Resolution No. 38 (1981), requesting the Board of Education to report on the Alternative Education Program, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 6), transmitting copies of "Criteria for Systematic Review and Selection of Basic Grants for the Progressive Neighborhoods Program Task Force," pursuant to Act I, Part III, Section 25, SSLH 1981, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 7), transmitting copies of a report prepared by the Office of Economic Opportunity, in response to Act 1, Part III, Section 37, SSLH 1981, requesting the Office of Economic Development to develop a plan for systematic review and selection of "other grants-in-aids," was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 8), transmitting copies of a report prepared by the Department of Labor and Industrial Relations, in response to House Resolution No. 359 (1981), requesting the Department of Labor and Industrial Relations to amend their rules relating to the Boiler and Elevator Safety Law, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 9), transmitting copies of a report prepared by the Executive Office on Aging, in response to House Resolution No. 606 (1981), requesting a study to determine whether any duplication of health screening services for the elderly exist between the state, its counties, and the private community health agencies, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 10), transmitting copies of the Annual Report of the Hawaii Public Broadcasting Authority for the Fiscal Year ending June 30, 1981, submitted pursuant to Section 314-12, HRS, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 11), transmitting copies of the Annual Report of the Commission to Promote Uniform Legislation, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 12), transmitting copies of the Annual Report of the Insurance Commissioner, pursuant to Section 294-16, HRS, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 13), transmitting copies of a report prepared by the Department of Social Services and Housing and by the Judiciary, assisted by the Office

of Children and Youth, in response to House Resolution No. 632 (1981), requesting the Department of Social Services and Housing and the Family Court to report on placement services and related care provided to low, medium, and high-risk juvenile offenders, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 14), transmitting copies of the Annual Report of the Research Corporation of the University of Hawaii for Fiscal Year 1981, as mandated by Section 307-6, HRS, was referred to the Committee on Higher Education.

A message from the Governor (Gov. Msg. No. 15), transmitting copies of "Mariculture and Ocean Thermal Energy Conversion--State-of-the-Art Assessments," a technical supplement to "Ocean Leasing for Hawaii," January 1981, prepared by the Department of Land and Natural Resources, initiated as a result of amendments ratified under Article XI of the Hawaii State Constitution, and in response to House Resolution No. 474 (1979), was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 16), transmitting copies of a report prepared by the Department of Health, in response to Senate Concurrent Resolution No. 29 (1981), urging the Governor to negotiate interstate compacts for the disposal of low-level radioactive wastes, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 17), transmitting copies of the 1980 Annual Report of the State Energy Resources Coordinator, prepared by the Department of Planning and Economic Development, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 18), transmitting copies of the 1980-81 Annual Report prepared by the Department of Hawaiian Home Lands, was referred to the Committee on Housing and Hawaiian Homes.

A message from the Governor (Gov. Msg. No. 19), transmitting copies of the Annual Report prepared by the Hawaii Community Development Authority for Fiscal Year 1980-1981, was referred to the Committee on Housing and Hawaiian Homes.

A message from the Governor (Gov. Msg. No. 20), transmitting copies of an Annual Report prepared by the Department of Transportation, in response to House Resolution No. 274 (1971),

requesting annual evaluation reports on driver education and training programs, was referred to the Committee on Transportation.

A message from the Governor (Gov. Msg. No. 21), transmitting copies of a report prepared by the Department of Labor and Industrial Relations, in response to House Bill No. 1 (1981), requesting the Department of Labor and Industrial Relations to submit a progress and measures of effectiveness report on the Hawaii Career Information Delivery System (HCIDS), was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 22), transmitting copies of reports which were prepared by the Department of Land and Natural Resources in response to:

1. Senate Resolution No. 208 (1981), relating to the Waikiki Aquarium; and

2. Senate Resolution No. 209 (1981), relating to the Waikiki War Memorial Natatorium;

was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 23), transmitting copies of a report prepared by the Department of Transportation, in response to Senate Resolution No. 220 (1981), requesting the assistance and cooperation of the Department of Transportation to encourage establishment of regular surface transportation between Hawaii and American Samoa, was referred to the Committee on Transportation.

A message from the Governor (Gov. Msg. No. 24), transmitting copies of a report prepared by the Department of Transportation, in response to House Resolution No. 70 (1981), requesting the Department of Transportation to assess the cause of the fire at Honolulu Harbor on August 15, 1980 and the methods used to combat the fire and to recommend measures to prevent or combat a similar fire, was referred to the Committee on Transportation.

A message from the Governor (Gov. Msg. No. 25), transmitting copies of a report prepared by the Department of Transportation, in response to Senate Resolution No. 219 (1981), requesting the Department of Transportation in cooperation with the schools and law enforcement officials on Oahu to study and propose methods to reduce student driving for environmental and traffic safety reasons, was referred to the Committee on Transportation.

A message from the Governor (Gov. Msg. No. 26), transmitting copies of a report prepared by the Medicaid Fraud Control Unit of the Department of the Attorney General, dated January 20, 1982, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 27), transmitting copies of the Annual Report of the Insurance Commissioner of Hawaii, 1981, Summary of Insurance Business for the Year 1980, pursuant to Section 431-45, HRS, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 28), transmitting copies of a report prepared by the Department of Land and Natural Resources, in response to Senate Resolution No. 262 (1981), requesting the Department of Land and Natural Resources for progress reports on state parks on the island of Hawaii, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 29), transmitting copies of reports prepared in response to:

1. Senate Resolution No. 107 (1981), requesting the Department of Agriculture to submit a study on the feasibility of establishing bioconversion facilities using farm animal waste to produce methane gas;

2. House Resolution No. 163 (1981), requesting a report from the Department of Agriculture on problems concerning the use of garbage as swine feed; and

3. House Resolution No. 465 (1981), requesting the Departments of Agriculture and Health to follow the current DBCP pesticide studies and to report the findings and recommendations to the Legislature;

was referred to the Committee on Agriculture.

A message from the Governor (Gov. Msg. No. 30), transmitting copies of the 1981 Annual Report prepared by the Criminal Injuries Compensation Commission, pursuant to Chapter 351, HRS, as amended, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 31), transmitting copies of the status report of the Economic Planning Information System, prepared by the Department of Planning and Economic Development, in response to Section 80, Act 1, SSLH 1981, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 32), transmitting copies of a report prepared by the Department of Regulatory Agencies, Board of Nursing, dated December 30, 1981, in response to House Resolution No. 533 (1981), relating to the critical shortage of registered nurses, was referred to the Committee on Health.

SENATE RESOLUTION

A resolution (S.R. No. 3), amending the Rules of the Senate of the Eleventh Legislature, was offered by Senators Carpenter and Young, and was read by the Clerk.

By unanimous consent, action on S.R. No. 3 was deferred until Wednesday, January 27, 1982.

SPECIAL COMMITTEE REPORT

Senator Young, for the Special Senate Interim Committee to Determine Whether a Limitation on the Number of Bills Which May Be Introduced during a Regular Session Should Be Established, which was requested to review whether a limitation on the number of bills which may be introduced during a regular session should be established and if limitation is found to be desirable to recommend the appropriate strategy for implementation, presented a report (Spec. Com. Rep. No. 1) with certain recommendations.

By unanimous consent, the report of the Committee was received and placed on file.

At this time, Senator Young rose to speak on Spec. Com. Rep. No. 1 and S.R. No. 3, as follows:

"Mr. President, in recent years, the number of bills introduced each year has grown larger and larger. In 1981, a total of 2131 Senate bills were introduced. Of these, 503 were short form bills and 589 were appropriation bills. Clearly, these are excessively and unacceptably large numbers. Deciding to tackle the bill proliferation problem head-on, the Senate last year passed Senate Resolution No. 41, S.D. 1, to establish a special interim committee to thoroughly study the problem and to make recommendations addressing it.

"I chaired that Special Interim Committee, the report of which has now been filed with the Senate. Senate Resolution No. 3 proposing amendments to the Senate Rules as recommended by that report has, as you know, been introduced and will be voted on by the Senate tomorrow.

"Let me just outline the recommendations which are now before the members of the Senate:

1. The introduction of short form bills will be eliminated except for a short form package which may be introduced by the President and the minority leader to be used in case of emergency. This will eliminate dozens if not hundreds of unnecessary bills each year.

2. The introduction of appropriation bills will be severely curtailed to a basic package introduced by the President. The only exception will be that each Senator may introduce one CIP bill for his or her own district. Again, this will eliminate many, many unnecessary bills.

3. The introduction of congratulatory or memorial resolutions will also be eliminated to be replaced instead by some suitable certificate. Elimination of these resolutions will greatly cut down on costs and help ease the logjam of measures which we have to contend with each year.

"I hope my fellow Senators will support these recommendations and vote for Senate Resolution No. 3 tomorrow.

"Another area of bill proliferation which the Special Interim Committee considered was the problem of too many duplicate bills being introduced. Unfortunately, because of technical difficulties, the Senate is not able to implement the recommendations to discourage bill duplication at this time. Hopefully, these technical difficulties can be resolved so that perhaps by next year, we will be able to also effectively address this problem.

"In the meanwhile, I call on my fellow Senators this session to make every attempt to minimize duplication. Some of the things that we might do include:

- Consult with one another more while drafting bills to avoid duplication of effort.
- Co-sponsor bills rather than individually introduce them.
- Check before introducing a bill to make sure a duplicate bill has not already been introduced.

"If these steps are taken, a lot of the duplicate bill problem can be eliminated.

"In closing, I would like to express my appreciation to the members of the Special Interim Committee - Senators D.G. Anderson, Dante Carpenter, Steve Cobb, Mary George, Dennis O'Connor, and Mamoru Yamasaki - for their interest, participation and input. Mr. Richard Kahle of the Legislative Reference Bureau deserves thanks for doing most of the committee's research and technical work and Mr. Emmett Cahill of the Honolulu Council of Churches merits a special 'mahalo' for his ongoing interest in the committee's work.

"Thank you, Mr. President."

The Chair thanked Senator Young and remarked as follows:

"On behalf of the Senate, we commend you, as committee chairman, and the members of your committee for an action well-taken. I trust that the House of Representatives will try to emulate our wisdom in undertaking something like this."

Senator Cobb added his remarks as follows:

"Mr. President, just one additional word of thanks to the chairman and members of the Senate for their participation in support of not only the resolution but the idea of limiting bills. It's been a long time coming. We've been pushing for it for six years and I think this step is long overdue and I'd just like to say 'mahalo'."

Senator Abercrombie then rose on a point of personal privilege and stated as follows:

"Mr. President, I would just like to indicate to the members of the Senate that today is the anniversary, if you will, of the attempt by the Department of Health to move leprosy patients from Hale Mohalu four years ago. I was there at that day of infamy for this state. I am very happy to say that the patients still occupy those premises after four years.

"I expect that in modern history of America no other group of people has demonstrated their desire for justice and manifested it with a commitment such as our leprosy patients have in this state. I think it is a measure not only of the righteousness of their cause but of their determination that they still occupy those premises after four years, and it's an example of the failure of the Department of Health to demonstrate not only the necessity for moving them in the first place, but the utter paucity of substance in terms

of the policy which attempted to move them in the first place.

"I hope by January 26 in 1983 that this issue will be resolved in favor of the human dimension in this issue rather than on the kind of bureaucratic inertia which has characterized the policies of the Department of Health with respect to leprosy patients over the last four years.

"Thank you."

ADJOURNMENT

At 11:47 o'clock a.m., on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate adjourned until 11:00 o'clock a.m., Wednesday, January 27, 1982.

SIXTH DAY

Wednesday, January 27, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:00 o'clock a.m., with the Vice-President in the Chair.

The Divine Blessing was invoked by the Reverend Kenjo Urakami of the Jodo Mission of Hawaii, after which the Roll was called showing all Senators present with the exception of Senators Kobayashi, Toyofuku, Yee and Wong who were excused.

The Chair announced that he had read and approved the Journal of the Fifth Day.

At this time, Senator Saiki, on behalf of Senator Anderson, introduced 40 members of the Kaneohe Senior Citizens Club who will be touring Iolani Palace and having lunch in Senate Conference Room 6.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 33 to 50) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 33), transmitting copies of State Functional Plans (12), together with accompanying Technical Reference Documents and reports of the Advisory Committees and the Policy Councils, in accordance with Section 226, HRS, for the following:

1. The State Tourism Plan, prepared by the Department of Planning and Economic Development (1981), was referred to the Committee on Tourism;
2. The State Water Resources Development Plan, prepared by the Department of Land and Natural Resources (1981), was referred to the Committee on Economic Development;
3. The State Conservation Lands Plan, prepared by the Department of Land and Natural Resources (1981), was referred to the Committee on Economic Development;
4. The State Energy Plan, prepared by the Department of Planning and Economic Development (1981), was referred to the Committee on Economic Development;
5. The State Housing Plan, prepared by the Hawaii Housing Authority, Department of Social Services and

Housing (1981), was referred to the Committee on Housing and Hawaiian Homes;

6. The State Higher Education Plan, prepared by the University of Hawaii (1981), was referred to the Committee on Higher Education;

7. The State Education Plan, prepared by the Department of Education (1981), was referred to the Committee on Education;

8. The State Recreation Plan, prepared by the Department of Land and Natural Resources (1981), was referred to the Committee on Ecology, Environment and Recreation;

9. The State Agriculture Plan, prepared by the Department of Agriculture (1981), was referred to the Committee on Agriculture;

10. The State Transportation Plan, prepared by the Department of Transportation (1981), was referred to the Committee on Transportation;

11. The State Health Plan, prepared by the Department of Health (1981), was referred to the Committee on Health; and

12. The State Historic Preservation Plan, prepared by the Department of Land and Natural Resources (1981), was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 34), transmitting copies of the Hawaii Housing Authority Annual Report for the period, July 1, 1980 to June 30, 1981, prepared by the Department of Social Services and Housing, was referred to the Committee on Housing and Hawaiian Homes.

A message from the Governor (Gov. Msg. No. 35), transmitting copies of a report prepared by the State Foundation on Culture and the Arts, in response to House Concurrent Resolution No. 123 (1981), concerning literary, musical, and artistic donations to libraries, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 36), transmitting copies of the First Annual Report of the Aloha Tower Development Corporation, prepared by the Department of Planning and Economic Development, in compliance with Act 236, SLH 1981, was referred

to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 37), transmitting copies of the 1980-81 Annual Report and a copy of A Report of the 5th Annual High School Workshop on Managing Hawaii's Future (1981), prepared by the Commission on Population and the Hawaiian Future, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 38), transmitting copies of a report of all tort claims arbitrated, compromised, or settled for \$2,000 or less during the fiscal year ending June 30, 1981, prepared by the Department of the Attorney General, submitted pursuant to Section 662-11, HRS, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 39), transmitting copies of the 1981 Annual Report of the State Intake Service Center, prepared by the Department of Social Services and Housing, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 40), transmitting copies of a report prepared by the Department of Accounting and General Services, in response to Act 1, Section 54, SSLH (1981), was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 41), transmitting copies of a report entitled: "The Feasibility of Self-Support for the Department of Regulatory Agencies," prepared by the Social Science Research Institute, University of Hawaii, in response to Senate Resolution No. 135 (1981), was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 42), transmitting copies of a report entitled "Relating to a Study of the Need for Regulation of the Practice of Social Work," prepared by the Department of Regulatory Agencies, in response to Senate Resolution No. 120 (1981), was referred to the Committee for Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 43), transmitting copies of the 1980-81 Annual Report, prepared by the Department of Personnel Services, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 44), transmitting copies of the Report of the Marine Affairs Coordinator for the period, July through December 1981, prepared by the Department of

Planning and Economic Development, pursuant to Act 149, SLH 1977, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 45), transmitting copies of a report prepared by the Department of Accounting and General Services, in response to House Resolution No. 518 (1981), requesting DAGS to review the current process of initiating, prioritizing, and funding CIP requests for public schools, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 46), submitting for consideration and consent to the State Supreme Court, the nomination of Frank D. Padgett, Associate Justice, for a term of ten years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 47), transmitting copies of a report prepared by the Department of Transportation in response to Senate Resolution No. 221 (1981), requesting the Department of Transportation to conduct an investigation of security requirements at state harbor facilities and to submit recommendations for providing required security services, was referred to the Committee on Transportation.

A message from the Governor (Gov. Msg. No. 48), transmitting copies of the Annual Report, 1980/1981, prepared by the Hawaii State Foundation on Culture and the Arts, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 49), transmitting copies of reports prepared by the Department of Accounting and General Services, in response to the following:

1. House Resolution No. 34 (1981), requesting the State Foundation on Culture and the Arts to review practices relating to the circulation of state purchased works of art; and
2. House Resolution No. 274 (1981), requesting the State Foundation on Culture and the Arts to develop a long-range plan relating to history and the humanities;

was referred to the Committee on Education.

A message from the Governor (Gov.

Msg. No. 50), transmitting copies of a report entitled: "Hawaii's Environment: The Eighth Annual Report of the Environmental Council," prepared by the Office of Environmental Quality Control, in response to Chapter 341-6, HRS, was referred to the Committee on Ecology, Environment and Recreation.

DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 1-4) were read by the Clerk and were disposed of as follows:

A communication from the Office of the Ombudsman (Dept. Com. No. 1), transmitting copies of an Annual Report for Fiscal Year 1980-81, Report No. 12, submitted pursuant to Section 96-16, HRS, was referred to the Committee on Legislative Management.

A communication from the Office of the Auditor (Dept. Com. No. 2), transmitting a report entitled: "Evaluation of the Professional and Vocational Licensing Program of the Department of Regulatory Agencies," was referred to the Committee on Consumer Protection and Commerce.

A communication from the Office of the Administrative Director of the Courts (Dept. Com. No. 3), transmitting copies of the Annual Report of the Judiciary for fiscal year 1980-81, was referred to the Committee on Judiciary.

A communication from the Supreme Court of Hawaii (Dept. Com. No. 4), transmitting copies of the Judiciary's Supplemental Budget (1981-83); and Variance Report (1980-82), submitted in accordance with Sections 601-2 and 37-92, HRS, was referred to the Committee on Judiciary.

SENATE RESOLUTION

A resolution (S.R. No. 4), entitled: **ESTABLISHING A FEDERATION OF ASSEMBLYMEN OF FUKUOKA PREFECTURE AND HAWAII STATE LEGISLATORS - TO PROMOTE INTERNATIONAL GOODWILL**, was offered by Senators Yamasaki, Wong, Kawasaki, Kuroda, Cayetano, Abercrombie, Anderson, Carpenter, Young, Campbell, Ajifu, Cobb, Toyofuku, Soares, Machida, Ushijima, Holt, Uwaine, Henderson, Mizuguchi, O'Connor, George and Saiki, and was read by the Clerk.

On motion by Senator Yamasaki, seconded by Senator Kuroda and carried, S.R. No. 4 was adopted.

At this time, Senator Yamasaki rose and addressed the members of the Senate as follows:

"Mr. President, it is a distinct privilege for me to introduce to this body, nine members of the Fukuoka Assembly and two officials of the Assembly office staff, who are here to officially execute an historic document and enter into a bond of international friendship and promotion of goodwill through the establishment of a federation of Assemblymen of Fukuoka and the Legislators of Hawaii.

"As a result of our establishing sister-state relationships between Hawaii and the Prefecture of Fukuoka, there will be a brief ceremony scheduled at 11:30 o'clock tomorrow morning in the Office of the Governor. The people who will participate in the signing will be the Speaker of the Fukuoka Prefecture Assembly, the President of their Federation, the President of the Senate and the Speaker of the House of Representatives.

"I would now like to introduce to this body the distinguished guests from Fukuoka: the Speaker of the Assembly, Mr. Yoshitaka Yamamoto; the President of the Friendship Federation, Mr. Hatsujiro Yokota; and the Secretary of the Friendship Federation, Mr. Yukio Sukenobu. Also with us today are several members of the Assembly representing each political party in Fukuoka: Mr. Tadakazu Nakamura, Mr. Yoshio Nakasugi, Mr. Hideyuki Saeki, Mr. Tsuyoshi Miyazaki, Mr. Noboru Kihara and Mr. Morita Yasueda. Accompanying these distinguished gentlemen are two members of the Assembly staff: Mr. Takashi Anegawa, the Chief of the General Affairs Section; and Mr. Yoshinori Tabuki, the Subsection Chief of the Internal Affairs Section."

The members of the Fukuoka delegation were then presented with leis by Senators Young and Saiki and a copy of S.R. No. 4 was presented to Speaker Yoshitaka Yamamoto.

At 11:17 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:48 o'clock a.m.

MATTER DEFERRED FROM JANUARY 26, 1982

Senate Resolution No. 3:

By unanimous consent, action on S.R. No. 3 was deferred until Thursday, January 28, 1982.

STANDING COMMITTEE REPORT

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 2-82), informing the Senate that Senate Resolution No. 3 has been printed and is ready for distribution.

On motion by Senator Young, seconded

by Senator George and carried, the report of the Committee was adopted.

ADJOURNMENT

At 11:50 o'clock a.m., on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, January 28, 1982.

SEVENTH DAY

Thursday, January 28, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the Vice-President in the Chair.

The Divine Blessing was invoked by the Reverend Walter Copeland of the First Baptist Church of Nanakuli, after which the Roll was called showing all Senators present with the exception of Senators Yamasaki, Yee and Wong who were excused.

The Chair announced that he had read and approved the Journal of the Sixth Day.

Senator Anderson then introduced to the members of the Senate 40 senior citizens from the National Association of Retired Federal Employees.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 51 to 54) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 51) submitting for consideration and consent to the Circuit Court of the Third Circuit, the nomination of Paul M. deSilva as Judge, for a term of 10 years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 52), transmitting copies of a report prepared by the Governor's Agriculture Coordinating Committee, in response to Senate Resolution No. 186 (1981), was referred to the Committee on Agriculture.

A message from the Governor (Gov. Msg. No. 53), transmitting copies of a report prepared by the Hawaii State Department of Agriculture through the Governor's Agriculture Coordinating Committee, in response to Senate Resolution No. 42 (1981) and House Resolution No. 16 (1981), requesting an examination of current air and surface shipping schedules in Hawaii; and transmitting copies of a report prepared by the Hawaii Institute of Tropical Agriculture and Human Resources, University of Hawaii, entitled: "Transportation Costs of Agricultural Products in Hawaii: 1980," was referred to the Committee on Agriculture.

A message from the Governor (Gov. Msg. No. 54), transmitting copies

of the 1981 Youth Conservation Corps (YCC) Annual Report, prepared by the Department of Land and Natural Resources, was referred to the Committee on Ecology, Environment and Recreation.

ORDER OF THE DAY

MATTER DEFERRED
FROM JANUARY 27, 1982

Senate Resolution No. 3:

Senator Young moved that S.R. No. 3, amending the Rules of the Senate of the Eleventh Legislature, be adopted, seconded by Senator Carpenter.

Senator Young then offered the following amendment:

"Senate Resolution No. 3 is amended by amending item 1 to read as follows:

'1. Rule 41 is amended to read as follows:

'Rule 41. Bills: Introduction

'Any bill may be introduced on the report of a committee or by any member, except bills subject to the next paragraph and except short form bills which may only be introduced by the President of the Senate or the minority party leader after appropriate consultation with committee chairmen and other members of the Senate.

'Bills appropriating money for the executive, legislative, and judicial branches of government, for claims against the state, for criminal injuries compensation, for the Office of Hawaiian Affairs, for the counties, or to authorize and appropriate money for special purpose revenue bonds and such other necessary appropriation bills after consultation with committee chairmen and other members of the Senate may be introduced by the President of the Senate or the minority party leader. Each member may introduce one bill appropriating money for capital improvement projects, operating programs, and other suitable purposes.

'All bills shall be introduced under the order of resolutions.

'Bills which shall carry-over from a regular session in an odd-numbered year to the next regular session shall retain the numbers assigned to them. The Clerk shall keep a record of the status of all bills in possession

of the Senate at the end of the odd-numbered year session and shall publish the record of the status of all such bills prior to the convening of the next regular session.

'Every bill introduced or reported out of any committee, which amends an existing section or subsection of the Hawaii Revised Statutes or Session Laws of Hawaii, shall set forth the section or subsection in full, and the matter to be deleted shall be enclosed in brackets and any new matter added to the section or subsection shall be underscored. However, a Supplemental Appropriations Bill need not conform to this rule or an amending bill where the intent and effect of an amending bill can be clearly identified and understood without repeating the entire section or subsection, in which case only the paragraphs, subparagraphs, clauses, or items to be amended need be set forth as the President may allow. The President may allow additional exceptions to this rule.

'No floor amendment to a bill shall be voted upon unless a copy of such amendment shall have been presented to the Clerk who shall prepare and distribute copies of the amendment to each member of the Senate present.'

Senator Young moved that the amendment be adopted, seconded by Senator Carpenter.

Senator Young then rose to state as follows:

"Mr. President, the floor amendment does three things: (1) provides that the minority party leader as well as the President may introduce an appropriation bill package; (2) provides that in developing this package the President should consult with the committee chairmen and other senators. This assures that all senators will have input; and (3) provides that each senator may introduce one appropriation bill for capital improvement projects, the operating program and other suitable purposes. This assures each senator that his or her appropriation proposal will get formally introduced in the Senate."

At this time, Senator Ushijima requested that the previous speaker yield to a question and Senator Young replied in the affirmative.

Senator Ushijima asked: "Mr. President, in looking at this amendment, I notice the wording 'President of the Senate,' on certain bills, 'or the minority party leader after appropriate consultation

with committee chairmen and other members of the Senate'... what do we mean by 'appropriate consultation'?"

Senator Young replied: "'Appropriate consultation' means that whatever the subject matter was, an input from that particular senator or from that district, that the President may consult with that..."

Senator Ushijima interjected: "In other words, you just tell them this particular bill is going to be introduced. Is that all? Or he might say 'no,' or object to it... would that be 'appropriate consultation'?"

Senator Young responded: "I'm quite sure the difference will be between you and the Senate President and I'm quite sure you can iron that out between the President and yourself."

Senator Ushijima asked: "So, basically, I don't have any input if I object to it, if the President says that my objection is not valid?"

Senator Young answered: "I would think that the President, being the kind of leader that he is, will give you input in the measure that is being proposed."

Senator Ushijima further inquired: "Mr. President, could I also have the definition of 'the minority party leader'?"

Senator Young answered: "At this point, 'the minority' means the party that has the least number of members within the particular party."

Senator Ushijima asked: "Would the seven of us be considered 'minority party' members?"

Senator Young answered: "We could clarify that; and if you come up with a leader, I'm quite sure, in consulting with the President, he might come up with a solution to that dilemma."

At this time, Senator Cobb rose on a point of order and stated as follows:

"Mr. President, the definition of party is either Democrat or Republican, or if we should end up with Libertarians in the Senate. I believe that question was resolved last year, and was resolved contrary to perhaps what the answer was given on the floor that we have a Democratic and Republican party in the Senate."

At 11:45 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:26 o'clock

p.m.

Senator Young then withdrew her motion to adopt the amendment, and Senator Carpenter withdrew his second.

Senator Young then moved that action on S.R. No. 3 be deferred until Friday, January 29, 1982, seconded by Senator Carpenter and carried.

STANDING COMMITTEE REPORT

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 3-82) informing the Senate that Senate Resolution No. 4 has been printed and is ready for distribution.

On motion by Senator Young, seconded

by Senator George and carried, the report of the Committee was adopted.

At this time, the Chair announced that all bills that had been returned to the Clerk's office by the standing committees at the close of the 1981 session will be returned to those respective committees, in accordance with the referrals previously made during the 1981 Regular Session.

ADJOURNMENT

At 12:30 o'clock p.m., on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, January 29, 1982.

EIGHTH DAY

Friday, January 29, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the Vice-President in the Chair.

The Divine Blessing was invoked by Father Charles Lees of St. John Vianney's of Kailua, after which the Roll was called showing all Senators present with the exception of Senators Yee and Wong who were excused.

The Chair announced that he had read and approved the Journal of the Seventh Day.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 55 and 56) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 55), transmitting copies of the Report of Findings on Adjustments to the Compensation Plan (1981), prepared by the Public Employees Compensation Appeals Board, submitted pursuant to the provisions of Act 121, SLH 1963, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 56), transmitting copies of the Annual Financial Report of the State for Hawaii for the Fiscal Year Ended June 30, 1981, prepared by the Comptroller in response to Section 40-5, HRS, was referred to the Committee on Ways and Means.

DEPARTMENTAL COMMUNICATION

A communication from the Office of the Auditor (Dept. Com. No. 5), transmitting copies of a report entitled: "Overview and Analysis of the State of Hawaii's Financial Condition," Report No. 82-2, was read by the Clerk and was referred to the Committee on Ways and Means.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 2 and 3) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 2), transmitting House Concurrent Resolution No. 8, which was adopted in the House of Representatives on January 28, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Saiki and carried, H.C.R. No. 8, entitled: "EXTENDING ALOHA

TO THE NATIONAL WOODWORK MANUFACTURERS ASSOCIATION ON ITS 55TH ANNUAL MEETING," was adopted.

A communication from the House (Hse. Com. No. 3), transmitting House Concurrent Resolution No. 22, which was adopted in the House of Representatives on January 28, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Saiki and carried, H.C.R. No. 22, entitled: "EXPRESSING CONDOLENCES AND DEEPEST SYMPATHY TO THE FAMILY OF THE LATE FRED TOSHIO 'TOSH' KANESHIRO," was adopted.

MATTER DEFERRED
FROM JANUARY 28, 1982

Senate Resolution No. 3:

Senator Young moved that S.R. No. 3, amending the Rules of the Senate of the Eleventh Legislature, be adopted, seconded by Senator Carpenter.

At 11:38 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:39 o'clock a.m.

Senator Young then offered the following amendment:

"Senate Resolution No. 3 is amended by amending item 1 to read as follows:

'1. Rule 41 is amended to read as follows:

'Rule 41. Bills: Introduction

'Any bill may be introduced on the report of a committee or by any member, except bills subject to the next paragraph and except short form bills which may only be introduced by the President of the Senate or the minority party leader after appropriate consultation with committee chairmen and other members of the Senate.

'Bills appropriating money for the executive, legislative, and judicial branches of government, for claims against the state, for criminal injuries compensation, and for the Office of Hawaiian Affairs may be introduced by the President

of the Senate or the minority party leader after appropriate consultation with committee chairmen and other members of the Senate. Each member may introduce one bill appropriating money for capital improvement projects in the member's district.

'All bills shall be introduced under the order of resolutions.

'Bills which shall carry-over from a regular session in an odd-numbered year to the next regular session shall retain the numbers assigned to them. The Clerk shall keep a record of the status of all bills in possession of the Senate at the end of the odd-numbered year session and shall publish the record of the status of all such bills prior to the convening of the next session.

'Every bill introduced or reported out of any committee, which amends an existing section or subsection of the Hawaii Revised Statutes or Session Laws of Hawaii, shall set forth the section or subsection in full, and the matter to be deleted shall be enclosed in brackets and any new matter added to the section or subsection shall be underscored. However, a Supplemental Appropriations Bill need not conform to this rule or an amending bill where the intent and effect of an amending bill can be clearly identified and understood without repeating the entire section or subsection, in which case only the paragraphs, subparagraphs, clauses, or items to be amended need be set forth as the President may allow. The President may allow additional exceptions to this rule.

'No floor amendment to a bill shall be voted upon unless a copy of such amendment shall have been presented to the Clerk who shall prepare and distribute copies of the amendment to each member of the Senate present.'

Senator Young moved that the amendment be adopted, seconded by Senator Carpenter.

Senator Young then rose and addressed the Senate as follows:

"Mr. President, I would like to offer a floor amendment... the only amendment to yesterday's amendment is in the second paragraph where we deleted the words 'for the counties' and in the last sentence we added 'in the member's district,' and we deleted 'operating programs and other suitable purposes.'"

At 11:43 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:48 o'clock a.m.

The motion was put by the Chair and, Roll Call vote having been requested, the amendment was adopted on the following show of Ayes and Noes:

Ayes, 16. Noes, 7 (Campbell, Holt, Machida, Mizuguchi, O'Connor, Toyofuku and Ushijima). Excused, 2 (Yee, Wong).

Copies of Senate Resolution No. 3, S.D. 1, were then distributed to the members of the Senate.

At this time, Senator Abercrombie rose and addressed the Senate as follows:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, yesterday the people of this community witnessed what can only be characterized as a public joke made by Judge Shintaku at his sentencing on a drunk driving charge. Now, Mr. President, we passed an anti-violence bill in this Legislature last year on the basis that actions have consequences and we try to go into our schools and tell our young people that. And what we find at the sentencing yesterday is that the defendant in the case was obviously not taking the situation seriously at all; he was making a mockery of the process including coming into court with \$50 in his pocket and turning to his friend and asking to borrow another \$100 -- somewhat surprised. He did not have his license taken away...."

The President then interjected:

"Senator Abercrombie, can I have a short recess? Can I have you advance to the rostrum, please."

Senator Abercrombie then queried:

"Do I have a recess in the middle of my time limit?"

The President then responded:

"The Chair has the right to call a recess, Senator Abercrombie, and that's what I'm calling."

Senator Abercrombie then remarked:

"Well, I'm going to appeal your ruling."

The President then stated:

"The Chair's move to call for a recess has been appealed. We'll take a vote on that appeal."

At this point Senator Uwaine rose and expressed his concern stating:

"Mr. President, I recognize the right of my colleague from the Sixth District to speak. However, will you give me the courtesy, and not take the floor away from him for a short recess?"

The President then stated:

"Senator Abercrombie, if there is a recess called, you have every right to continue your remarks after the recess is over. I intend to call the Senate to order again."

"Would you at this time yield the floor to a question from Senator Uwaine?"

Senator Abercrombie then replied:

"I'm not sure that's what was asked."

Senator Uwaine then added:

"Let me rephrase my question Mr. President. I realize, the Senator, my colleague from the Sixth District, has the floor at this time and that he is in the middle of his speech. However, would he yield the floor to me, a fellow colleague, so that I may request a recess?"

Senator Abercrombie responded in the affirmative and at 11:51 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:53 o'clock a.m.

The Chair then called upon Senator Abercrombie to proceed.

Senator Abercrombie thereupon continued stating:

"Thank you, Mr. President. If I can

conclude...my point, which I wanted to arrive at was this: that that the judge should be treated any differently than anybody else -- that is not the case here, but rather that what happened in that court is all too common an occurrence in this state; that drunk driving is not treated with the seriousness that should be involved.

"So I am making a point to the contrary. Rather than singling out the judge, what I am saying is that this kind of situation should not be allowed to continue. There are over 25,000-plus deaths in this country where alcohol is involved in automobile accidents. That's more than the number of people that were killed in Vietnam. There are a million-plus serious injuries.

"Now, if the message wasn't made clear as a result of the activities in this Legislature last year, then I think it's time that we pass legislation with teeth in it that's going to see to it that people who stand in front of a judge, and the judges who are passing out sentences where drunk driving is concerned, take into account the seriousness of the offense and see to it that a real and realistic deterrent in terms of jails and fines and loss of license is involved.

"Thank you."

At 11:57 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:58 o'clock a.m.

ADJOURNMENT

At 11:59 o'clock a.m., on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, February 1, 1982.

NINTH DAY

Monday, February 1, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Bishop William Drumbore of the Universal Church of the Open Road, after which the Roll was called showing all Senators present.

The President announced that he read and approved the Journal of the Eighth Day.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 57 to 60) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 57), transmitting copies of the 1981 Annual Report of the Office of Collective Bargaining, Office of the Governor, pursuant to Chapter 89, HRS, as amended, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 58), transmitting copies of the report State Activities to Implement Priority Directions of The Hawaii State Plan, February 1982, prepared utilizing the input of many state agencies and in accordance with Section 226-63(a)(1), HRS, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 59), transmitting copies of the Annual Report (FY 1980-81) of the Governor's Agriculture Coordinating Committee, prepared in accordance with the provisions of Section 164-3, HRS, was referred to the Committee on Agriculture.

A message from the Governor (Gov. Msg. No. 60), transmitting copies of a report of the Workers' Compensation Program Commission, January 1982, in response to Act 217 (1980), requesting a review of Hawaii's law and to report findings and recommendations to reduce or stabilize workers' compensation costs, was referred to the Committee on Human Resources.

DEPARTMENTAL COMMUNICATION

A communication from the Office of Collective Bargaining (Dept. Com. No. 6), transmitting copies of the collective bargaining agreements for the following

public employees covering the biennium 1981-83:

Unit 1 - Blue Collar Nonsupervisory;
Unit 2 - Blue Collar Supervisory;
Unit 3 - White Collar Nonsupervisory;
Unit 4 - White Collar Supervisory;
Unit 9 - Nurses;
Unit 10 - Nonprofessional Hospital and Institutional Workers; and
Unit 13 - Professional and Scientific Employees;

was read by the Clerk and was referred to the Committee on Human Resources.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 4 and 5) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 4), transmitting House Bill No. 2011-82, H.D. 1, which passed Third Reading in the House of Representatives on February 1, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2011-82, H.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE LEGISLATIVE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN," passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 5), transmitting House Bill No. 1558, H.D. 2, which passed Third Reading in the House of Representatives on February 1, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 1558, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRECINCT OFFICIAL COMPENSATION," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

INTRODUCTION OF SENATE BILLS

On motion by Senator Cobb, seconded by Senator Anderson and carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Tuesday, February 2, 1982:

Senate Bills

No. 2132-82 "A Bill for an Act Relating to the Hawaii Public Broadcasting Authority."

Introduced by: Senators Kuroda, Carpenter, Ushijima, Campbell, Cobb, Ajifu, Soares, Yamasaki, Uwaine, Young, Holt, Cayetano, Kawasaki, Mizuguchi and Machida.

No. 2133-82 "A Bill for an Act Relating to the Hawaii Public Broadcasting Authority."

Introduced by: Senators Kuroda, Machida, Ushijima, Campbell, Soares, Ajifu, Holt, Mizuguchi and Carpenter.

No. 2134-82 "A Bill for an Act Relating to the Importation of Animals."

Introduced by: Senators Yee, Kobayashi, Henderson, Wong, Yamasaki, Soares, Ajifu, Uwaine, Toyofuku, Cayetano, Kuroda, O'Connor and Abercrombie.

No. 2135-82 "A Bill for an Act Relating to Public Officers and Employees."

Introduced by: Senators Yee, Saiki, Ajifu, Toyofuku, Holt, Ushijima, Young, Machida, Campbell, Kobayashi, Yamasaki, Mizuguchi and Soares.

No. 2136-82 "A Bill for an Act Relating to the Board of Registration of Professional Engineers, Architects, Surveyors and Landscape Architects."

Introduced by: Senator Cobb, by request.

No. 2137-82 "A Bill for an Act Relating to Motor Vehicle Insurance."

Introduced by: Senators Cobb, Ajifu, Kuroda, Young, Yamasaki, Anderson, Kawasaki, Carpenter and George.

No. 2138-82 "A Bill for an Act Relating to Motor Vehicle Insurance."

Introduced by: Senator Cobb, by request.

No. 2139-82 "A Bill for an Act Relating to Motor Vehicle Insurance."

Introduced by: Senators Cobb, Ajifu, Kuroda, George, Kawasaki, Carpenter and Soares.

No. 2140-82 "A Bill for an Act Relating to Plain Language in Consumer Transactions."

Introduced by: Senator Cobb, by request.

No. 2141-82 "A Bill for an Act Relating to Shoplifting."

Introduced by: Senators Cobb, Anderson, Ajifu, Kawasaki, Carpenter, Kuroda, George and Soares.

No. 2142-82 "A Bill for an Act Relating to Alarm Businesses."

Introduced by: Senators Cobb, Kuroda, Saiki, Yamasaki, Ajifu, Carpenter, Henderson, Young and Kawasaki.

No. 2143-82 "A Bill for an Act Relating to Drug Product Selection."

Introduced by: Senators Cobb, Kuroda, Henderson, Yamasaki, Anderson, Ajifu, Carpenter, Young and Kawasaki.

No. 2144-82 "A Bill for an Act Relating to Drugs."

Introduced by: Senators Cobb, Kuroda, Kawasaki, Carpenter, Henderson, Saiki, Young, Yamasaki, Anderson and Ajifu.

No. 2145-82 "A Bill for an Act Relating to Ridesharing."

Introduced by: Senators Cobb and George.

No. 2146-82 "A Bill for an Act Proposing an Amendment to Article VI of the Hawaii Constitution Relating to the Appointment of Justices and Judges."

Introduced by: Senators George, Henderson, Soares, Ajifu, Kuroda, Cobb, Carpenter, Kobayashi, Abercrombie and Anderson.

No. 2147-82 "A Bill for an Act Relating to Traffic Violations."

Introduced by: Senators George, Henderson, Soares, Kuroda, Cayetano, Carpenter, Kobayashi, Abercrombie, Campbell and Anderson.

No. 2148-82 "A Bill for an Act Making an Appropriation for Student Activity Services."

Introduced by: Senators Toyofuku, Campbell, Ushijima, Mizuguchi, Machida, O'Connor and Holt.

No. 2149-82 "A Bill for an Act Relating to the General Excise Tax."

Introduced by: Senator O'Connor.

No. 2150-82 "A Bill for an Act Relating to Quarantine."

Introduced by: Senator O'Connor.

No. 2151-82 "A Bill for an Act Relating to the Statewide Traffic Code."

Introduced by: Senator O'Connor.

No. 2152-82 "A Bill for an Act Relating to Horizontal Property Regimes."

Introduced by: Senator O'Connor.

No. 2153-82 "A Bill for an Act Relating to Civil Suits."

Introduced by: Senator O'Connor.

No. 2154-82 "A Bill for an Act Relating to Civil Actions and Proceedings."

Introduced by: Senator O'Connor.

No. 2155-82 "A Bill for an Act Making an Appropriation for the Repair and Restoration of the War Memorial at King and Punchbowl Streets, Honolulu."

Introduced by: Senator O'Connor.

No. 2156-82 "A Bill for an Act Relating to the Hearing-Impaired."

Introduced by: Senators Carpenter, Ajifu, Anderson, Campbell, Yamasaki, Saiki, Soares, Uwaine, Kuroda, Machida, Mizuguchi, Holt, Kawasaki and Kobayashi.

No. 2157-82 "A Bill for an Act Relating to Counties."

Introduced by: Senators Carpenter, Abercrombie, Ajifu, Cayetano, Cobb, George, Kawasaki, Kuroda, Soares, Uwaine and Anderson.

No. 2158-82 "A Bill for an Act Relating to Cost of Living Increases for State Retirees."

Introduced by: Senators Carpenter, Anderson, Campbell, Cayetano, Cobb, George, Holt, Kawasaki, Kobayashi, Kuroda, Machida, Mizuguchi, Saiki, Soares and Ushijima.

No. 2159-82 "A Bill for an Act Relating to Small Claims."

Introduced by: Senators Carpenter, Abercrombie, Ajifu, Campbell, Cayetano, Kawasaki, Kuroda, Soares, Uwaine and Yamasaki.

No. 2160-82 "A Bill for an Act Relating to Delinquent Moneys."

Introduced by: Senators Carpenter, Ajifu, Anderson, Cayetano, Cobb, George, Henderson, Holt, Kobayashi, Kuroda, Saiki, Soares, Uwaine and Yamasaki.

No. 2161-82 "A Bill for an Act Relating to Senate Confirmation."

Introduced by: Senators Carpenter, Kawasaki, Ajifu, Cobb, Uwaine, Henderson, Soares, Holt and Cayetano.

No. 2162-82 "A Bill for an Act Relating to Precious Metal Dealers."

Introduced by: Senators Carpenter, Kuroda, Abercrombie, Kawasaki, Ajifu, Yamasaki, Cobb, Henderson, Mizuguchi, Machida, Uwaine, Cayetano, Soares and Ushijima.

No. 2163-82 "A Bill for an Act Relating to Workers' Compensation."

Introduced by: Senators Henderson, Anderson, Ajifu, Saiki, Soares and Yee.

No. 2164-82 "A Bill for an Act Relating to Employment Security."

Introduced by: Senators Henderson, Anderson, Cayetano, Ajifu, Saiki, Soares and Yee.

No. 2165-82 "A Bill for an Act Relating to Taxation."

Introduced by: Senators Henderson, Anderson, Ajifu, Saiki, Soares and Yee.

No. 2166-82 "A Bill for an Act Relating to Income Taxation."

Introduced by: Senator O'Connor.

ORDER OF THE DAY

MATTER DEFERRED FROM JANUARY 29, 1982

Senate Resolution No. 3, S.D. 1:

Senator Young moved that S.R. No. 3, S.D. 1, be adopted, seconded by Senator Cobb.

Senator O'Connor then rose to speak against the resolution and stated as follows:

"Mr. President, I'm going to vote against this resolution, and I'd like to make a couple of comments before I do because I think that Senator Young has done a good job in her work in this area, and I want her to know that my vote will not reflect that situation.

"We had an interim committee work in this area and the interim committee came up with some very simple recommendations. They were, basically, doing away with memorial and congratulatory resolutions, limiting short form bills, and limiting

the number of CIP bills from each individual's district...good ideas.

"We have before us a resolution which at best obfuscates those simple good ideas. It contains some wording that, if literally interpreted, restricts the introduction of executive, legislative, and judicial appropriation measures entirely and can only lead, in the future, to either arguments on the floor or litigation concerning these matters. For example, it allows the President of the Senate and the minority party leader to introduce appropriation bills for the executive, legislative, and judicial branches only after appropriate consultation with committee chairmen and other members of the Senate. A literal reading of that would mean that when the President of the Senate got the executive appropriation bill or bills he would then have to consult with 24 other people before he could legally, pursuant to our Rules, introduce that bill. Now, I can't believe, Mr. President, that that is the intent of this particular measure, and yet that is what it says.

"I go on...that same proposition contains the word 'may' so that limitation only applies to the President and to the minority party leader. It allows all of the rest of us to introduce appropriation bills, left and right, without consulting with anyone.

"I go on...it says, 'each member may introduce one bill appropriating money for capital improvement projects for the member's district.' What it means to say is 'shall only' but it says 'may' which means, we may introduce one, but we may also introduce as many others as come down the pike. That was not the intent of this particular resolution. And I could go on to other sections of the matter.

"I take objection, Mr. President, to this kind of work from a staff standpoint, when some good, crisp, clear-cut ideas have come from Senator Young's efforts. And I believe that this could have been done in a much more crisp, efficient, grammatical style, and I'll defer to the good Senator on my right for grammar later on, than has been done. This isn't the way to handle the Rules of this body.

"For Lord's sake, we don't say that when we come up to a stop sign we're going to stop, however, in consultation with the three other drivers coming from the other direction, we may not stop?

"This resolution was not referred

to the Judiciary Committee. Our Rules are plain. It is the sole province of the Judiciary Committee to handle the Rules of this body, and I would simply suggest, from an administrative standpoint, that instead of the folderol we went through all last week where a Committee of the Whole wrestled this problem backwards and forwards and sideways that, had appropriate and complete committee work been done on these three good ideas, we would not be faced with this hodgepodge we vote upon today.

"Thank you, Mr. President."

Senator Uwaine in response stated as follows:

"Mr. President, I would like to respond to my fellow colleague who spoke before me. The thing about it is that I don't think he's very sincere in what he has just said, primarily, on this floor. The good Senator who has spoken before us chose not to attend, although as a member of that interim committee he may have had ideas that could have helped this whole body.

"I have heard references on several occasions that the seven Senators that refused to attend these caucuses, which were open to this whole body, said they did not want to attend to solve their problems.

"Mr. President, it's not their problems. It's something that we're all working together as a whole body that we want to resolve. If the good Senator from the Seventh District was sincere in his efforts, I welcome him to attend any of our caucuses. He is a Senator and has every right to do so. Thank you, Mr. President."

The motion was put by the Chair and, Roll Call vote having been requested, S.R. No. 3, S.D. 1, amending the Rules of the Senate of the Eleventh Legislature, was adopted on the following showing of Ayes and Noes:

Ayes, 18. Noes, 7 (Campbell, Holt, Machida, Mizuguchi, O'Connor, Toyofuku and Ushijima).

At this time, the Chair announced that bill introduction begins today and the Clerk will accept bills until 4:30 o'clock p.m.

The Chair then addressed the members of the Senate as follows:

"Members of the Senate, with your indulgence, I would like to make a few brief remarks.

"I have heard some very disturbing stories from the House of Representatives to which, as President, I feel I should respond.

"First, of course, I understand that the Speaker is unhappy with the Senate Coalition. Now, he is entitled to his own opinions but I would think he has enough to do in running the House without having to worry about the Senate too. I don't tell him what to do in running his body and I hope he would show me the same courtesy.

"More seriously, though, I have heard rumors that the House is threatening to kill all of the Senate Coalition bills and the Senate Republican bills that we send over.

"I would caution my colleagues in the House that this kind of tactic would be a mistake. I hope these are only rumors and that they have no basis in fact.

"The Senate Coalition is a very broad-minded, flexible group. We consider bills on their individual merits -- irregardless of whether or not they are Senate bills or House bills, irregardless of whether they are sponsored by a Democrat, Republican or so-called dissident Democrat.

"As proof of the openmindedness of the Senate Coalition, I would like to point out that last year we passed out of the Senate 15 bills which had been introduced by so-called dissident Democrats.

"We're fair; we're open; what more can I say?

"I say this in all sincerity to the House: We want to work together with you cooperatively and constructively; the threats about killing Senate bills are disruptive and may lead, unfortunately, in my opinion, to countermeasures by the Senate. I don't want this to happen. I don't want to fight with the House. I want us to work together. I really hope that we can.

"Thank you very much."

Senator Kawasaki then rose on a point of personal privilege to remark as follows:

"Mr. President, I want to commend you for the remarks you have just delivered. I think it is very appropriate. I too was greatly disturbed at the very intemperate remarks made by the Speaker of the House. I don't think he quite understands the reasons

for the coalition in the first place, its beginning, and why it still exists.

"I repeat again for his edification if he needs this, that the only reason for the coalition having taken place and having continued is that this Senate, the Senate of the State of Hawaii, desires to be, at least among 18 people, an independent Senate completely free of any domination, any intimidation, any influence by any outside group, including lobby groups.

"I was, in the past, very disturbed by remarks made by one member of the House, its Speaker, relative to our coalition and the operation of the Senate here. But I would advise all of us to take heart in the fact that that is one man's opinion in the 51-member House; he doesn't speak for the entire House."

Senator Cobb added as follows:

"Mr. President, I'd like to add a postscript to the record just as a matter of personal privilege.

"Having had both the pleasure and agony of serving with dissident Democrats in the House, I can state for the record that the coalition is one hellava lot more generous than ever happened in the House when 462 bills were introduced by eight dissident Democrats and not one of those bills ever had a public hearing, much less pass third reading; when no member of the so-called dissidents in the House ever served on a major committee as long as they were dissident, much less having any input.

"It's quite a different situation here. In fact, Mr. President, participation is openly invited in the Senate. The fact that this resolution was spoken to earlier on the amendment of the Rules showed a lack of participation by the very party who is complaining about it."

Senator Cayetano then added his remarks as follows:

"Mr. President, I agree with you that the coalition worked well last session. I would hope that the coalition would work as well this session and I think it may, if the political ambitions of members of the coalition do not get in the way of us deciding issues for the public good."

Senator Uwaine also stated as follows:

"Mr. President, just as a postscript to the previous speaker's remarks. I hope that the Speaker's political

ambition, as well, does not interfere with his relationship with the Senate. Thank you."

Senator Abercrombie then rose to state as follows:

"Mr. President, I have to stand up and say at this juncture, at this most serious moment of the legislative session, that I certainly hope that the coalition sponsorship of the legislative pay bill will not fail."

Senator O'Connor added: "As one of the dissidents, I just must say that this is the most serious moment of this session. We are all in deep trouble."

The Chair then stated as follows:

"Senator O'Connor, if I had known the Speaker was speaking on behalf of members of the Senate here I would have hired him as a PR man myself."

At 11:53 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:55 o'clock a.m.

ADJOURNMENT

At 11:56 o'clock a.m., on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, February 2, 1982.

TENTH DAY

Tuesday, February 2, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the Vice-President in the Chair.

The Divine Blessing was invoked by the Reverend Richard DuFresne of the Community Church of Honolulu, after which the Roll was called showing all Senators present with the exception of Senators Carpenter, Cayetano and Soares who were excused.

The Chair announced that he had read and approved the Journal of the Ninth Day.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 61 and 62) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 61), transmitting copies of a report prepared by the Executive Office on Aging entitled: "Annual Report, October 1, 1980-September 30, 1981," was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 62), transmitting copies of a report prepared by the Department of Social Services and Housing entitled: "Long Term Care for the Elderly, Executive Summary," was referred to the Committee on Human Resources.

SENATE CONCURRENT RESOLUTIONS

The following Senate Concurrent Resolutions (S.C.R. Nos. 1 and 2) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 1), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING PRELIMINARY ASSESSMENTS OF POSSIBLE ALTERNATIVES TO REPLACE THE OPERATIONS OF THE PUNA SUGAR COMPANY," was offered by Senators Carpenter, Henderson and Ushijima.

By unanimous consent, S.C.R. No. 1 was referred to the Committee on Agriculture.

A concurrent resolution (S.C.R. No. 2), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF POSSIBLE ALTERNATIVES WITH RESPECT TO THE OPERATIONS OF THE PUNA SUGAR COMPANY," was offered by Senators Carpenter, Henderson and Ushijima.

By unanimous consent, S.C.R. No. 2 was referred to the Committee on Agriculture.

SENATE RESOLUTIONS

The following Senate Resolutions (S.R. Nos. 5 to 7) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 5), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF IMPEDIMENTS TO RIDESHARING WITH REGARD TO THE COST, AVAILABILITY AND ADEQUACY OF MOTOR VEHICLE INSURANCE," was offered by Senators Cobb and George.

By unanimous consent, S.R. No. 5 was referred jointly to the Committee on Consumer Protection and Commerce and the Committee on Transportation.

A resolution (S.R. No. 6), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF POSSIBLE ALTERNATIVES WITH RESPECT TO THE OPERATIONS OF THE PUNA SUGAR COMPANY," was offered by Senators Carpenter, Henderson and Ushijima.

By unanimous consent, S.R. No. 6 was referred to the Committee on Agriculture, then to the Committee on Legislative Management.

A resolution (S.R. No. 7), entitled: "SENATE RESOLUTION REQUESTING PRELIMINARY ASSESSMENTS OF POSSIBLE ALTERNATIVES WITH RESPECT TO THE OPERATIONS OF THE PUNA SUGAR COMPANY," was offered by Senators Carpenter, Henderson and Ushijima.

By unanimous consent, S.R. No. 7 was referred to the Committee on Agriculture, then to the Committee on Legislative Management.

INTRODUCTION OF SENATE BILLS

On motion by Senator Cobb, seconded by Senator Anderson and carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Wednesday, February 3, 1982:

Senate Bills

No. 2167-82 "A Bill for an Act Relating to the Environment."

Introduced by: Senators Kobayashi, Ajifu, Soares, Henderson, Cobb, Young, Kawasaki, Carpenter and Uwaine.

No. 2168-82 "A Bill for an Act Relating to Taxation of Agricultural Activities."

Introduced by: Senator Ajifu.

No. 2169-82 "A Bill for an Act Relating to Agricultural Loans."

Introduced by: Senator Ajifu.

No. 2170-82 "A Bill for an Act Relating to the Public Employees' Retirement System."

Introduced by: Senator Uwaine.

No. 2171-82 "A Bill for an Act Relating to the Hawaii Employment Security Law."

Introduced by: Senator Uwaine.

No. 2172-82 "A Bill for an Act Relating to Negotiable Instruments."

Introduced by: Senator Uwaine.

No. 2173-82 "A Bill for an Act Relating to Taxation."

Introduced by: Senator Uwaine.

No. 2174-82 "A Bill for an Act Relating to Fireworks."

Introduced by: Senator Uwaine.

No. 2175-82 "A Bill for an Act Creating a Third Party Liability Recovery Unit within the Department of Social Services and Housing."

Introduced by: Senator Uwaine.

No. 2176-82 "A Bill for an Act Relating to Industrial Loan Companies."

Introduced by: Senator Uwaine.

No. 2177-82 "A Bill for an Act Relating to Industrial Loan Companies."

Introduced by: Senator Uwaine.

No. 2178-82 "A Bill for an Act Relating to the Industrial Loan Company Guaranty Act."

Introduced by: Senator Uwaine.

No. 2179-82 "A Bill for an Act Relating to the Donation of Food."

Introduced by: Senators Carpenter, Uwaine, Cayetano and Cobb.

No. 2180-82 "A Bill for an Act Relating to Medical Assistance."

Introduced by: Senator Uwaine.

No. 2181-82 "A Bill for an Act Relating to the Driver Improvement Program."

Introduced by: Senator Cayetano, by request.

No. 2182-82 "A Bill for an Act Relating to Birth Certificates."

Introduced by: Senator Cayetano, by request.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 4-82), informing the Senate that Senate Concurrent Resolution Nos. 1 and 2, Senate Resolution Nos. 5 to 7, and Senate Bill Nos. 2132-82 to 2166-82 have been printed and are ready for distribution.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 5-82), recommending that House Bill No. 2011-82, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2011-82, H.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE LEGISLATIVE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, February 3, 1982.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Monday, February 1, 1982:

Senate Bills Referred to:

No. 2132-82 Committee on Education

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| No. 2133-82 Committee on Education,
then to the Committee on Ways and
Means | No. 2155-82 Committee on Ecology,
Environment and Recreation,
then to the Committee on Ways
and Means |
| No. 2134-82 Committee on Agriculture | No. 2156-82 Committee on Government
Operations and Intergovernmental
Relations, then to the Committee
on Ways and Means |
| No. 2135-82 Committee on Human
Resources, then to the Committee
on Ways and Means | No. 2157-82 Committee on Government
Operations and Intergovernmental
Relations |
| No. 2136-82 Committee on Consumer
Protection and Commerce, then to
the Committee on Ways and Means | No. 2158-82 Committee on Human
Resources, then to the Committee
on Ways and Means |
| No. 2137-82 Committee on Consumer
Protection and Commerce, then to
the Committee on Ways and Means | No. 2159-82 Committee on
Judiciary |
| No. 2138-82 Committee on Consumer
Protection and Commerce | No. 2160-82 Committee on Government
Operations and Intergovernmental
Relations, then to the Committee
on Ways and Means |
| No. 2139-82 Committee on Consumer
Protection and Commerce, then to
the Committee on Ways and Means | No. 2161-82 Committee on
Judiciary |
| No. 2140-82 Committee on Consumer
Protection and Commerce, then to
the Committee on Judiciary | No. 2162-82 Committee on Consumer
Protection and Commerce, then
to the Committee on Judiciary |
| No. 2141-82 Committee on Judiciary | No. 2163-82 Committee on Human
Resources |
| No. 2142-82 Committee on Consumer
Protection, then to the Committee on
Ways and Means | No. 2164-82 Committee on Human
Resources |
| No. 2143-82 Committee on Health,
then to the Committee on Consumer
Protection and Commerce | No. 2165-82 Committee on Ways
and Means |
| No. 2144-82 Committee on Health,
then to the Committee on Consumer
Protection and Commerce | No. 2166-82 Committee on Ways
and Means |
| No. 2145-82 Committee on Transportation | |
| No. 2146-82 Committee on Judiciary | At this time, Senator Wong rose
and addressed the Senate as follows: |
| No. 2147-82 Committee on Transportation,
then to the Committee on Judiciary | "Mr. President, I rise on a point
of personal privilege... I would
like to report to this honorable body
that I spoke with the Speaker of
the House yesterday afternoon,
and despite what may have been
suggested in the press, we did not
exchange angry words. I would
say that we had a very pleasant
and amicable conversation. |
| No. 2148-82 Committee on Education,
then to the Committee on Ways and
Means | "First of all, Mr. President, the
Speaker has assured me, and the
people of the State of Hawaii, that
the House will treat all Senate bills
fairly and on their merits. He said
that the rumors about the House
'killing' Senate bills are totally
unfounded, and I must say, that
I am very pleased to receive his
reassurance. |
| No. 2149-82 Committee on Consumer
Protection and Commerce, then to
the Committee on Ways and Means | |
| No. 2150-82 Committee on Agriculture | |
| No. 2151-82 Committee on Transportation,
then to the Committee on Judiciary | |
| No. 2152-82 Committee on Consumer
Protection and Commerce | |
| No. 2153-82 Committee on Judiciary | |
| No. 2154-82 Committee on Judiciary | |

"Furthermore, the Speaker and I will be meeting tomorrow to work out some of the logistic and administrative arrangements that need to be done for the remainder of this session. I look forward to a very cooperative and constructive working relationship with the House and I can assure you, Mr. President, that the Senate and the House will minimize their differences in the oncoming weeks.

"I think that it is time for us -- all of us here, in both bodies -- to get

to work, addressing the issues and certainly the concerns that each of us have. Therefore, Mr. President, let's get started.

"Thank you."

ADJOURNMENT

At 11:45 o'clock a.m., on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, February 3, 1982.

ELEVENTH DAY

Wednesday, February 3, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the Vice-President in the Chair.

The Divine Blessing was invoked by the Reverend Chiko Matsumoto of the Tendai Mission of Hawaii, after which the Roll was called showing all Senators present with the exception of Senators Carpenter, Cayetano and Wong who were excused.

The Chair announced that he had read and approved the Journal of the Tenth Day.

Senator Anderson then introduced to the members of the Senate a group of 20 Aiea senior citizens from the Hui O'Makalapa Club.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 63 to 66) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 63), transmitting copies of the Progress Report - Activities Conducted in Furtherance of The Hawaii State Plan, January 1982, together with the following documents:

1. Report of Public Informational Meetings: Public Response to State Functional Plan Presentations, December 1981; and
2. Report on State and County Activities to Implement Priority Directions of The Hawaii State Plan, February 1982;

submitted by the Planning Division of the Department of Planning and Economic Development, in response to Section 226-63, HRS, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 64), transmitting copies of "Response of Governor's Agriculture Coordinating Committee, Office of the Governor," pursuant to House Resolution 656 (1981) requesting a report on Hawaii's pineapple industry, was referred to the Committee on Agriculture.

A message from the Governor (Gov. Msg. No. 65), transmitting copies of "A Plan for the 1984 Silver Jubilee

of Hawaii's Statehood," January 1, 1982, prepared by the 1984 Hawaii Statehood Silver Jubilee Committee, in response to Act 4, SSLH 1981, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 66), transmitting copies of a report prepared by the Department of Accounting and General Services, in response to Senate Resolution No. 20 (1981) requesting the adoption of electric cars for state and county vehicles, was referred to the Committee on Government Operations and Intergovernmental Relations.

INTRODUCTION OF SENATE BILLS

On motion by Senator Cobb, seconded by Senator Anderson and carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Thursday, February 4, 1982:

Senate Bills

No. 2183-82 "A Bill for an Act Relating to Long-Term Care Facilities."

Introduced by: Senator Wong, by request.

No. 2184-82 "A Bill for an Act Relating to Collective Bargaining."

Introduced by: Senator Wong, by request.

No. 2185-82 "A Bill for an Act Relating to the State Foundation on Culture and the Arts."

Introduced by: Senator Wong, by request.

No. 2186-82 "A Bill for an Act Amending Chapter 142, Hawaii Revised Statutes, Relating to Animals, Brands, and Fines."

Introduced by: Senator Wong, by request.

No. 2187-82 "A Bill for an Act Relating to Brands and Amending Section 142-41, Hawaii Revised Statutes."

Introduced by: Senator Wong, by request.

No. 2188-82 "A Bill for an Act Amending Section 142-12, Hawaii Revised Statutes, Relating to Penalties."

- Introduced by: Senator Wong, by request.
- No. 2189-82 "A Bill for an Act Relating to the Department of the Attorney General."
- Introduced by: Senator Wong, by request.
- No. 2190-82 "A Bill for an Act Relating to the Criminal Justice Information Data Center."
- Introduced by: Senator Wong, by request.
- No. 2191-82 "A Bill for an Act Relating to the Attorney General."
- Introduced by: Senator Wong, by request.
- No. 2192-82 "A Bill for an Act Relating to Compulsory School Attendance."
- Introduced by: Senator Wong, by request.
- No. 2193-82 "A Bill for an Act Relating to the Relief of Certain Persons' Claims against the State and Providing Appropriations Therefor."
- Introduced by: Senator Wong, by request.
- No. 2194-82 "A Bill for an Act Relating to the Compensation of Certain Persons under the Criminal Injuries Compensation Act and Providing Appropriations Therefor."
- Introduced by: Senator Wong, by request.
- No. 2195-82 "A Bill for an Act Relating to Criminal Injuries Compensation."
- Introduced by: Senator Wong, by request.
- No. 2196-82 "A Bill for an Act Relating to General Obligation Bonds of the State of Hawaii."
- Introduced by: Senator Wong, by request.
- No. 2197-82 "A Bill for an Act Making Appropriations for Collective Bargaining Cost Items."
- Introduced by: Senator Wong, by request.
- No. 2198-82 "A Bill for an Act Making Appropriations for Compensation Claims Adjustments."
- Introduced by: Senator Wong, by request.
- No. 2199-82 "A Bill for an Act Making Appropriations for the Fiscal Biennium July 1, 1981 to June 30, 1983."
- Introduced by: Senator Wong, by request.
- No. 2200-82 "A Bill for an Act Relating to Private Trade, Vocational and Technical Schools."
- Introduced by: Senator Wong, by request.
- No. 2201-82 "A Bill for an Act Relating to the Hawaiian Homes Commission Act, 1920, as Amended."
- Introduced by: Senator Wong, by request.
- No. 2202-82 "A Bill for an Act Relating to the Executive Departments."
- Introduced by: Senator Wong, by request.
- No. 2203-82 "A Bill for an Act Relating to Environmental Quality."
- Introduced by: Senator Wong, by request.
- No. 2204-82 "A Bill for an Act Relating to Low-Level Radioactive Waste Management."
- Introduced by: Senator Wong, by request.
- No. 2205-82 "A Bill for an Act Relating to County/State Hospital System."
- Introduced by: Senator Wong, by request.
- No. 2206-82 "A Bill for an Act Relating to Prophylaxis for the Prevention of Blindness in the Newborn."
- Introduced by: Senator Wong, by request.
- No. 2207-82 "A Bill for an Act Relating to Itinerant Vendors of Medicines, Drugs, and Devices."
- Introduced by: Senator Wong, by request.
- No. 2208-82 "A Bill for an Act Relating to Blood Samples of Pregnant Women."
- Introduced by: Senator Wong, by request.
- No. 2209-82 "A Bill for an Act Relating

to Smoking in Public Places."

Introduced by: Senator Wong, by request.

No. 2210-82 "A Bill for an Act Relating to Hospital Administrators of the County/State Hospital System."

Introduced by: Senator Wong, by request.

No. 2211-82 "A Bill for an Act Relating to Solid Waste Disposal."

Introduced by: Senator Wong, by request.

No. 2212-82 "A Bill for an Act Relating to Employment Security."

Introduced by: Senator Wong, by request.

No. 2213-82 "A Bill for an Act Relating to Employment Security."

Introduced by: Senator Wong, by request.

No. 2214-82 "A Bill for an Act Relating to Public Lands."

Introduced by: Senator Wong, by request.

No. 2215-82 "A Bill for an Act Relating to Public Lands."

Introduced by: Senator Wong, by request.

No. 2216-82 "A Bill for an Act Relating to Forest and Water Reserve Zones."

Introduced by: Senator Wong, by request.

No. 2217-82 "A Bill for an Act Relating to Aquatic Resources and Wildlife."

Introduced by: Senator Wong, by request.

No. 2218-82 "A Bill for an Act Relating to the Enforcement Program of the Department of Land and Natural Resources."

Introduced by: Senator Wong, by request.

No. 2219-82 "A Bill for an Act Relating to Intoxicating Liquors."

Introduced by: Senator Wong, by request.

No. 2220-82 "A Bill for an Act Relating to the Compensation of Managerial

Support Employees Excluded from Collective Bargaining."

Introduced by: Senator Wong, by request.

No. 2221-82 "A Bill for an Act Relating to Public Officers and Employees."

Introduced by: Senator Wong, by request.

No. 2222-82 "A Bill for an Act Relating to Marine Affairs Coordination."

Introduced by: Senator Wong, by request.

No. 2223-82 "A Bill for an Act Relating to the Control of Petroleum Products."

Introduced by: Senator Wong, by request.

No. 2224-82 "A Bill for an Act Relating to the Department of Planning and Economic Development."

Introduced by: Senator Wong, by request.

No. 2225-82 "A Bill for an Act Relating to the Hawaii State Planning Act."

Introduced by: Senator Wong, by request.

No. 2226-82 "A Bill for an Act Relating to Planning in the State of Hawaii."

Introduced by: Senator Wong, by request.

No. 2227-82 "A Bill for an Act Relating to Public Utilities."

Introduced by: Senator Wong, by request.

No. 2228-82 "A Bill for an Act Relating to Public Utilities."

Introduced by: Senator Wong, by request.

No. 2229-82 "A Bill for an Act Relating to Public Utilities."

Introduced by: Senator Wong, by request.

No. 2230-82 "A Bill for an Act Relating to the Hawaii Motor Vehicle Accident Reparations Act."

Introduced by: Senator Wong, by request.

No. 2231-82 "A Bill for an Act Relating to Solicitation of Funds from the Public."

Introduced by: Senator Wong, by request.

No. 2232-82 "A Bill for an Act Relating to Corporations."

Introduced by: Senator Wong, by request.

No. 2233-82 "A Bill for an Act Relating to Public Agency Meetings and Records."

Introduced by: Senator Wong, by request.

No. 2234-82 "A Bill for an Act Relating to Boards and Commissions."

Introduced by: Senator Wong, by request.

No. 2235-82 "A Bill for an Act Relating to Professional Engineers, Architects, Surveyors, Landscape Architects."

Introduced by: Senator Wong, by request.

No. 2236-82 "A Bill for an Act Relating to the Contractors License Law."

Introduced by: Senator Wong, by request.

No. 2237-82 "A Bill for an Act Relating to the Board of Dental Examiners."

Introduced by: Senator Wong, by request.

No. 2238-82 "A Bill for an Act Relating to the Board of Dental Examiners."

Introduced by: Senator Wong, by request.

No. 2239-82 "A Bill for an Act Relating to the Landlord-Tenant Code."

Introduced by: Senator Wong, by request.

No. 2240-82 "A Bill for an Act Relating to the Hawaii Public Broadcasting Authority."

Introduced by: Senator Wong, by request.

No. 2241-82 "A Bill for an Act Relating to the Department of Social Services and Housing."

Introduced by: Senator Wong, by request.

No. 2242-82 "A Bill for an Act Relating to the Department of Social Services and Housing."

Introduced by: Senator Wong, by request.

No. 2243-82 "A Bill for an Act Relating to Children in Foster Care."

Introduced by: Senator Wong, by request.

No. 2244-82 "A Bill for an Act Relating to Recovery of Money Owed to the State."

Introduced by: Senator Wong, by request.

No. 2245-82 "A Bill for an Act Relating to Reciprocal Enforcement of Support."

Introduced by: Senator Wong, by request.

No. 2246-82 "A Bill for an Act Relating to Elderly Abuse or Neglect."

Introduced by: Senator Wong, by request.

No. 2247-82 "A Bill for an Act Relating to Veteran's Rights and Benefits."

Introduced by: Senator Wong, by request.

No. 2248-82 "A Bill for an Act Relating to Paternity Statute of Limitations."

Introduced by: Senator Wong, by request.

No. 2249-82 "A Bill for an Act Relating to Visitation and Support."

Introduced by: Senator Wong, by request.

No. 2250-82 "A Bill for an Act Relating to Housing."

Introduced by: Senator Wong, by request.

No. 2251-82 "A Bill for an Act Relating to Offenses against the Person."

Introduced by: Senator Wong, by request.

No. 2252-82 "A Bill for an Act Relating to Taxation."

Introduced by: Senator Wong, by request.

No. 2253-82 "A Bill for an Act Relating to General Excise Tax."

Introduced by: Senator Wong, by request.

No. 2254-82 "A Bill for an Act Relating to Taxation."

Introduced by: Senator Wong, by request.

No. 2255-82 "A Bill for an Act Relating to Taxation."

Introduced by: Senator Wong, by request.

No. 2256-82 "A Bill for an Act Relating to Taxation."

Introduced by: Senator Wong, by request.

No. 2257-82 "A Bill for an Act Relating to Inheritance Taxation."

Introduced by: Senator Wong, by request.

No. 2258-82 "A Bill for an Act Relating to General Excise Tax."

Introduced by: Senator Wong, by request.

No. 2259-82 "A Bill for an Act Relating to Tax Incentives for Solar Energy Devices."

Introduced by: Senator Wong, by request.

No. 2260-82 "A Bill for an Act Relating to the Use of Qualified State Appraisers as well as Independent Appraisers to Determine the Value of Remnants."

Introduced by: Senator Wong, by request.

No. 2261-82 "A Bill for an Act Relating to Transportation."

Introduced by: Senator Wong, by request.

No. 2262-82 "A Bill for an Act Relating to the State Higher Education Loan Fund."

Introduced by: Senator Wong, by request.

No. 2263-82 "A Bill for an Act Relating to Juveniles with Learning Disabilities."

Introduced by: Senator Saiki, by request.

No. 2264-82 "A Bill for an Act Relating to Tourism."

Introduced by: Senators Anderson, Kobayashi, Ajifu, Young, Henderson, Toyofuku, Machida, Kuroda, Holt,

Uwaine, Saiki and Campbell.

No. 2265-82 "A Bill for an Act Making an Appropriation for Improvements to Visitor Destination Areas."

Introduced by: Senators Anderson, Kobayashi, Ajifu, Young, Henderson, Toyofuku, Machida, Holt, Campbell, Kuroda, Saiki, Carpenter and Uwaine.

No. 2266-82 "A Bill for an Act Relating to the Hawaii Tourism Authority."

Introduced by: Senators Anderson, Kobayashi, Ajifu, Henderson, Wong, Saiki, Yee, Uwaine and Holt.

No. 2267-82 "A Bill for an Act Relating to Campaign Spending Limits."

Introduced by: Senators Cobb, Uwaine, Soares, George, Kuroda, Young, Kawasaki, Carpenter, Henderson, Cayetano and Kobayashi.

No. 2268-82 "A Bill for an Act Relating to the Public Employees' Retirement System."

Introduced by: Senator Uwaine.

STANDING COMMITTEE REPORT

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 6-82) informing the Senate that Senate Bill Nos. 2167-82 to 2182-82 have been printed and are ready for distribution.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

ORDER OF THE DAY

THIRD READING

House Bill No. 2011-82, H.D. 1:

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, H.B. No. 2011-82, H.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE LEGISLATIVE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Carpenter, Cayetano and Wong).

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were

introduced on Tuesday, February 2, 1982:

Senate Bills Referred to:

No. 2167-82 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means

No. 2168-82 Committee on Agriculture, then to the Committee on Ways and Means

No. 2169-82 Committee on Agriculture, then to the Committee on Ways and Means

No. 2170-82 Committee on Human Resources, then to the Committee on Ways and Means

No. 2171-82 Committee on Human Resources, then to the Committee on Ways and Means

No. 2172-82 Committee on Judiciary

No. 2173-82 Committee on Human Resources, then to the Committee on Ways and Means

No. 2174-82 Committee on Judiciary

No. 2175-82 Committee on Human Resources, then to the Committee on Ways and Means

No. 2176-82 Committee on Consumer Protection and Commerce

No. 2177-82 Committee on Consumer Protection and Commerce

No. 2178-82 Committee on Consumer Protection and Commerce

No. 2179-82 Committee on Judiciary

No. 2180-82 Committee on Human Resources, then to the Committee on Ways and Means

No. 2181-82 Committee on Transportation

No. 2182-82 Committee on Judiciary

At 11:40 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:42 o'clock a.m.

At this time, the Chair informed all members of the Senate that the session will begin promptly at the time set for convening each day and requested that all Senators make every effort to be present on the Chamber floor.

ADJOURNMENT

At 11:45 o'clock a.m., on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, February 4, 1982.

TWELFTH DAY

Thursday, February 4, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the Vice-President in the Chair.

The Divine Blessing was invoked by the Reverend Bill Sanders of the First Southern Baptist Church of Ewa Beach, after which the Roll was called showing all Senators present with the exception of Senators Holt, Kuroda, Machida, Mizuguchi, Toyofuku, and Ushijima who were excused.

At this time, the following introductions were made to the members of the Senate:

Senator Anderson introduced a group of 36 senior citizens from Kailua-Waimanalo.

Senator Campbell introduced Mr. and Mrs. Harold Clark of the Screen Extras Guild.

Senator Abercrombie then introduced a former staff member, Ms. Elyse Tanouye.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. No. 67 to 72) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 67), transmitting copies of a report prepared by the Department of Land and Natural Resources, entitled: "A Study on the Acquisition of the Big Beach Area of Makena, Maui, for a State Park," submitted in response to House Concurrent Resolution No. 147 (1981), was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 68), transmitting copies of a report prepared by the Department of Planning and Economic Development with the cooperation of the Department of Accounting and General Services, entitled: "CIP Status Report - 1981 Financial Summary," was referred to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 69), transmitting copies of the Final Compensation Plan for blue collar workers and all other classes, and the cost thereof, submitted in compliance with the provisions of Sections 77-4 and 77-5, HRS, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 70), informing the Senate that on February 3, 1982, the Governor had signed the following bill into law:

House Bill No. 2011-82 as Act 1, entitled: "MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE LEGISLATIVE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN."

was placed on file.

A message from the Governor (Gov. Msg. No. 71), submitting for consideration and consent to the State Supreme Court, the nomination of Yoshimi Hayashi, Associate Justice, for a term of ten years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 72), submitting for consideration and consent to the Circuit Court of the First Circuit, the nomination of Ronald T. Y. Moon, Judge, for a term of ten years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, was referred to the Committee on Judiciary.

INTRODUCTION OF SENATE BILLS

On motion by Senator Cobb, seconded by Senator Anderson and carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Friday, February 5, 1982:

Senate Bills

No. 2269-82 "A Bill for an Act Relating to the Establishment of a Criminal Justice Training Fund."

Introduced by: Senator Wong, by request.

No. 2270-82 "A Bill for an Act Relating to Post Conviction Proceedings."

Introduced by: Senator Wong, by request.

No. 2271-82 "A Bill for an Act Relating to the Penal Code."

Introduced by: Senator Wong, by request.

No. 2272-82 "A Bill for an Act Relating to the Penal Code."

Introduced by: Senator Wong, by request.

No. 2273-82 "A Bill for an Act Relating to the Penal Code."

Introduced by: Senator Wong, by request.

No. 2274-82 "A Bill for an Act Relating to Bail."

Introduced by: Senator Wong, by request.

No. 2275-82 "A Bill for an Act Relating to Bail Jumping."

Introduced by: Senator Wong, by request.

No. 2276-82 "A Bill for an Act Relating to Crime."

Introduced by: Senator Wong, by request.

No. 2277-82 "A Bill for an Act Relating to Witness Security and Protection."

Introduced by: Senator Wong, by request.

No. 2278-82 "A Bill for an Act Relating to the Establishment of a State Tax Fraud Unit and Making an Appropriation Therefor."

Introduced by: Senator Wong, by request.

No. 2279-82 "A Bill for an Act Relating to Use of Firearms."

Introduced by: Senator Wong, by request.

No. 2280-82 "A Bill for an Act Relating to Cultivation of a Detrimental Drug."

Introduced by: Senator Wong, by request.

No. 2281-82 "A Bill for an Act Relating to the Construction of Secure Facilities for Juveniles on the Islands of Hawaii and Kauai."

Introduced by: Senator Wong, by request.

No. 2282-82 "A Bill for an Act Relating to Controlled Substances."

Introduced by: Senator Wong, by request.

No. 2283-82 "A Bill for an Act Relating to Criminal Procedure."

Introduced by: Senator Wong, by request.

No. 2284-82 "A Bill for an Act Relating to the Jurisdiction of the Hawaii Public Employment Relations Board."

Introduced by: Senator Uwaine.

No. 2285-82 "A Bill for an Act Relating to Driving under Influence of Intoxicating Liquor."

Introduced by: Senators Cayetano, George, Abercrombie, Kawasaki, Ajifu, Soares, Henderson, Carpenter, Uwaine, Young and Kobayashi.

No. 2286-82 "A Bill for an Act Relating to Social Workers."

Introduced by: Senator Uwaine.

No. 2287-82 "A Bill for an Act Relating to Juvenile Crime."

Introduced by: Senators Saiki, Henderson, Soares, Kobayashi, Abercrombie, Uwaine, O'Connor, Cayetano, Ajifu, George, Carpenter and Young.

No. 2288-82 "A Bill for an Act Relating to the Department of Agriculture."

Introduced by: Senator Wong, by request.

No. 2289-82 "A Bill for an Act Relating to Agricultural Loans."

Introduced by: Senator Wong, by request.

No. 2290-82 "A Bill for an Act Relating to Grants and Subsidies."

Introduced by: Senator Wong, by request.

No. 2291-82 "A Bill for an Act Relating to Employee Benefit Plans."

Introduced by: Senator Wong, by request.

No. 2292-82 "A Bill for an Act Relating to Public Lands."

Introduced by: Senator Wong, by request.

No. 2293-82 "A Bill for an Act Relating to the Disposition of Defendants."

Introduced by: Senator Wong, by request.

No. 2294-82 "A Bill for an Act Relating to the Judiciary Budget."

Introduced by: Senator Wong, by request.

No. 2295-82 "A Bill for an Act Relating to the Driver Education and Training Fund."

Introduced by: Senator Wong, by request.

No. 2296-82 "A Bill for an Act Relating to the Judiciary."

Introduced by: Senator Wong, by request.

No. 2297-82 "A Bill for an Act Relating to the Judiciary."

Introduced by: Senator Wong, by request.

No. 2298-82 "A Bill for an Act Relating to the Judiciary."

Introduced by: Senator Wong, by request.

No. 2299-82 "A Bill for an Act Relating to Security Personnel of the Judiciary."

Introduced by: Senator Wong, by request.

No. 2300-82 "A Bill for an Act Relating to Intake Service Centers."

Introduced by: Senator Wong, by request.

No. 2301-82 "A Bill for an Act Relating to the Judiciary."

Introduced by: Senator Wong, by request.

No. 2302-82 "A Bill for an Act Relating to the Uniform Probate Code."

Introduced by: Senator Wong, by request.

No. 2303-82 "A Bill for an Act Relating to Judiciary State Law Enforcement Vehicles."

Introduced by: Senator Wong, by request.

No. 2304-82 "A Bill for an Act Relating to Lobbying."

Introduced by: Senator Wong, by request.

No. 2305-82 "A Bill for an Act Relating to Employment Agencies."

Introduced by: Senators Kawasaki, Abercrombie and Cayetano.

No. 2306-82 "A Bill for an Act Relating to Statutory Revision; Amending or Repealing Various Provisions of the Hawaii Revised Statutes for the Purpose of Correcting Errors, Clarifying Language, Correcting References, and Deleting Obsolete or Unnecessary Provisions."

Introduced by: Senator Wong.

No. 2307-82 "A Bill for an Act Relating to Allowances for Legislators."

Introduced by: Senator Wong.

No. 2308-82 "A Bill for an Act Relating to the Allocation of Funds."

Introduced by: Senator Wong.

No. 2309-82 "A Bill for an Act Relating to Special Purpose Revenue Bonds."

Introduced by: Senator Wong.

No. 2310-82 "A Bill for an Act Relating to Mechanic's and Materialman's Liens."

Introduced by: Senator Wong.

No. 2311-82 "A Bill for an Act Relating to Securities for State Funds."

Introduced by: Senator Wong.

No. 2312-82 "A Bill for an Act Relating to Investment of State Funds."

Introduced by: Senator Wong.

No. 2313-82 "A Bill for an Act Relating to Savings and Loan Associations."

Introduced by: Senator Wong.

STANDING COMMITTEE REPORT

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 7-82), informing the Senate that Senate Bill Nos. 2183-82 to 2268-82

have been printed and are ready for distribution.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Wednesday, February 3, 1982:

Senate Bills Referred to:

No. 2183-82	Committee on Human Resources	No. 2201-82	Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
No. 2184-82	Committee on Human Resources, then to the Committee on Ways and Means	No. 2202-82	Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
No. 2185-82	Committee on Education, then to the Committee on Ways and Means	No. 2203-82	Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
No. 2186-82	Committee on Agriculture	No. 2204-82	Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
No. 2187-82	Committee on Agriculture, then to the Committee on Ways and Means	No. 2205-82	Committee on Health, then to the Committee on Ways and Means
No. 2188-82	Committee on Agriculture	No. 2206-82	Committee on Health
No. 2189-82	Committee on Judiciary	No. 2207-82	Committee on Health
No. 2190-82	Committee on Judiciary, then to the Committee on Ways and Means	No. 2208-82	Committee on Health
No. 2191-82	Committee on Judiciary	No. 2209-82	Committee on Health
No. 2192-82	Committee on Education, then to the Committee on Judiciary	No. 2210-82	Committee on Human Resources, then to the Committee on Ways and Means
No. 2193-82	Committee on Judiciary, then to the Committee on Ways and Means	No. 2211-82	Committee on Ecology, Environment and Recreation
No. 2194-82	Committee on Judiciary, then to the Committee on Ways and Means	No. 2212-82	Committee on Human Resources
No. 2195-82	Committee on Judiciary, then to the Committee on Ways and Means	No. 2213-82	Committee on Human Resources, then to the Committee on Ways and Means
No. 2196-82	Committee on Ways and Means	No. 2214-82	Committee on Economic Development
No. 2197-82	Committee on Ways and Means	No. 2215-82	Committee on Economic Development
No. 2198-82	Committee on Ways and Means	No. 2216-82	Committee on Economic Development
No. 2199-82	Committee on Ways and Means	No. 2217-82	Committee on Economic Development
No. 2200-82	Committee on Education	No. 2218-82	Committee on Economic Development
		No. 2219-82	Committee on Ecology, Environment and Recreation
		No. 2220-82	Committee on Human Resources, then to the Committee on Ways and Means
		No. 2221-82	Committee on Human Resources, then to the Committee on Ways and Means
		No. 2222-82	Committee on Economic

Development	No. 2245-82 Committee on Judiciary
No. 2223-82 Committee on Economic Development, then to the Committee on Ways and Means	No. 2246-82 Committee on Human Resources, then to the Committee on Ways and Means
No. 2224-82 Committee on Economic Development, then to the Committee on Ways and Means	No. 2247-82 Committee on Human Resources, then to the Committee on Ways and Means
No. 2225-82 Committee on Economic Development	No. 2248-82 Committee on Judiciary
No. 2226-82 Committee on Economic Development, then to the Committee on Ways and Means	No. 2249-82 Committee on Human Resources
No. 2227-82 Committee on Public Utilities	No. 2250-82 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
No. 2228-82 Committee on Public Utilities	No. 2251-82 Committee on Judiciary
No. 2229-82 Committee on Public Utilities	No. 2252-82 Committee on Ways and Means
No. 2230-82 Committee on Consumer Protection and Commerce	No. 2253-82 Committee on Health, then to the Committee on Ways and Means
No. 2231-82 Committee on Consumer Protection and Commerce	No. 2254-82 Committee on Ways and Means
No. 2232-82 Committee on Consumer Protection and Commerce	No. 2255-82 Committee on Ways and Means
No. 2233-82 Committee on Consumer Protection and Commerce	No. 2256-82 Committee on Ways and Means
No. 2234-82 Committee on Consumer Protection and Commerce	No. 2257-82 Committee on Ways and Means
No. 2235-82 Committee on Consumer Protection and Commerce	No. 2258-82 Committee on Ways and Means
No. 2236-82 Committee on Consumer Protection and Commerce	No. 2259-82 Committee on Economic Development, then to the Committee on Ways and Means
No. 2237-82 Committee on Consumer Protection and Commerce	No. 2260-82 Committee on Economic Development
No. 2238-82 Committee on Consumer Protection and Commerce	No. 2261-82 Committee on Transportation, then to the Committee on Ways and Means
No. 2239-82 Committee on Consumer Protection and Commerce	No. 2262-82 Committee on Higher Education, then to the Committee on Ways and Means
No. 2240-82 Committee on Education	No. 2263-82 Committee on the Judiciary, then to the Committee on Ways and Means
No. 2241-82 Committee on Human Resources, then to the Committee on Ways and Means	No. 2264-82 Committee on Tourism, then to the Committee on Ways and Means
No. 2242-82 Committee on Human Resources, then to the Committee on Judiciary	
No. 2243-82 Committee on Human Resources, then to the Committee on Ways and Means	
No. 2244-82 Committee on Judiciary, then to the Committee on Ways and Means	

No. 2265-82 Committee on Tourism,
then to the Committee on Ways and
Means

No. 2266-82 Committee on Tourism,
then to the Committee on Ways and
Means

No. 2267-82 Committee on
Judiciary

No. 2268-82 Committee on Human
Resources, then to the Committee
on Ways and Means

At this time, Senator Wong rose and
addressed the members of the Senate
as follows:

"Mr. President, I would just like to

announce to this honorable body
that I feel very gratified to note
from the Clerk's Office that of the
137 bills introduced so far in the
Senate, 80 are administrative measures
by request of the Governor and
only 57 bills by individual members
of the Senate. I think that the Senators
should be congratulated on their
attempts to hold back the flood of
bills here in the Senate. I hope
this practice continues."

ADJOURNMENT

At 11:45 o'clock a.m., on motion
by Senator Cobb, seconded by Senator
Anderson and carried, the Senate
adjourned until 11:30 o'clock a.m.,
Friday, February 5, 1982.

THIRTEENTH DAY

Friday, February 5, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the Vice-President in the Chair.

The Divine Blessing was invoked by Father Colin Correa of the Catholic Diocese, Chancery Office, after which the Roll was called showing all Senators present with the exception of Senator Abercrombie who was excused.

The President announced that he had read and approved the Journal of the Twelfth Day.

At this time, Senator Yee introduced to the members of the Senate Ms. Randa Nicholson and Ms. Elizabeth Gray, 10th grade students of Coopers High School in Abilene, Texas. Senator Yee added that the students are working out of his office to learn how the State of Hawaii Legislature functions.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 73 to 77) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 73), transmitting to the President of the Senate, 15 bills and one resolution relating to crime, was placed on file.

A message from the Governor (Gov. Msg. No. 74), transmitting to the President of the Senate, 12 proposed Senate Concurrent Resolutions relating to the 12 State Functional Plans which were sent to the Senate on December 21, 1981, in accordance with the provisions of Section 226-58, HRS, was placed on file.

A message from the Governor (Gov. Msg. No. 75), transmitting copies of a report prepared by the Department of Accounting and General Services, in response to Senate Resolution No. 244 (1981) urging the Department of Accounting and General Services to undertake measures to reduce state employees' travel expenses, was referred to the Committee on Government Operations and Intergovernmental Relations.

A message from the Governor (Gov. Msg. No. 76), transmitting copies of the 1980 Annual Report of the Teacher Education Coordinating Committee, prepared by the Teacher Education

Coordinating Committee in compliance with Section 304-20, HRS, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 77), transmitting copies of a research study entitled: "Migration and Unemployment in Hawaii," a joint publication of the East-West Population Institute and the Hawaii State Commission on Population and the Hawaiian Future, Number 79, January 1982, was referred to the Committee on Economic Development.

At 11:37 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:40 o'clock a.m.

HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 6), transmitting House Concurrent Resolution No. 23 which was adopted by the House of Representatives on February 3, 1982 was read by the Clerk and was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.C.R. No. 23, entitled: "HOUSE CONCURRENT RESOLUTION COMMENDING THE TWELFTH ANNUAL BUILDING MATERIALS EXPO ON ITS EMPHASIS ON TECHNOLOGY TO MEET THE CHANGING MARKET OF THE 1980s," was adopted.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 3 to 14) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 3), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE AGRICULTURE PLAN," was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 3 was referred to the Committee on Agriculture, then to the Committee on Economic Development, then to the Committee on Ways and Means.

A concurrent resolution (S.C.R. No. 4), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE EDUCATION PLAN," was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 4 was referred to the Committee on

Education, then to the Committee on Economic Development, then to the Committee on Ways and Means.

A concurrent resolution (S.C.R. No. 5), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE HEALTH PLAN," was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 5, was referred to the Committee on Health, then to the Committee on Economic Development, then to the Committee on Ways and Means.

A concurrent resolution (S.C.R. No. 6), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE WATER RESOURCES DEVELOPMENT PLAN," was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 6 was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

A concurrent resolution (S.C.R. No. 7), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE RECREATION PLAN," was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 7 was referred to the Committee on Ecology, Environment and Recreation, then to the Committee on Economic Development, then to the Committee on Ways and Means.

A concurrent resolution (S.C.R. No. 8), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE CONSERVATION LANDS PLAN," was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 8 was referred to the Committee on Ecology, Environment and Recreation, then to the Committee on Economic Development, then to the Committee on Ways and Means.

A concurrent resolution (S.C.R. No. 9), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE HISTORIC PRESERVATION PLAN," was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 9 was referred to the Committee on Ecology, Environment and Recreation, then to the Committee on Economic Development, then to the Committee on Ways and Means.

A concurrent resolution (S.C.R. No. 10), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE

TOURISM PLAN," was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 10 was referred to the Committee on Tourism, then to the Committee on Economic Development, then to the Committee on Ways and Means.

A concurrent resolution (S.C.R. No. 11), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE ENERGY PLAN," was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 11 was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

A concurrent resolution (S.C.R. No. 12), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE HOUSING PLAN," was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 12 was referred to the Committee on Housing and Hawaiian Homes, then to the Committee on Economic Development, then to the Committee on Ways and Means.

A concurrent resolution (S.C.R. No. 13), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE TRANSPORTATION PLAN," was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 13 was referred to the Committee on Transportation, then to the Committee on Economic Development, then to the Committee on Ways and Means.

A concurrent resolution (S.C.R. No. 14), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE HIGHER EDUCATION PLAN," was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 14 was referred to the Committee on Higher Education, then to the Committee on Economic Development, then to the Committee on Ways and Means.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 8 and 9) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 8), entitled: "SENATE RESOLUTION REQUESTING THE DEVELOPMENT OF PROPOSED BAIL REFORM LEGISLATION," was offered by Senator Wong, by request.

By unanimous consent, S.R. No. 8

was referred to the Committee on Judiciary.

A resolution (S.R. No. 9), entitled: "SENATE RESOLUTION SUBMITTING TO THE LEGISLATURE OF THE STATE OF HAWAII FOR REVIEW OF ACTION TAKEN BY THE BOARD OF LAND AND NATURAL RESOURCES ON EXCHANGES," was offered by Senator Wong, by request.

By unanimous consent, S.R. No. 9 was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

INTRODUCTION OF SENATE BILLS

On motion by Senator Cobb, seconded by Senator Anderson and carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Monday, February 8, 1982:

Senate Bills

No. 2314-82 "A Bill for an Act Relating to the Employees' Retirement System of the State of Hawaii."

Introduced by: Senator Uwaine.

No. 2315-82 "A Bill for an Act Relating to Retirement."

Introduced by: Senator Uwaine.

No. 2316-82 "A Bill for an Act Relating to Inheritance Tax."

Introduced by: Senators George, Cobb, Saiki, Ajifu, Kawasaki, Uwaine, Yamasaki, Young, Anderson, Soares, Abercrombie, Carpenter, Cayetano, Henderson, Kuroda, Mizuguchi and Kobayashi.

No. 2317-82 "A Bill for an Act Relating to the Inheritance Tax."

Introduced by: Senators Cobb, George, Young, Yamasaki, Anderson, Ajifu, Kawasaki, Carpenter and Kuroda.

No. 2318-82 "A Bill for an Act Authorizing the Issuance of General Obligation Bonds and Making an Appropriation for Kaiser High School, Oahu."

Introduced by: Senators Cobb, Soares, Saiki and O'Connor.

No. 2319-82 "A Bill for an Act Relating to Liquor License."

Introduced by: Senator Cobb, by request.

No. 2320-82 "A Bill for an Act Relating to Utilities."

Introduced by: Senator Kawasaki.

No. 2321-82 "A Bill for an Act Amending Section 46-6, Hawaii Revised Statutes, Relating to Parks and Playgrounds for Subdivisions."

Introduced by: Senator Kawasaki.

No. 2322-82 "A Bill for an Act Relating to Vehicle Number Plates."

Introduced by: Senator Kawasaki.

No. 2323-82 "A Bill for an Act Relating to a Tourist Destination Improvement Fee."

Introduced by: Senator Kawasaki.

No. 2324-82 "A Bill for an Act Relating to Land Use."

Introduced by: Senator Kawasaki.

No. 2325-82 "A Bill for an Act Relating to Nonresident Vehicle Permits."

Introduced by: Senator Kawasaki.

No. 2326-82 "A Bill for an Act Relating to Motor Vehicle Safety Responsibility Act."

Introduced by: Senator Kawasaki.

No. 2327-82 "A Bill for an Act Relating to the Housing Loan and Mortgage Program."

Introduced by: Senator Kawasaki.

No. 2328-82 "A Bill for an Act Relating to Fair Housing."

Introduced by: Senator Kawasaki.

No. 2329-82 "A Bill for an Act to Amend Section 707-741, Hawaii Revised Statutes, Creating Two Classes of Incest."

Introduced by: Senator Kawasaki.

No. 2330-82 "A Bill for an Act Relating to Endangering the Welfare of a Minor."

Introduced by: Senator Kawasaki.

No. 2331-82 "A Bill for an Act Relating to Service-Connected Occupational Disability Retirement."

Introduced by: Senator Kawasaki.

No. 2332-82 "A Bill for an Act Relating

to Gambling."

Introduced by: Senator Kawasaki.

No. 2333-82 "A Bill for an Act Relating to the Towing of Abandoned Vehicles."

Introduced by: Senator Kawasaki.

No. 2334-82 "A Bill for an Act Providing Penalties for Violations of Chapter 290 Relating to Abandoned Vehicles."

Introduced by: Senator Kawasaki.

No. 2335-82 "A Bill for an Act Relating to the Price of Purchased Power, Electric Utilities Pay Co-Generators or Small Power Producers."

Introduced by: Senator Kawasaki.

No. 2336-82 "A Bill for an Act Relating to Self-Service Storage Industry."

Introduced by: Senator Cobb, by request.

No. 2337-82 "A Bill for an Act Relating to County Council Employees."

Introduced by: Senator Kawasaki, by request.

No. 2338-82 "A Bill for an Act Relating to the Banning of Aerial Fireworks."

Introduced by: Senator Kawasaki, by request.

No. 2339-82 "A Bill for an Act Relating to Sales of Real Property."

Introduced by: Senator Kawasaki, by request.

No. 2340-82 "A Bill for an Act Amending the Conveyance Tax Law to Provide for County Housing Funds."

Introduced by: Senator Kawasaki, by request.

No. 2341-81 "A Bill for an Act Amending Section 663-11 of the Hawaii Revised Statutes, Relating to Joint Tortfeasors Liability."

Introduced by: Senator Kawasaki.

STANDING COMMITTEE REPORT

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 8-82), informing the Senate that Governor's Message Nos. 71 and 72, Senate Concurrent Resolution Nos. 3 to 14, Senate Resolution Nos. 8 and 9, and Senate Bill Nos. 2269-82 to 2313-82 have been printed and

are ready for distribution.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Thursday, February 4, 1982:

Senate Bills	Referred to:
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No. 2269-82	Committee on Judiciary, then to the Committee on Ways and Means
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No. 2270-82	Committee on Judiciary
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No. 2271-82	Committee on Judiciary
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No. 2272-82	Committee on Judiciary
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No. 2273-82	Committee on Judiciary
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No. 2274-82	Committee on Judiciary
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No. 2275-82	Committee on Judiciary
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No. 2276-82	Committee on Judiciary, then to the Committee on Ways and Means
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No. 2277-82	Committee on Judiciary, then to the Committee on Ways and Means
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No. 2278-82	Committee on Judiciary, then to the Committee on Ways and Means
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No. 2279-82	Committee on Judiciary
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No. 2280-82	Committee on Judiciary
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No. 2281-82	Committee on Judiciary, then to the Committee on Ways and Means
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No. 2282-82	Committee on Judiciary
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No. 2283-82	Committee on Judiciary
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No. 2284-82	Committee on Human Resources
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No. 2285-82	Committee on Judiciary
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No. 2286-82	Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
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No. 2287-82	Committee on Judiciary
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No. 2288-82	Committee on Agriculture
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No. 2289-82	Committee on Agriculture,
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then to the Committee on Ways and Means	Means	
No. 2290-82 Committee on Government Operations and Intergovernmental Relations, then to the Committee on Ways and Means	No. 2301-82	Committee on Judiciary
	No. 2302-82	Committee on Judiciary
	No. 2303-82	Committee on Judiciary
No. 2291-82 Committee on Human Resources	No. 2304-82	Committee on Judiciary
No. 2292-82 Committee on Economic Development	No. 2305-82	Committee on Human Resources
No. 2293-82 Committee on Judiciary	No. 2306-82	Committee on Judiciary
No. 2294-82 Committee on Judiciary, then to the Committee on Ways and Means	No. 2307-82	Committee on Judiciary
	No. 2308-82	Committee on Ways and Means
No. 2295-82 Committee on Judiciary, then to the Committee on Ways and Means	No. 2309-82	Committee on Economic Development, then to the Committee on Ways and Means
No. 2296-82 Committee on Judiciary, then to the Committee on Ways and Means	No. 2310-82	Committee on Judiciary
	No. 2311-82	Committee on Ways and Means
No. 2297-82 Committee on Judiciary, then to the Committee on Ways and Means	No. 2312-82	Committee on Ways and Means
No. 2298-82 Committee on Judiciary, then to the Committee on Ways and Means	No. 2313-82	Committee on Consumer Protection and Commerce
No. 2299-82 Committee on Human Resources, then to the Committee on Ways and Means	ADJOURNMENT	
No. 2300-82 Committee on Judiciary, then to the Committee on Ways and	At 11: 44 o'clock a.m., on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate adjourned until 11: 30 o'clock a.m., Monday, February 8, 1982.	

FOURTEENTH DAY

Monday, February 8, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the Vice-President in the Chair.

The Divine Blessing was invoked by Mr. William K. Martin of the Christian Science Society, after which the Roll was called showing all Senators present with the exception of Senators Cobb, Ushijima, Yee and Wong who were excused.

The Chair announced that he had read and approved the Journal of the Thirteenth Day.

At this time the following introductions were made to the members of the Senate:

Senator Holt, on behalf of the Senators from the 5th District, introduced 11 adult students from Farrington Community School and their teacher, Mrs. Jane Kameji.

Senator George introduced Mrs. Phyllis Lancer, Western States Administrator of the Economic Development Administration.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 78 to 80) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 78), transmitting copies of a report prepared by the Department of Health entitled: "Commission on the Handicapped, Annual Report, FY 80-81," was referred to the Committee on Health.

A message from the Governor, (Gov. Msg. No. 79), transmitting copies of reports prepared by the Department of Transportation in response to:

1. House Resolution 422 (1981), requesting the Department of Transportation to prepare a feasibility study of the installation of emergency telephone communications along the highway between Kahe Point and Wai-pahu, was referred to the Committee on Transportation; and
2. House Resolution No. 557 (1981), requesting the independent random safety inspection of school buses, was referred jointly to the Committee on Education and the Committee on

Transportation.

A message from the Governor (Gov. Msg. No. 80), transmitting copies of the following:

1. A report by the Antitrust Division of the Office of the Attorney General which describes the legal and statutory aspects relating to the sale and delivery of duty-free merchandise at Honolulu International Airport, in response to Act 243, SSLH, 1981; and
2. A report prepared by the Department of Transportation entitled: "Duty Free Concession and Permit Study, Final Report, January 1982,"

was referred to the Committee on Transportation.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 7 and 8) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 7), transmitting House Bill No. 698, H.D. 1, which passed Third Reading in the House of Representatives on February 5, 1982 was placed on file.

On motion by Senator Kuroda, seconded by Senator Anderson and carried, H.B. No. 698, H.D. 1, entitled: "RELATING TO THE DEPARTMENT OF AGRICULTURE," passed First Reading and was referred jointly to the Committee on Agriculture and the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 8), transmitting House Bill No. 699, H.D. 1, which passed Third Reading in the House of Representatives on February 5, 1982 was placed on file.

On motion by Senator Kuroda, seconded by Senator Anderson and carried, H.B. No. 699, H.D. 1, entitled: "RELATING TO THE DEPARTMENT OF AGRICULTURE," passed First Reading and was referred jointly to the Committee on Agriculture and the Committee on Human Resources, then to the Committee on Ways and Means.

INTRODUCTION OF SENATE BILLS

On motion by Senator Kuroda, seconded by Senator Anderson and carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Tuesday, February 9, 1982:

Senate Bills:

No. 2342-82 "A Bill for an Act Relating to Collective Bargaining."

Introduced by: Senator Wong, by request.

No. 2343-82 "A Bill for an Act Relating to Solid Waste Disposal."

Introduced by: Senator Wong, by request.

No. 2344-82 "A Bill for an Act Relating to Deferred Compensation Plan for Public Employees."

Introduced by: Senator Wong, by request.

No. 2345-82 "A Bill for an Act Relating to Family Courts."

Introduced by: Senator Wong, by request.

No. 2346-82 "A Bill for an Act Relating to Educational Fees."

Introduced by: Senators Abercrombie and Kuroda.

No. 2347-82 "A Bill for an Act Relating to Tuition Waivers for Veterans."

Introduced by: Senators Abercrombie and Kuroda.

No. 2348-82 "A Bill for an Act Relating to the State Commission on Manpower and Full Employment."

Introduced by: Senators Abercrombie and Kuroda.

No. 2349-82 "A Bill for an Act Relating to Public Broadcasting."

Introduced by: Senators Abercrombie and Kuroda.

No. 2350-82 "A Bill for an Act Relating to Public Schools."

Introduced by: Senators Abercrombie and Kuroda.

No. 2351-82 "A Bill for An Act Relating to Speech Pathologists and Audiologists."

Introduced by: Senators Abercrombie and Kuroda.

No. 2352-82 "A Bill for an Act Relating to Speech Pathology and Audiology."

Introduced by: Senators Abercrombie and Kuroda.

No. 2353-82 "A Bill for an Act Relating to the Job Sharing Pilot Project in the Public Library System."

Introduced by: Senators Abercrombie and Kuroda.

No. 2354-82 "A Bill for an Act Relating to Fees Collected from the Users of School Buildings, Facilities, Grounds and Equipment."

Introduced by: Senators Abercrombie and Kuroda.

No. 2355-82 "A Bill for an Act Relating to Taxation."

Introduced by: Senator Abercrombie.

No. 2356-82 "A Bill for an Act Relating to Land Use within Agricultural Districts."

Introduced by: Senator Uwaine.

No. 2357-82 "A Bill for an Act Relating to the Public Employees' Retirement System."

Introduced by: Senator Uwaine.

No. 2358-82 "A Bill for an Act Relating to Public Employees."

Introduced by: Senators Carpenter, Kobayashi, Campbell, Kuroda, Mizuguchi, Abercrombie, Kawasaki, Ajifu, Yamasaki, Cobb, Machida, and Ushijima.

No. 2359-82 "A Bill for an Act Relating to the Motion Picture and Television Industry."

Introduced by: Senator Anderson.

No. 2360-82 "A Bill for an Act Making an Appropriation for Conversion of Part-Time Library Positions."

Introduced by: Senator Abercrombie.

STANDING COMMITTEE REPORT

Senator Young, for the Committee on Legislative Management, presented

a report (Stand. Com. Rep. No. 9-82), informing the Senate that Senate Concurrent Resolution Nos. 3 to 14, Senate Resolution Nos. 8 and 9, and Senate Bill Nos. 2314-82 to 2341-82 have been printed and are ready for distribution.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

Senate Bills Referred to:

No. 2314-82 Committee on Human Resources, then to the Committee on Ways and Means

No. 2315-82 Committee on Human Resources, then to the Committee on Ways and Means

No. 2316-82 Committee on Ways and Means

No. 2317-82 Committee on Ways and Means

No. 2318-82 Committee on Education, then to the Committee on Ways and Means

No. 2319-82 Committee on Ways and Means

No. 2320-82 Committee on Public Utilities

No. 2321-82 Committee on Government Operations and Intergovernmental Relations

No. 2322-82 Committee on Government Operations and Intergovernmental Relations

No. 2323-82 Committee on Tourism, then to the Committee on Ways and Means

No. 2324-82 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means

No. 2325-82 Committee on Transportation, then to the Committee on Ways and Means

No. 2326-82 Committee on Transportation

No. 2327-82 Committee on Housing and Hawaiian Homes

No. 2328-82 Committee on Housing and Hawaiian Homes

No. 2329-82 Committee on Judiciary

No. 2330-82 Committee on Judiciary

No. 2331-82 Committee on Human Resources, then to the Committee on Ways and Means

No. 2332-82 Committee on Judiciary

No. 2333-82 Committee on Transportation

No. 2334-82 Committee on Transportation

No. 2335-82 Committee on Public Utilities

No. 2336-82 Committee on Consumer Protection and Commerce, then to the Committee on Judiciary

No. 2337-82 Committee on Human Resources

No. 2338-82 Committee on Judiciary

No. 2339-82 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means

No. 2340-82 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means

No. 2341-82 Committee on Judiciary

RE-REFERRAL OF SENATE BILLS

The President made the following re-referral of a bill that was introduced on Monday, February 1, 1982:

Senate Bill Referred to:

No. 2156-82 Committee on Human Resources, then to the Committee on Ways and Means

The President made the following re-referrals of bills that were introduced on Thursday, February 4, 1982:

Senate Bill Referred to:

No. 2285-82 Committee on Transportation, then to the Committee on Judiciary

No. 2295-82 Committee on Transportation, then to the Committee on Ways and Means

At 11:38 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:40 o'clock a.m.

ADJOURNMENT

At 11:41 o'clock a.m., on motion by
Senator Kuroda, seconded by Senator
Anderson and carried, the Senate

adjourned until 11:30 o'clock a.m.,
Tuesday, February 9, 1982.

FIFTEENTH DAY

Tuesday, February 9, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the Vice-President in the Chair.

The Divine Blessing was invoked by the Reverend Richard Weisenbach, Pastor of Kalihi Union Church, after which the Roll was called showing all Senators present with the exception of Senators Anderson, Cobb, Holt, Saiki, Ushijima, Uwaine, Wong and Yee who were excused.

The President announced that he had read and approved the Journal of the Fourteenth Day.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. No. 81 and 82) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 81), transmitting copies of the Executive Budget, Supplemental, (Budget Period: 1981-83), Volumes I and II, submitted pursuant to Section 37-72, HRS, and The Variance Report for Fiscal Years 1980-81 and 1981-82, Volumes I and II, was referred to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 82), transmitting copies of a report, January 1982, submitted by the Department of Regulatory Agencies pursuant to Act 221, on Cemetery, Mortuary and Funeral Authorities -- Chapter 441, HRS, was referred to the Committee on Consumer Protection and Commerce.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 9 and 10) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 9), transmitting House Bill No. 1231, H.D. 1, which passed Third Reading in the House of Representatives on February 8, 1982, was placed on file.

On motion by Senator Kuroda, seconded by Senator Soares and carried, H.B. No. 1231, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed First Reading by title and was referred to

the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 10), transmitting House Bill No. 1094, H.D. 1, which passed Third Reading in the House of Representatives on February 8, 1982, was placed on file.

On motion by Senator Kuroda, seconded by Senator Soares and carried, H.B. No. 1094, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSPECTION OF VEHICLES," passed First Reading by title and was referred to the Committee on Transportation.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 15), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ADOPTION OF A STATEWIDE POLICY OF CONTRACTING PUBLIC SERVICES WHENEVER IT IS COST-EFFECTIVE AND DOES NOT INVOLVE PUBLIC SAFETY," was offered by Senators Cobb, Kuroda, Ajifu, Uwaine, Kawasaki, Young, Yamasaki, Carpenter and Kobayashi, and was read by the Clerk.

By unanimous consent, S.C.R. No. 15 was referred to the Committee on Government Operations and Intergovernmental Relations, then to the Committee on Ways and Means.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 10 to 14) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 10), entitled: "SENATE RESOLUTION RELATING TO THE HAWAII STATE LIBRARY BUILDING," was offered by Senators Abercrombie and Kuroda.

By unanimous consent, S.R. No. 10 was referred to the Committee on Education.

A resolution (S.R. No. 11), entitled: "SENATE RESOLUTION RELATING TO THE DEPARTMENT OF EDUCATION," was offered by Senators Abercrombie and Kuroda.

By unanimous consent, S.R. No. 11 was referred to the Committee on Education.

A resolution (S.R. No. 12), entitled: "SENATE RESOLUTION REQUESTING THE SENATE COMMITTEE ON TRANSPORTATION REVIEW THE PROPOSED AIRPORT CAPITAL IMPROVEMENTS PROGRAM,"

was offered by Senators George, Kawasaki, Anderson, Henderson, Kuroda and Kobayashi.

By unanimous consent, S.R. No. 12 was referred to the Committee on Transportation.

A resolution (S.R. No. 13), entitled: "SENATE RESOLUTION REQUESTING THE ADOPTION OF A STATEWIDE POLICY OF CONTRACTING PUBLIC SERVICES WHENEVER IT IS COST-EFFECTIVE AND DOES NOT INVOLVE PUBLIC SAFETY," was offered by Senators Cobb, Kuroda, Ajifu, Uwaine, Kawasaki, Young, Yamasaki, Carpenter, Kobayashi and Saiki.

By unanimous consent, S.R. No. 13 was referred to the Committee on Government Operations and Intergovernmental Relations, then to the Committee on Ways and Means.

A resolution (S.R. No. 14), entitled: "SENATE RESOLUTION REQUESTING THE DIRECTOR OF TRANSPORTATION SERVICES OF THE CITY AND COUNTY OF HONOLULU TO PURCHASE AND USE SPECIAL HILL CLIMBING BUSES FOR THE MARINER'S RIDGE COMMUNITY AND TO EXPAND BUS SERVICE INTO KULIOUOU VALLEY," was offered by Senators Cobb, Kuroda, Ajifu, Uwaine, Kobayashi, Saiki, Soares, Young, Carpenter and O'Connor.

By unanimous consent, S.R. No. 14 was referred to the Committee on Transportation.

INTRODUCTION OF SENATE BILLS

On motion by Senator Kuroda, seconded by Senator Soares and carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Wednesday, February 10, 1982:

Senate Bills

No. 2361-82 "A Bill for an Act Relating to Private Enterprise."

Introduced by: Senators Cobb, Kuroda, Ajifu, Uwaine, Kobayashi, Saiki, Carpenter and Yamasaki.

No. 2362-82 "A Bill for an Act Relating to the Department of Regulatory Agencies."

Introduced by: Senators Cobb, Kuroda, Yamasaki, Young, Carpenter, Ajifu, Uwaine, Kawasaki, Kobayashi and Saiki.

No. 2363-82 "A Bill for an Act Relating to Unemployment Benefits."

Introduced by: Senators Cobb, Kuroda, Ajifu, Kawasaki, Kobayashi, Saiki and Carpenter.

No. 2364-82 "A Bill for an Act Relating to Small Businesses."

Introduced by: Senators Cobb, Kuroda, Kawasaki, Yamasaki, Young, Carpenter, Ajifu, Uwaine and Kobayashi.

No. 2365-82 "A Bill for an Act Relating to Vehicles."

Introduced by: Senators Cobb, Carpenter, Kuroda, Ajifu, Uwaine, Kawasaki, Kobayashi, Yamasaki and Saiki.

No. 2366-82 "A Bill for an Act Relating to Campaign Spending Report."

Introduced by: Senators Carpenter, George, Cayetano, Cobb, Kobayashi, Ajifu, Saiki, Uwaine, Kawasaki, Yamasaki, Young, Campbell, Henderson, Kuroda, O'Connor, Abercrombie and Machida.

No. 2367-82 "A Bill for an Act Relating to Senate Confirmation."

Introduced by: Senators Carpenter, Henderson, O'Connor, Uwaine, Cayetano, Cobb, Saiki, Kobayashi, Campbell, Young, Abercrombie and Kawasaki.

No. 2368-82 "A Bill for an Act Relating to Persistent Nonsupport."

Introduced by: Senators Carpenter, Henderson, Uwaine, Cobb, Kuroda, Saiki, Kawasaki, Young, Abercrombie and Kobayashi.

No. 2369-82 "A Bill for an Act Relating to Child Support."

Introduced by: Senators Carpenter, Uwaine, Henderson, Yamasaki, Cobb, Kuroda, Cayetano, Saiki, Kobayashi, Young, Abercrombie, Kawasaki, Machida and Campbell.

No. 2370-82 "A Bill for an Act Relating to the Child Support Enforcement Special Fund."

Introduced by: Senators Carpenter, Abercrombie, Uwaine, Henderson, Kobayashi, Kuroda, Cobb, Cayetano, Saiki, Young, Kawasaki, Machida and Campbell.

No. 2371-82 "A Bill for an Act Relating to Child Support."

Introduced by: Senators Carpenter, Henderson, Cobb, O'Connor, Saiki, Uwaine, Cayetano, Kuroda, Kobayashi, Young, Abercrombie, Kawasaki

and Machida.

No. 2372-82 "A Bill for an Act Relating to Family Court Referees."

Introduced by: Senators Carpenter, Cayetano, Henderson, Yamasaki, Uwaine, Kuroda, Saiki, Kobayashi, Abercrombie, Kawasaki and Machida.

No. 2373-82 "A Bill for an Act Relating to the Establishment of a State Park Life-Saving Services Program."

Introduced by: Senators Kobayashi, Soares, George, Young, Ajifu, Henderson and Cayetano.

No. 2374-82 "A Bill for an Act Relating to Zoning."

Introduced by: Senators Kawasaki, Uwaine, Kuroda, Ajifu, Abercrombie, Carpenter, Young and Carpenter.

No. 2375-82 "A Bill for an Act Relating to Zoning."

Introduced by: Senators Kawasaki, Young, Saiki, George, Kuroda, Cayetano, Yamasaki, Ajifu and Carpenter.

STANDING COMMITTEE REPORT

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 10-82) informing the Senate that Senate Concurrent Resolution No. 15, Senate Resolution Nos. 10 to 14, and Senate Bill Nos. 2342-82 to 2360-82 have been printed and are ready for distribution.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Monday, February 8, 1982:

Senate Bills Referred to:

No. 2342-82 Committee on Human Resources, then to the Committee on Ways and Means

No. 2343-82 Committee on Ecology, Environment and Recreation

No. 2344-82 Committee on Human Resources, then to the Committee on Ways and Means

No. 2345-82 Committee on Judiciary

No. 2346-82 Committee on Education, then to the Committee on Ways and Means

No. 2347-82 Committee on Higher Education, then to the Committee on Ways and Means

No. 2348-82 Jointly to the Committee on Higher Education and the Committee on Human Resources, then to the Committee on Ways and Means

No. 2349-82 Committee on Education, then to the Committee on Ways and Means

No. 2350-82 Committee on Education, then to the Committee on Judiciary

No. 2351-82 Committee on Consumer Protection and Commerce

No. 2352-82 Committee on Consumer Protection and Commerce

No. 2353-82 Committee on Education, then to the Committee on Ways and Means

No. 2354-82 Committee on Education, then to the Committee on Ways and Means

No. 2355-82 Committee on Judiciary, then to the Committee on Ways and Means

No. 2356-82 Committee on Agriculture, then to the Committee on Economic Development

No. 2357-82 Committee on Human Resources, then to the Committee on Ways and Means

No. 2358-82 Committee on Human Resources, then to the Committee on Ways and Means

No. 2359-82 Committee on Economic Development, then to the Committee on Ways and Means

No. 2360-82 Committee on Education, then to the Committee on Ways and Means

ADJOURNMENT

At 11:45 o'clock a.m., on motion by Senator Kuroda, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, February 10, 1982.

SIXTEENTH DAY

Wednesday, February 10, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Shigenori Makino of the Honpa Hongwanji Mission, after which the Roll was called showing all Senators present with the exception of Senators Abercrombie, Anderson, Cobb, Holt, Machida, Mizuguchi, Toyofuku, and Ushijima who were excused.

The Chair announced that he had read and approved the Journal of the Fifteenth Day.

At this time, Senator Saiki, on behalf of Senator Anderson, introduced 40 members of the Aiea Lani Senior Citizens Club who will be visiting Iolani Palace and having lunch in Conference Room 6.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 16), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING FINANCIAL AND MANAGEMENT AUDITS OF THE OAHU COMMUNITY CORRECTIONAL CENTER," was offered by Senators Carpenter, Uwaine, Kobayashi, Kuroda, Abercrombie, Cayetano and Kawasaki, and was read by the Clerk.

By unanimous consent, S.C.R. No. 16 was referred to the Committee on Judiciary.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 15 to 17) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 15), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF ESTABLISHING STATE VETERANS HOMES ON THE ISLANDS OF HAWAII, MAUI, AND KAUAI," was offered by Senators Carpenter, Cayetano, Ajifu, Cobb, George, Kobayashi, Kawasaki, Yamasaki, O'Connor, Kuroda and Campbell.

By unanimous consent, S.R. No. 15 was referred to the Committee on Health.

A resolution (S.R. No. 16), entitled: "SENATE RESOLUTION REQUESTING FINANCIAL AND MANAGEMENT AUDITS OF THE OAHU COMMUNITY CORRECTIONAL

CENTER," was offered by Senators Carpenter, Cayetano, Uwaine, Saiki, Kobayashi, Kuroda, Kawasaki and Abercrombie.

By unanimous consent, S.R. No. 16 was referred to the Committee on Judiciary, then to the Committee on Legislative Management.

A resolution (S.R. No. 17), entitled: "SENATE RESOLUTION REQUESTING A STUDY TO CONSIDER THE PROBLEM OF THE LARGE UNEMPLOYMENT INSURANCE TRUST FUND BALANCE," was offered by Senators Kawasaki, Kuroda, Ajifu, Cobb, Abercrombie, Cayetano and Yamasaki.

By unanimous consent, S.R. No. 17 was referred to the Committee on Human Resources.

INTRODUCTION OF SENATE BILLS

On motion by Senator Kuroda, seconded by Senator Yee and carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Thursday, February 11, 1982:

Senate Bills

No. 2376-82 "A Bill for an Act Relating to Time Limitations."

Introduced by: Senators Carpenter, Kawasaki, Ajifu, Yee, Machida, Soares and Kobayashi.

No. 2377-82 "A Bill for an Act Relating to the Hawaii Penal Code."

Introduced by: Senators Carpenter, Kawasaki, Ajifu, Machida, Yee, Yamasaki and Kobayashi.

No. 2378-82 "A Bill for an Act Proposing an Amendment to Article VI, Section 3, of the Hawaii Constitution to Require that the Reappointment of Justices and Judges Be Subject to Consent of the Senate."

Introduced by: Senators Carpenter, Abercrombie, Kuroda, Soares, Young, Kawasaki, Cayetano, Uwaine, Saiki, Yee and Ajifu.

No. 2379-82 "A Bill for an Act Relating to Sentencing."

Introduced by: Senators Carpenter, Kawasaki, Soares, Kobayashi, Yamasaki, Ajifu, Yee and Machida.

No. 2380-82 "A Bill for an Act Relating to Community Mental Health and Substance Abuse Service System."

Introduced by: Senators Carpenter, Cayetano, Uwaine, Saiki, Kobayashi, Soares, Kuroda, Young, O'Connor, Yamasaki, Kawasaki, Yee, Ajifu and Abercrombie.

No. 2381-82 "A Bill for an Act Relating to Corrections."

Introduced by: Senators Carpenter, Kawasaki, Kobayashi, Ajifu and Yee.

No. 2382-82 "A Bill for an Act Relating to Dentistry."

Introduced by: Senator Uwaine.

No. 2383-82 "A Bill for an Act Relating to Workers' Compensation."

Introduced by: Senator Uwaine.

No. 2384-82 "A Bill for an Act Relating to Wage and Hour Law."

Introduced by: Senator Uwaine.

No. 2385-82 "A Bill for an Act Relating to Medical Assistance."

Introduced by: Senator Uwaine.

No. 2386-82 "A Bill for an Act Relating to Securities."

Introduced by: Senators Cobb, Ajifu, Kuroda, Kawasaki and Carpenter.

No. 2387-82 "A Bill for an Act Proposing an Amendment to Article VI, Section 5, of the Hawaii Constitution Relating to the Evaluation of Justices and Judges."

Introduced by: Senators Cobb, Kuroda, Uwaine, Carpenter, Young and Ajifu.

No. 2388-82 "A Bill for an Act Relating to Horizontal Property Regimes."

Introduced by: Senators Cobb, Kuroda, Saiki, Henderson, Ajifu and Carpenter.

No. 2389-80 "A Bill for an Act Relating to Intoxicating Liquor."

Introduced by: Senator Yee.

No. 2390-82 "A Bill for an Act Relating to Collective Bargaining."

Introduced by: Senator Saiki, by request.

No. 2391-82 "A Bill for an Act Relating to Taxation."

Introduced by: Senators Saiki, Kuroda,

George, Henderson, Kawasaki, Young, Kobayashi and Carpenter.

No. 2392-82 "A Bill for an Act Making an Appropriation for Tourism."

Introduced by: Senators Kuroda, Kawasaki, Carpenter, George, Yamasaki, Soares, Henderson and Kobayashi.

No. 2393-82 "A Bill for an Act Relating to Measurement Standards."

Introduced by: Senator Wong, by request.

No. 2394-82 "A Bill for an Act Making an Appropriation for Payment of Settlement between the State of Hawaii and Dillingham Corporation DBA Hawaiian Dredging and Construction Company."

Introduced by: Senator Wong, by request.

No. 2395-82 "A Bill for an Act Relating to Death."

Introduced by: Senator Wong, by request.

No. 2396-82 "A Bill for an Act Relating to the Uniform Securities Act (Modified)."

Introduced by: Senator Wong, by request.

No. 2397-82 "A Bill for an Act Relating to Beauty Culture."

Introduced by: Senator Wong, by request.

No. 2398-82 "A Bill for an Act Relating to the Board of Dispensing Opticians."

Introduced by: Senator Wong, by request.

No. 2399-82 "A Bill for an Act Relating to the Department of Regulatory Agencies."

Introduced by: Senator Wong, by request.

No. 2400-82 "A Bill for an Act Relating to the Department of Social Services and Housing."

Introduced by: Senator Wong, by request.

No. 2401-82 "A Bill for an Act Relating to Child Abuse and Neglect."

Introduced by: Senator Wong,

by request.

No. 2402-82 "A Bill for an Act Relating to the Department of Social Services and Housing."

Introduced by: Senator Wong, by request.

No. 2403-82 "A Bill for an Act Relating to the Hawaii Wing, Civil Air Patrol."

Introduced by: Senators Yamasaki, Campbell, Young, Kuroda, Carpenter, George, Kobayashi, Ajifu and Cayetano.

No. 2404-82 "A Bill for an Act Relating to the Hawaii Wing, Civil Air Patrol."

Introduced by: Senators Yamasaki, Machida, Mizuguchi, Yee, Saiki, Kuroda, Toyofuku, Campbell, Carpenter, Cayetano, Henderson, Holt, Ajifu, Young and Kobayashi.

No. 2405-82 "A Bill for an Act Relating to Public Contracts."

Introduced by: Senators Yamasaki, Machida, Carpenter, Kobayashi, Campbell, Henderson, George, Saiki, Kuroda, Young, Cayetano, Holt, Ajifu and Toyofuku.

No. 2406-82 "A Bill for an Act Relating to Contracts for Concessions."

Introduced by: Senator Yamasaki, by request.

No. 2407-82 "A Bill for an Act Relating to Liquor License Fees."

Introduced by: Senator Yamasaki, by request.

No. 2408-82 "A Bill for an Act Relating to the Disbursement of Fines and Forfeitures."

Introduced by: Senator Yamasaki, by request.

No. 2409-82 "A Bill for an Act Relating to Intoxicating Liquor."

Introduced by: Senator Yamasaki, by request.

No. 2410-82 "A Bill for an Act Relating to the Compensation of Public Officers and Employees and Making an Appropriation Therefor."

Introduced by: Senator Yamasaki, Machida, Kuroda, Mizuguchi, Young, Cayetano, Campbell, Holt, Ajifu, Toyofuku, George, Kobayashi and Henderson.

No. 2411-82 "A Bill for an Act Relating

to Enhancement of Commercial Fisheries Development."

Introduced by: Senators Yee, Henderson, Kobayashi, Saiki, George, Carpenter, Ajifu, Soares and O'Connor.

No. 2412-82 "A Bill for an Act Relating to Disposition of Convicted Defendants."

Introduced by: Senator Carpenter.

No. 2413-82 "A Bill for an Act Relating to Disposition of Convicted Defendants."

Introduced by: Senator Carpenter.

No. 2414-82 "A Bill for an Act Relating to Social Services."

Introduced by: Senator Carpenter.

No. 2415-82 "A Bill for an Act Relating to Birth Certificates."

Introduced by: Senators Carpenter and Cayetano.

No. 2416-82 "A Bill for an Act Relating to Manslaughter."

Introduced by: Senators Carpenter and Kawasaki.

No. 2417-82 "A Bill for an Act Relating to Use of Force."

Introduced by: Senators Carpenter and Yamasaki.

No. 2418-82 "A Bill for an Act Relating to Electricians."

Introduced by: Senator Carpenter.

No. 2419-82 "A Bill for an Act Relating to Furloughs for Prisoners."

Introduced by: Senators Carpenter and Kawasaki.

No. 2420-82 "A Bill for an Act Relating to Offenses against the Person."

Introduced by: Senator Carpenter.

No. 2421-82 "A Bill for an Act Relating to Persons in Need of Protection."

Introduced by: Senator Carpenter.

No. 2422-82 "A Bill for an Act Relating to Affirmative Defense."

Introduced by: Senators Carpenter, Kawasaki and Yamasaki.

No. 2423-82 "A Bill for an Act Relating to Hawaii Rules of Evidence."

Introduced by: Senator Carpenter.

No. 2424-82 "A Bill for an Act Relating to Income Tax Credits for Political Contributions."

Introduced by: Senator Carpenter.

No. 2425-82 "A Bill for an Act Relating to Deferred Acceptance of Guilty Plea."

Introduced by: Senator Carpenter.

No. 2426-82 "A Bill for an Act Relating to the Disbursement of Fines and Forfeitures."

Introduced by: Senator Carpenter.

No. 2427-82 "A Bill for an Act Relating to Disposition of Convicted Defendants."

Introduced by: Senator Carpenter.

No. 2428-82 "A Bill for an Act Relating to Mental Health."

Introduced by: Senator Carpenter.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 11-82) informing the Senate that Senate Bill Nos. 2361-82 to 2375-82 have been printed and are ready for distribution.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 12-82) recommending that Senate Bill No. 1561, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Ecology, Environment and Recreation.

On motion by Senator Kobayashi, seconded by Senator George and carried, the report of the Committee was adopted and S.B. No. 1561, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BEVERAGE CONTAINERS," passed First Reading and was recommitted to the Committee on Ecology, Environment and Recreation.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Tuesday, February 9, 1982:

Senate Bills Referred to:

No. 2361-82 Committee on Government Operations and Intergovernmental Relations, then to the Committee on Ways and Means

No. 2362-82 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means

No. 2363-82 Committee on Human Resources, then to the Committee on Ways and Means

No. 2364-82 Committee on Economic Development, then to the Committee on Ways and Means

No. 2365-82 Committee on Judiciary

No. 2366-82 Committee on Judiciary

No. 2367-82 Committee on Judiciary

No. 2368-82 Committee on Judiciary

No. 2369-82 Committee on Human Resources, then to the Committee on Ways and Means

No. 2370-82 Committee on Human Resources, then to the Committee on Ways and Means

No. 2371-82 Committee on Human Resources, then to the Committee on Ways and Means

No. 2372-82 Committee on Judiciary, then to the Committee on Ways and Means

No. 2373-82 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means

No. 2374-82 Jointly to the Committee on Economic Development and the Committee on Government Operations and Intergovernmental Relations

No. 2375-82 Jointly to the Committee on Economic Development and the Committee on Government Operations and Intergovernmental Relations

At this time, Senator Campbell rose and addressed the members of the Senate as follows:

"Mr. President, I rise on a point of personal privilege.

"Yesterday, one of Hawaii's best known citizens and a former member of the Territorial House of Representatives passed away at Kaiser Medical Center.

"The civic leader, the engineer, the builder and humanitarian to which I refer is Nolle Smith, Sr. He was 94 years old.

"Now, while Nolle Smith was known as a leader in many fields of endeavor, he was probably best known as a friendly man. This quality endeared him into the hearts and minds of Hawaii's people. I think Hawaii is a better place to live because Nolle Smith, Sr. passed this way.

"Mr. President, may I request that we vote to adjourn with a standing vote in memory of Nolle Smith.

"Thank you."

Senator Yee then rose and stated:

"Mr. President, I also rise on a point of personal privilege.

"I would like to reiterate the comments made by Senator Campbell because we

all feel deeply about Nolle Smith and although we would have preferred to offer a resolution, I wish to convey my sincerest condolences to his family."

The President then made the following announcement:

"The Chair would like to make a request to the Chairmen of the respective Committees with regard to the Functional Plans.

"I have as yet neither seen the announcements nor the posting of the announcements for those Functional Plans and I would like to see them in a position for movement."

The President then ordered the members of the Senate to rise in memory of Nolle Smith, Sr.

ADJOURNMENT

At 11:42 o'clock a.m., on motion by Senator Kuroda, seconded by Senator Yee and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, February 11, 1982, in memory of Nolle Smith, Sr.

SEVENTEENTH DAY

Thursday, February 11, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the Vice-President in the Chair.

The Divine Blessing was invoked by the Reverend Daniel White, Pastor of Kalihi Baptist Church, after which the Roll was called showing all Senators present with the exception of Senators Cobb, Wong and Yee who were excused.

The President announced that he had read and approved the Journal of the Sixteenth Day.

The following introductions were then made to the members of the Senate:

Senator Campbell introduced Mr. Joe Ahuna, Hawaii business representative of the International Association of Theatrical Employees, and Mr. Bud Thuener, job steward of the Association.

Senator Campbell also introduced Mr. Patrick Ryan, representing Walter Deihl who is the International President of the International Association of Theatrical Employees and the former general secretary of the International Association. Mr. Ryan was presented with a lei by Senator Kobayashi.

Senator Anderson then introduced 33 members of the Hui Hookipa O'Kahala Senior Citizens Club.

Senator Kobayashi introduced Mr. Dean Kunihiro and Mr. George Spencer of the San Francisco Office of the Nuclear Regulatory Commission, Ms. Wanda Yamane, and Mr. Tom Animizu of the Hawaii State Department of Health.

Senator Kobayashi, on behalf of Senator Yee, also introduced the winners of the Miss McKinley Pageant who will preside during the 18th Annual McKinley Carnival, as follows: Miss Toni Lynn Chun, Miss McKinley for 1982; Miss Jocelyn Kaholokula, First Runner-Up; Miss Iris Tokita, Second Runner-Up; Miss Cari Iwasaki, Third Runner-Up; Miss Sharon Marksbury, Fourth Runner-Up; and Miss Darcy Terada who is Miss Congeniality and Miss Public Relations. Ms. Gail Sykes, director of the Miss McKinley Pageant and advisor of McKinley Carnival public relations accompanied the group together with the McKinley Tiger, Miss Lori Nakamura inside the Tiger costume. Senators Soares, Uwayne and Anderson presented the young

ladies with leis and flowers.

At 11:42 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:45 o'clock a.m.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 83), transmitting copies of the Hawaii High Technology Development Plan, dated September 1, 1981, prepared for the State of Hawaii Department of Planning and Economic Development by MPi Marketing Research, Inc., was read by the Clerk and was referred to the Committee on Economic Development.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 11 to 13) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 11), transmitting House Concurrent Resolution No. 71 which was adopted by the House of Representatives on February 9, 1982, was placed on file.

On motion by Senator Soares, seconded by Senator Henderson and carried, H.C.R. No. 71, entitled: "HOUSE CONCURRENT RESOLUTION ESTABLISHING A SISTER-STATE RELATIONSHIP BETWEEN HAWAII AND THE AZORES," was adopted.

A communication from the House (Hse. Com. No. 12), transmitting House Concurrent Resolution No. 72 which was adopted by the House of Representatives on February 9, 1982, was placed on file.

On motion by Senator Kuroda, seconded by Senator Anderson and carried, H.C.R. No. 72, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING AND COMMENDING ROBIN PENDERGRAST FOR HIS CONTRIBUTION TO THE STATE OF HAWAII AND THE RESIDENTS OF KALAUPAPA," was adopted.

A communication from the House (Hse. Com. No. 13), transmitting House Concurrent Resolution No. 73 which was adopted by the House of Representatives on February 9, 1982, was placed on file.

On motion by Senator Kuroda, seconded

by Senator Anderson and carried, H.C.R. No. 73, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING AND COMMENDING KELLY KAHOOHANOHANO FOR HIS DETERMINATION AND PERSONAL ACHIEVEMENT," was adopted.

SENATE RESOLUTION

A resolution (S.R. No. 18), entitled: "SENATE RESOLUTION CONCERNING THE U.S. COAST GUARD," was offered by Senators Yee, Young, Cobb, Henderson, Yamasaki, Toyofuku, Saiki, Kobayashi, Soares, Ajifu, George, Abercrombie, Carpenter, Cayetano, Campbell, Uwaine and O'Connor, and was read by the Clerk.

By unanimous consent, S.R. No. 18 was referred to the Committee on Government Operations and Intergovernmental Relations.

INTRODUCTION OF SENATE BILLS

On motion by Senator Kuroda, seconded by Senator Anderson and carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Friday, February 12, 1982:

Senate Bills:

No. 2429-82 "A Bill for an Act Relating to the Hawaiian Homes Commission Act, 1920, as Amended."

Introduced by: Senator Wong, by request.

No. 2430-82 "A Bill for an Act Relating to Creation of Special Handling Fees for Review of Corporation and Partnership Documents."

Introduced by: Senator Wong, by request.

No. 2431-82 "A Bill for an Act Relating to the Removal of the Interest Rate Ceiling and Prior Redemption Premium Ceiling on General Obligation Bonds."

Introduced by: Senators Mizuguchi, Toyofuku, Machida and Holt.

No. 2432-82 "A Bill for an Act Relating to an Income Tax Credit."

Introduced by: Senators Saiki, Ajifu, Cayetano, O'Connor, Henderson, Yamasaki and Anderson.

No. 2433-82 "A Bill for an Act Making an Appropriation for Capital Improvement Projects in the 4th Senatorial District."

Introduced by: Senators Kuroda, Young, Cayetano and Mizuguchi.

No. 2434-82 "A Bill for an Act Relating to Agricultural Lands."

Introduced by: Senator Ajifu.

No. 2435-82 "A Bill for an Act Relating to Land Use."

Introduced by: Senator Ajifu.

No. 2436-82 "A Bill for an Act Relating to Land Use."

Introduced by: Senator Ajifu.

No. 2437-82 "A Bill for an Act Relating to Agriculture."

Introduced by: Senator Ajifu.

No. 2438-82 "A Bill for an Act Relating to the Counties' Responsibility Regarding Agriculture."

Introduced by: Senator Ajifu.

No. 2439-82 "A Bill for an Act Relating to the Counties' Responsibility Regarding Agriculture."

Introduced by: Senator Ajifu.

No. 2440-82 "A Bill for an Act Relating to Agricultural Parks."

Introduced by: Senator Ajifu.

No. 2441-82 "A Bill for an Act Relating to Land."

Introduced by: Senator Ajifu.

No. 2442-82 "A Bill for an Act Relating to the Public Land Trust."

Introduced by: Senator Ajifu.

No. 2443-82 "A Bill for an Act Relating to Eminent Domain."

Introduced by: Senator Ajifu.

No. 2444-82 "A Bill for an Act Relating to Agricultural Planning and Design."

Introduced by: Senator Ajifu.

No. 2445-82 "A Bill for an Act Relating to Agriculture."

Introduced by: Senator Ajifu.

No. 2446-82 "A Bill for an Act Relating to Inventories of Government Property."

Introduced by: Senator Ajifu.

- No. 2447-82 "A Bill for an Act Relating to Land Use."
Introduced by: Senator Ajifu.
- No. 2448-82 "A Bill for an Act Relating to Displaced Persons."
Introduced by: Senator Ajifu.
- No. 2449-82 "A Bill for an Act Relating to the Right to Farm."
Introduced by: Senator Ajifu.
- No. 2450-82 "A Bill for an Act Relating to the Land Use Commission."
Introduced by: Senator Ajifu.
- No. 2451-82 "A Bill for an Act Relating to the Real Property Tax."
Introduced by: Senators Kawasaki, Abercrombie, Cayetano, Young, Saiki, George, Kobayashi, Kuroda, Soares, Ajifu and Carpenter.
- No. 2452-82 "A Bill for an Act Relating to Earthquakes."
Introduced by: Senators Kawasaki, Abercrombie, Kobayashi, Carpenter, Cayetano, Cobb, Ajifu, Young and Kuroda.
- No. 2453-82 "A Bill for an Act Relating to the Compensation of Public Officers and Employees."
Introduced by: Senators Kawasaki, Kuroda, George, Cayetano, Soares and Ajifu.
- No. 2454-82 "A Bill for an Act Relating to Real Property Transactions."
Introduced by: Senators Young, Abercrombie, Ajifu, Carpenter and Holt.
- No. 2455-82 "A Bill for an Act Relating to the State Land Use Commission."
Introduced by: Senators Young, Abercrombie, Ajifu, Carpenter and Holt.
- No. 2456-82 "A Bill for an Act Relating to General Excise Tax."
Introduced by: Senators Young, Abercrombie, Ajifu, Carpenter and Holt.
- No. 2457-82 "A Bill for an Act Relating to Individual Housing Accounts."
Introduced by: Senators Young, Abercrombie, Ajifu, Carpenter and Holt.
- No. 2458-82 "A Bill for an Act Relating to Hemophilia."
Introduced by: Senators Carpenter, Kuroda, Ajifu and Kawasaki.
- No. 2459-82 "A Bill for an Act Relating to Mentally Ill Criminal Defendants."
Introduced by: Senators Carpenter, Henderson, Kuroda, Ajifu, Yamasaki and Kawasaki.
- No. 2460-82 "A Bill for an Act Relating to Insurance Expiration."
Introduced by: Senators Carpenter, Ajifu and Kawasaki.
- No. 2461-82 "A Bill for an Act Relating to Motor Vehicle Liability."
Introduced by: Senators Carpenter and Kawasaki.
- No. 2462-82 "A Bill for an Act Relating to No Fault."
Introduced by: Senators Carpenter, Cayetano, Ajifu and Kawasaki.
- No. 2463-82 "A Bill for an Act Relating to Tort Actions."
Introduced by: Senators Carpenter, Yamasaki, Henderson, Kuroda, Ajifu and Kawasaki.
- No. 2464-82 "A Bill for an Act Relating to Offenses against Property Rights."
Introduced by: Senators Carpenter, Henderson, Saiki, Kawasaki and Kuroda.
- No. 2465-82 "A Bill for an Act Relating to Unauthorized Control of Propelled Vehicles."
Introduced by: Senators Carpenter, Henderson, Saiki, Kawasaki and Kuroda.
- No. 2466-82 "A Bill for an Act Relating to Witnesses."
Introduced by: Senators Carpenter and Cayetano.
- No. 2467-82 "A Bill for an Act Relating to Firearms and Ammunition."
Introduced by: Senators Carpenter, Henderson, Saiki, Kawasaki and Kuroda.
- No. 2468-82 "A Bill for an Act Relating to Capital Improvement Projects for the Seventh Senatorial District."
Introduced by: Senator O'Connor.

No. 2469-82 "A Bill for an Act Making an Appropriation for a Study of Beach Erosion."

Introduced by: Senator Kobayashi, Kuroda, Mizuguchi, Yamasaki, George, Ajifu, Cayetano, Machida and Holt.

No. 2470-82 "A Bill for an Act Relating to the Department of Health."

Introduced by: Senators Cayetano, Uwaine, Yamasaki, Kawasaki, Saiki, Ajifu, Soares, Kuroda, Holt, O'Connor, Campbell, Carpenter, Mizuguchi, Kobayashi and Machida.

No. 2471-82 "A Bill for an Act Relating to the Motor Vehicle Safety Responsibility Act."

Introduced by: Senators Cayetano, Kuroda, Kawasaki, Holt, Ajifu, Uwaine, Soares, O'Connor, Kobayashi and Machida.

No. 2472-82 "A Bill for an Act Relating to the Acquisition of the Armed Services Young Men's Christian Association Building for Holding Non-Sentenced Detainees."

Introduced by: Senators Cayetano, Carpenter, O'Connor, Ajifu, Uwaine, Soares, Kuroda, Holt, Campbell, Kobayashi and Machida.

No. 2473-82 "A Bill for an Act Relating to the Acquisition of Minimally Productive Agricultural Land for Low and Moderate Income Housing."

Introduced by: Senators Cayetano, Kuroda, Kawasaki, Holt, Ajifu, Uwaine, Soares, O'Connor, Kobayashi, Machida and Campbell.

STANDING COMMITTEE REPORT

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 13-82), informing the Senate that Senate Concurrent Resolution No. 16, Senate Resolution Nos. 15 to 17, and Senate Bill Nos. 2376-82 to 2428-82 have been printed and are ready for distribution.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Wednesday, February 10, 1982:

Senate Bills Referred to:

No. 2376-82 Committee on Judiciary

No. 2377-82 Committee on Judiciary

No. 2378-82 Committee on Judiciary

No. 2379-82 Committee on Judiciary

No. 2380-82 Committee on Health, then to the Committee on Ways and Means

No. 2381-82 Committee on Judiciary, then to the Committee on Ways and Means

No. 2382-82 Committee on Health, then to the Committee on Consumer Protection and Commerce

No. 2383-82 Committee on Human Resources

No. 2384-82 Committee on Human Resources

No. 2385-82 Committee on Human Resources, then to the Committee on Ways and Means

No. 2386-82 Committee on Consumer Protection and Commerce

No. 2387-82 Committee on Judiciary

No. 2388-82 Committee on Consumer Protection and Commerce

No. 2389-82 Committee on Consumer Protection and Commerce

No. 2390-82 Committee on Human Resources, then to the Committee on Ways and Means

No. 2391-82 Committee on Ways and Means

No. 2392-82 Committee on Tourism, then to the Committee on Ways and Means

No. 2393-82 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means

No. 2394-82 Committee on Judiciary, then to the Committee on Ways and Means

No. 2395-82 Committee on Health

No. 2396-82 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means

No. 2397-82 Committee on Consumer Protection and Commerce

No. 2398-82 Committee on Consumer Protection and Commerce

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| No. 2399-82 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means | on Ways and Means |
| No. 2400-82 Committee on Human Resources, then to the Committee on Ways and Means | No. 2412-82 Committee on Judiciary |
| No. 2401-82 Committee on Human Resources, then to the Committee on Judiciary | No. 2413-82 Committee on Judiciary |
| No. 2402-82 Committee on Human Resources, then to the Committee on Ways and Means | No. 2414-82 Committee on Human Resources, then to the Committee on Judiciary |
| No. 2403-82 Committee on Transportation, then to the Committee on Ways and Means | No. 2415-82 Committee on Judiciary |
| No. 2404-82 Committee on Transportation, then to the Committee on Ways and Means | No. 2416-82 Committee on Judiciary |
| No. 2405-82 Committee on Government Operations and Intergovernmental Relations | No. 2417-82 Committee on Judiciary |
| No. 2406-82 Committee on Transportation, then to the Committee on Ways and Means | No. 2418-82 Committee on Consumer Protection and Commerce |
| No. 2407-82 Committee on Government Operations and Intergovernmental Relations, then to the Committee on Ways and Means | No. 2419-82 Committee on Judiciary |
| No. 2408-82 Committee on Government Operations and Intergovernmental Relations, then to the Committee on Ways and Means | No. 2420-82 Committee on Judiciary |
| No. 2409-82 Committee on Government Operations and Intergovernmental Relations, then to the Committee on Ways and Means | No. 2421-82 Committee on Health, then to the Committee on Judiciary |
| No. 2410-82 Committee on Human Resources, then to the Committee on Ways and Means | No. 2422-82 Committee on Judiciary |
| No. 2411-82 Committee on Economic Development, then to the Committee | No. 2423-82 Committee on Judiciary |
| | No. 2424-82 Committee on Judiciary, then to the Committee on Ways and Means |
| | No. 2425-82 Committee on Judiciary |
| | No. 2426-82 Committee on Government Operations and Intergovernmental Relations, then to the Committee on Ways and Means |
| | No. 2427-82 Committee on Judiciary |
| | No. 2428-82 Committee on Health, then to the Committee on Judiciary |

ADJOURNMENT

At 11:50 o'clock a.m., on motion by Senator Kuroda, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, February 12, 1982.

EIGHTEENTH DAY

Friday, February 12, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:00 o'clock a.m., with the Vice-President in the Chair.

The Divine Blessing was invoked by Father Jack Mullally, Pastor of Holy Trinity Church, after which the Roll was called showing all Senators present, with the exception of Senators Ajifu, Cayetano, Cobb, Saiki and Toyofuku who were excused.

The Chair announced that he had read and approved the Journal of the Seventeenth Day.

At this time, the Chair, on behalf of the Senate, introduced three visitors from Japan, accompanied by their guide Mr. Tad Kawamura. They were recognized as follows: Mr. Joseph Kohei Okuno, President of the Life and Culture Company, Ltd., Mr. Masao Nakano, and Mr. T. Hanawa, the President of the Tsuruya Group of Japan.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 84 to 87) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 84), transmitting copies of a report prepared by the Department of Planning and Economic Development entitled: "The Governor's Conference on Small Business, Summary Report," dated November 16, 1981, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 85), prepared by the Executive Office on Aging entitled: "Evaluation of the Protection and Advocacy Agency's Personal Advocate Assistance Program for the Period of January 1, 1981 to July 1, 1981," was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 86), transmitting copies of a report prepared by the Department of Land and Natural Resources entitled: "Report to the Eleventh Legislature of Hawaii on Land Dispositions (January 1, 1981 to December 31, 1981)," submitted pursuant to Section 171-29, HRS, was referred to the Committee on Economic Development.

At 11:09 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:12 o'clock a.m.

A message from the Governor (Gov. Msg. No. 87), submitting for consideration and confirmation, the appointment of Brigadier General Arthur U. Ishimoto, Adjutant General, for a term to expire December 6, 1982, in accordance with the provisions of Article V, Section 6 of the Hawaii State Constitution, was referred to the Committee on Government Operations and Intergovernmental Relations.

HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 14), transmitting House Bill No. 1488, H.D. 1, which passed Third Reading in the House of Representatives on February 11, 1982 was read by the Clerk and was placed on file.

At 11:13 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:14 o'clock a.m.

On motion by Senator Kuroda, seconded by Senator Anderson and carried, H.B. No. 1488, H.D. 1 entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 19 to 21) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 19), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO HELP ALLEVIATE NOISE PROBLEMS AT WAIPAHU ELEMENTARY SCHOOL," was offered by Senators Kuroda, Young, Cayetano and Mizuguchi.

By unanimous consent, S.R. No. 19 was referred to the Committee on Education.

A resolution (S.R. No. 20), entitled: "SENATE RESOLUTION REQUESTING THE CHIEF JUSTICE OF THE SUPREME COURT OF THE STATE OF HAWAII TO ESTABLISH AN OFFICE WITHIN THE JUDICIARY TO ASSIST WITH THE SEARCH OF KULEANA LANDS," was offered by Senators Carpenter,

Cayetano, Henderson, Kuroda, Ajifu and Kawasaki.

By unanimous consent, S.R. No. 20 was referred to the Committee on Judiciary.

A resolution (S.R. No. 21), entitled: "SENATE RESOLUTION DESIGNATING APRIL 1982 AS CANCER CONTROL MONTH," was offered by Senators Cayetano, Saiki, Ajifu, Soares, Kawasaki, Kobayashi, O'Connor, Kuroda, Holt, Uwaine, Campbell, Carpenter, Yamasaki, Mizuguchi, Machida, Henderson and Ushijima.

On motion by Senator Kuroda, seconded by Senator Anderson and carried, S.R. No. 21 was adopted.

INTRODUCTION OF SENATE BILLS

On motion by Senator Kuroda, seconded by Senator Anderson and carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Tuesday, February 16, 1982:

Senate Bills

No. 2474-82 "A Bill for an Act Relating to the Statewide Traffic Code."

Introduced by: Senator Carpenter.

No. 2475-82 "A Bill for an Act Relating to Names."

Introduced by: Senator Carpenter.

No. 2476-82 "A Bill for an Act Relating to the University of Hawaii."

Introduced by: Senators Kuroda, Campbell, Carpenter, Yamasaki, Henderson, Machida, Holt, George, Saiki, Mizuguchi, O'Connor, Kobayashi and Ajifu.

No. 2477-82 "A Bill for an Act Relating to Motor Vehicle Repairs."

Introduced by: Senators Kuroda, Cobb, Uwaine, Wong, George, Henderson, Kawasaki, Carpenter, Young, Soares, Ajifu, Kobayashi, Saiki, O'Connor, Ushijima and Holt.

No. 2478-82 "A Bill for an Act Relating to Penal Responsibility and Fitness."

Introduced by: Senators Kuroda, Uwaine, Kawasaki, Young, Soares, Henderson, Ajifu, Yamasaki, Holt, Wong, Kobayashi, Campbell, Carpenter, Saiki and O'Connor.

No. 2479-82 "A Bill for an Act Relating to Health Insurance."

Introduced by: Senators Kuroda,

Yamasaki, Cobb, Carpenter, Young, Soares, Ajifu, Machida, Cayetano, Holt, Uwaine and O'Connor.

No. 2480-82 "A Bill for an Act Relating to Criminal and Civil Liability."

Introduced by: Senators Kuroda, Kawasaki, Uwaine, Carpenter and Henderson.

No. 2481-82 "A Bill for an Act Relating to Medical Records."

Introduced by: Senator Cayetano, by request.

No. 2482-82 "A Bill for an Act Relating to Social Services."

Introduced by: Senator Uwaine.

No. 2483-82 "A Bill for an Act Relating to Secretarial Classes."

Introduced by: Senator Uwaine.

No. 2484-82 "A Bill for an Act Relating to Land Use."

Introduced by: Senators Young and Holt.

No. 2485-82 "A Bill for an Act Relating to the State Land Use Commission."

Introduced by: Senators Young and Holt.

No. 2486-82 "A Bill for an Act Making an Appropriation for a Study of Housing Needs."

Introduced by: Senators Young and Holt.

No. 2487-82 "A Bill for an Act Relating to the General Excise Tax."

Introduced by: Senators Young and Holt.

No. 2488-82 "A Bill for an Act Relating to State Housing Projects."

Introduced by: Senators Young and Holt.

No. 2489-82 "A Bill for an Act Relating to Housing."

Introduced by: Senators Young and Holt.

No. 2490-82 "A Bill for an Act Relating to Zoning."

- Introduced by: Senators Young, Abercrombie, Holt and Anderson.
- No. 2491-82 "A Bill for an Act Relating to Counties."
- Introduced by: Senators Young, Holt, Ajifu and Abercrombie.
- No. 2492-82 "A Bill for an Act Relating to Income Taxation."
- Introduced by: Senators Young, Holt, Ajifu and Abercrombie.
- No. 2493-82 "A Bill for an Act Relating to Fiduciaries and Investments."
- Introduced by: Senator Young.
- No. 2494-82 "A Bill for an Act Relating to Residential Landlord-Tenant Code."
- Introduced by: Senators Young and Holt.
- No. 2495-82 "A Bill for an Act Relating to Hawaii Housing Authority."
- Introduced by: Senators Young and Holt.
- No. 2496-82 "A Bill for an Act Relating to Horizontal Property Regimes."
- Introduced by: Senators Young, Holt, Ajifu and Abercrombie.
- No. 2497-82 "A Bill for an Act Relating to the Rental Assistance Fund."
- Introduced by: Senators Young, Holt, Ajifu, Abercrombie and Anderson.
- No. 2498-82 "A Bill for an Act Making an Appropriation for a Study of the Cost of Government Regulation in the Land Development Process."
- Introduced by: Senator Young.
- No. 2499-82 "A Bill for an Act Relating to Criminal Injuries Compensation Fund."
- Introduced by: Senators George, Carpenter, Kawasaki, Soares, Young, Anderson, Kobayashi, Henderson and Cayetano.
- No. 2500-82 "A Bill for an Act Relating to Crime."
- Introduced by: Senators George, Carpenter, Kawasaki, Soares, Young, Anderson, Kobayashi, Henderson and Cayetano.
- No. 2501-82 "A Bill for an Act Relating to Criminal Injuries Compensation."
- Introduced by: Senators George, Carpenter, Kawasaki, Soares, Young, Anderson, Kobayashi, Henderson and Henderson.
- No. 2502-82 "A Bill for an Act Relating to Criminal Injuries Compensation."
- Introduced by: Senators George, Carpenter, Kawasaki, Yamasaki, Soares, Young, Anderson, Kobayashi, Henderson and Cayetano.
- No. 2503-82 "A Bill for an Act Relating to Osteopathy."
- Introduced by: Senator George.
- No. 2504-82 "A Bill for an Act Relating to Blight of Summons Damages."
- Introduced by: Senators Carpenter, Kuroda and Soares.
- No. 2505-82 "A Bill for an Act Relating to Prohibited Motor and Other Vehicle Equipment."
- Introduced by: Senators Carpenter, Kuroda and Soares.
- No. 2506-82 "A Bill for an Act Relating to Unauthorized Use of Law Enforcement Symbols."
- Introduced by: Senators Carpenter, Kuroda and Soares.
- No. 2507-82 "A Bill for an Act Relating to Persons in Need of Protection."
- Introduced by: Senator Carpenter.
- No. 2508-82 "A Bill for an Act Relating to Interest on Judgments."
- Introduced by: Senators Carpenter, Kuroda and Soares.
- No. 2509-82 "A Bill for an Act to Amend the Hawaii Water Carrier Law."
- Introduced by: Senators Yamasaki, Machida, Kobayashi, Young, Ushijima, George, Ajifu, Kuroda and Soares.
- No. 2510-82 "A Bill for an Act Making an Appropriation to Continue Molokai Institute for Agriculture Program."
- Introduced by: Senators Yamasaki and Machida.
- No. 2511-82 "A Bill for an Act

Making Supplemental Appropriation for Molokai General Hospital for Fiscal Year 1982-1983."

Introduced by: Senators Yamasaki and Machida.

No. 2512-82 "A Bill for an Act Relating to Public Utilities; Franchise Tax."

Introduced by: Senator Yamasaki, by request.

No. 2513-82 "A Bill for an Act Relating to Public Utilities; Franchise Tax."

Introduced by: Senator Yamasaki, by request.

No. 2514-82 "A Bill for an Act Relating to the General Excise Tax Law."

Introduced by Senator Yamasaki, by request.

No. 2515-82 "A Bill for an Act Relating to Appropriation Lapses."

Introduced by: Senator Wong, by request.

No. 2516-82 "A Bill for an Act Making Appropriations for Counsel and Other Services for Indigent Defendants in Criminal and Related Cases."

Introduced by: Senator Wong, by request.

No. 2517-82 "A Bill for an Act Relating to Health."

Introduced by: Senator Wong, by request.

No. 2518-82 "A Bill for an Act Relating to Health Planning."

Introduced by: Senator Wong, by request.

No. 2519-82 "A Bill for an Act Relating to Enterprise Zones and Making an Appropriation Therefor."

Introduced by: Senator Wong, by request.

No. 2520-82 "A Bill for an Act Relating to Notaries Public."

Introduced by: Senator Wong, by request.

No. 2521-82 "A Bill for an Act Relating to the Department of the Attorney General."

Introduced by: Senator Wong, by request.

No. 2522-82 "A Bill for an Act Relating

to Aloha Stadium."

Introduced by: Senator Wong, by request.

No. 2523-82 "A Bill for an Act Relating to Workers' Compensation."

Introduced by: Senator Uwaine.

No. 2524-82 "A Bill for an Act Relating to Workers' Compensation."

Introduced by: Senator Uwaine.

No. 2525-82 "A Bill for an Act Relating to Workers' Compensation."

Introduced by: Senator Uwaine.

No. 2526-82 "A Bill for an Act Relating to Workers' Compensation."

Introduced by: Senator Uwaine.

No. 2527-82 "A Bill for an Act Relating to Workers' Compensation."

Introduced by: Senator Uwaine.

No. 2528-82 "A Bill for an Act Relating to Workers' Compensation."

Introduce by: Senator Uwaine.

No. 2529-82 "A Bill for an Act Relating to Workers' Compensation."

Introduced by: Senator Uwaine.

No. 2530-82 "A Bill for an Act Relating to Workers' Compensation."

Introduced by: Senator Uwaine.

No. 2531-82 "A Bill for an Act Relating to Employer-Employee Relationships."

Introduced by: Senator Uwaine.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 14-82), informing the Senate that Senate Resolution No. 18, and Senate Bill Nos. 2429-82 to 2473-82 have been printed and are ready for distribution.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Yee, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 15-82), recommending that Senate

Bill No. 906, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Higher Education.

On motion by Senator Yee, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 906, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed First Reading and was recommitted to the Committee on Higher Education.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

Senate Bills Referred to:

- | | | | |
|-------------|--|-------------|---|
| No. 2429-82 | Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means | No. 2445-82 | Committee on Agriculture, then to the Committee on Ways and Means |
| No. 2430-82 | Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means | No. 2446-82 | Committee on Agriculture, then to the Committee on Ways and Means |
| No. 2431-82 | Committee on Ways and Means | No. 2447-82 | Jointly to the Committee on Economic Development and the Committee on Agriculture, then to the Committee on Ways and Means |
| No. 2432-82 | Committee on Ways and Means | No. 2448-82 | Jointly to the Committee on Economic Development and the Committee on Agriculture, then to the Committee on Ways and Means |
| No. 2433-82 | Committee on Education, then to the Committee on Ways and Means | No. 2449-82 | Committee on Agriculture, then to the Committee on Judiciary |
| No. 2434-82 | Committee on Agriculture, then to the Committee on Ways and Means | No. 2450-82 | Jointly to the Committee on Economic Development and the Committee on Government Operations and Intergovernmental Relations |
| No. 2435-82 | Committee on Agriculture | No. 2451-82 | Committee on Government Operations and Intergovernmental Relations, then to the Committee on Ways and Means |
| No. 2436-82 | Committee on Agriculture, then to the Committee on Ways and Means | No. 2452-82 | Committee on Government Operations and Intergovernmental Relations |
| No. 2437-82 | Committee on Agriculture | No. 2453-82 | Committee on Human Resources, then to the Committee on Ways and Means |
| No. 2438-82 | Committee on Agriculture | No. 2454-82 | Committee on Housing and Hawaiian Homes |
| No. 2439-82 | Committee on Agriculture | No. 2455-82 | Committee on Housing and Hawaiian Homes |
| No. 2440-82 | Committee on Agriculture, then to the Committee on Ways and Means | No. 2456-82 | Committee on Ways and Means |
| No. 2441-82 | Jointly to the Committee on Economic Development and the Committee on Agriculture, then to the Committee on Ways and Means | No. 2457-82 | Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means |
| No. 2442-82 | Jointly to the Committee on Economic Development and the Committee on Agriculture, then to the Committee on Ways and Means | No. 2458-82 | Committee on Health, then to the Committee on Ways and Means |
| No. 2443-82 | Committee on Agriculture | No. 2459-82 | Committee on Judiciary |
| No. 2444-82 | Committee on Agriculture, then to the Committee on Government | No. 2460-82 | Committee on Consumer Protection and Commerce |
| | | No. 2461-82 | Committee on Consumer Protection and Commerce |
| | | No. 2462-82 | Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means |

- No. 2463-82 Committee on Judiciary
- No. 2464-82 Committee on Judiciary
- No. 2465-82 Committee on Judiciary
- No. 2466-82 Committee on Judiciary,
then to the Committee on Ways and Means
- No. 2467-82 Committee on Judiciary
- No. 2468-82 Committee on Ways and Means
- No. 2469-82 Committee on Ecology,
Environment and Recreation, then
to the Committee on Ways and Means
- No. 2470-82 Committee on Health,
then to the Committee on Ways and Means
- No. 2471-82 Committee on Transportation,
then to the Committee on Judiciary
- No. 2472-82 Committee on Judiciary,
then to the Committee on Ways and Means
- No. 2473-82 Committee on Housing and
Hawaiian Homes, then to the Committee
on Agriculture

RE-REFERRAL OF SENATE BILLS

The President made the following re-referral of a bill that was introduced on Monday, February 1, 1982:

Senate Bill Referred to:

- No. 2145-82 Jointly to the Committee
on Transportation and the Committee
on Human Resources

The President made the following re-referrals of bills that were introduced on Monday, February 8, 1982:

Senate Bill Referred to:

- No. 2350-82 Committee on Education
- No. 2353-82 Committee on Education

The President made the following re-referral of a bill that was introduced on Wednesday, February 10, 1982:

Senate Bill Referred to:

- No. 2389-82 Committee on Economic
Development, then to the Committee
on Ways and Means

At this time, Senator Wong rose and addressed the members of the Senate as follows:

"Mr. President, I rise on a point of personal privilege.

"I would like to take this opportunity before we adjourn, to express something about the cut-off. As we all know, next week Wednesday is the cut-off day for bill introduction. However, since Monday is a holiday, we essentially have a long weekend and two legislative days to get all of our bills in. So, to keep our workflow moving smoothly, I am asking for the cooperation of the members of the Senate with regard to the following:

1. If you have bills ready for introduction, please submit them to the Clerk's office today. Don't wait until next week.
2. If you want any final bills drafted, I'm sure the attorneys and the researchers would appreciate getting your requests today so they have some lead-time to do their work.

3. Senator Yee and I are coordinating our efforts in developing the Senate short form and appropriations bill packages. Please have any requests or suggestions that you may have to us by today.

"In closing, Mr. President, I want to commend all of you, the members of the Senate for the restraint and cooperation that you've shown up to now in keeping down the number of bills introduced this year. The Senate's effort at bill limitation is working and for that I'm very happy. So far this year, we have only introduced a total of 297 Senate bills as compared to the 670 introduced in the House.

"To quote the very familiar lobbyist for small business, 'Thank you very much.'"

ADJOURNMENT

At 11:35 o'clock a.m., on motion by Senator Kuroda, seconded by Senator Yee and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, February 16, 1982.

NINETEENTH DAY

Tuesday, February 16, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Lay Minister Kuulei White of the Kalihi and Moanalua United Church of Christ, after which the Roll was called showing all Senators present with the exception of Senators Cobb and O'Connor who were excused.

The President announced that he had read and approved the Journal of the Eighteenth Day.

The following introductions were then made to the members of the Senate:

Senator Anderson introduced a group of 24 members of the St. Augustine's Senior Citizens Club.

Senator Carpenter introduced his aunt Sarah Meyer from Kailua and mother Louise Carpenter of Kaneohe who accompanied "Kahu" Kuulei White who delivered the invocation.

Senator Abercrombie then introduced a group of people associated with the power lifting contest which was held here in Hawaii last Friday as follows:

"Mr. President, we have guests from the mainland, world champions, and we have champions, of course, here from our state.

"May I say, Mr. President, that I think Hawaii is indeed fortunate that probably person for person we have the potential, if not the actuality, today, in what those of us who participate in call the 'iron game,' in weight lifting, body building, Olympic lifting and power lifting. We have in our state probably the finest combination in those areas of any state in the union and possibly any place in the world. I was pleased to hear from Mr. Jim Taylor, whom I'll introduce in a moment, who is international referee in the area of power lifting and weight training, that he believes that the State of Hawaii has now reached preeminence in the area of weight lifting and weight training.

"I'd like to start by introducing the promoter who has done more to put Hawaii on the map since the days of Tommy Kono and Peter George and some of the other great lifters who have also competed in the World's Strongest Man Contest and the World's

Superman Contest and the three national power lifting contests--one of the world's strongest men and certainly one of the world's greatest guys, my old pal from the weight room at the University of Hawaii, Gus Rethwisch; Ms. Susan Leng; a gentleman who has won two of the World's Strongest Man Contests, someone who is known as the world's strongest man, two national power lifting contest championships, one world championship, and the world superman and world record holder in the 275-pound class, 610-pound record, Tom Hardman; our homegrown champion, someone who has just missed getting Bill Kazmaier's record in the dumbbell press at 170 pounds and who holds the highest bench press record in the State of Hawaii at 573 pounds, Gabe Aio; and Lynn and Jim Taylor.

"Jim Taylor is an international referee who had the pleasure of witnessing our own great champion who is now the world champion and who has now done the greatest lift that has ever been done in the history of the world in terms of the squat, 981 pounds, Dwayne Fely. Dwayne was going to be here today but, unfortunately, couldn't make it. We're very, very proud of Dwayne, and Jim indicated to me that it was one of the finest lifts that he has ever seen.

"Thank you, Mr. President."

At 11:43 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:45 o'clock a.m.

At this time, the Chair requested that the Clerk note the presence of Senators Henderson and Yee.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 88 and 89) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 88), transmitting copies of the Annual Report, Fiscal Year 1981, prepared by the Department of Defense pursuant to Chapter 93-12, HRS, as amended, was referred to the Committee on Government Operations and Intergovernmental Relations.

A message from the Governor (Gov.

Msg. No. 89), transmitting a letter recommending passage of Legislative Proposal F-12(82), Senate Bill 2516-82, which amends Act 22, SSLH 1981, by making supplemental appropriations for counsel and other services for indigent defendants in criminal and related cases, was referred to the Committee on Judiciary.

DEPARTMENTAL COMMUNICATION

A communication from the Office of the Auditor (Dept. Com. No. 7), transmitting Report No. 82-4, entitled: "Management Audit of the Leasehold to Fee Conversion Program of the Hawaii Housing Authority," dated February 1982, prepared by the Legislative Auditor of the State of Hawaii pursuant to Section 23-4, HRS, was read by the Clerk and was referred to the Committee on Housing and Hawaiian Homes.

HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 15), transmitting House Concurrent Resolution No. 80 which was adopted by the House of Representatives on February 12, 1982, was read by the Clerk and was placed on file.

On motion by Senator Kuroda, seconded by Senator Anderson and carried, H.C.R. No. 80, entitled: "HOUSE CONCURRENT RESOLUTION COMMEMORATING THE 100TH BIRTHDAY OF FRANKLIN DELANO ROOSEVELT," was adopted.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 22 and 23) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 22), entitled: "SENATE RESOLUTION REQUESTING THE CHIEF JUSTICE TO STUDY THE COST AND FEASIBILITY OF USING TRIAL COURT FACILITIES ON A FULL-TIME BASIS," was offered by Senator Carpenter.

By unanimous consent, S.R. No. 22 was referred to the Committee on Judiciary.

A resolution (S.R. No. 23), entitled: "SENATE RESOLUTION URGING THE COUNTIES TO DEVELOP COST WRITE-DOWN PROGRAMS TO ENCOURAGE CONSTRUCTION OF AFFORDABLE RENTAL HOUSING," was offered by Senators Young and Holt.

By unanimous consent, S.R. No. 23 was referred to the Committee on Housing and Hawaiian Homes.

INTRODUCTION OF SENATE BILLS

On motion by Senator Kuroda, seconded by Senator Anderson and carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Wednesday, February 17, 1982:

Senate Bills

No. 2532-82 "A Bill for an Act Relating to Community Development."

Introduced by: Senator Anderson.

No. 2533-82 "A Bill for an Act Relating to a Convention Facility Authority."

Introduced by: Senator Anderson.

No. 2534-82 "A Bill for an Act Relating to Campaign Spending."

Introduced by: Senator Carpenter.

No. 2535-82 "A Bill for an Act Relating to Child Abuse."

Introduced by: Senator Carpenter.

No. 2536-82 "A Bill for an Act Relating to the University of Hawaii System."

Introduced by: Senator Carpenter.

No. 2537-82 "A Bill for an Act Relating to Firearms."

Introduced by: Senator Carpenter, by request.

No. 2538-82 "A Bill for an Act Relating to Hunting."

Introduced by: Senator Carpenter, by request.

No. 2539-82 "A Bill for an Act Relating to Firearms."

Introduced by: Senator Carpenter, by request.

No. 2540-82 "A Bill for an Act Relating to Firearms."

Introduced by: Senator Carpenter, by request.

No. 2541-82 "A Bill for an Act Relating to Firearms."

Introduced by: Senators Mizuguchi, Toyofuku, Machida and Holt.

No. 2542-82 "A Bill for an Act Relating to Firearms."

Introduced by: Senators Mizuguchi,
Toyofuku, Machida and Holt.

No. 2543-82 "A Bill for an Act Relating
to Firearms."

Introduced by: Senators Mizuguchi,
Toyofuku, Machida and Holt.

No. 2544-82 "A Bill for an Act Relating
to Sentencing."

Introduced by: Senators Mizuguchi,
Toyofuku, Machida and Holt.

No. 2545-82 "A Bill for an Act Relating
to Firearms."

Introduced by: Senators Mizuguchi,
Toyofuku, Machida and Holt.

No. 2546-82 "A Bill for an Act Relating
to Hunting."

Introduced by: Senators Mizuguchi,
Toyofuku, Machida and Holt.

No. 2547-82 "A Bill for an Act Making
an Appropriation for a Women's
Intercollegiate Softball Program
at the University of Hawaii, Manoa."

Introduced by: Senator Mizuguchi.

No. 2548-82 "A Bill for an Act Relating
to General Excise Tax of Services."

Introduced by: Senator Young.

No. 2549-82 "A Bill for an Act Relating
to a Relocation Assistance Program
for Special Needs Persons."

Introduced by: Senator Young.

No. 2550-82 "A Bill for an Act Relating
to Firearms."

Introduced by: Senator Kawasaki.

No. 2551-82 "A Bill for an Act Relating
to the Compensation of Public Officers
and Employees Excluded from Collective
Bargaining."

Introduced by: Senator Wong, by
request.

No. 2552-82 "A Bill for an Act Relating
to Public Employment."

Introduced by: Senator Wong, by
request.

No. 2553-82 "A Bill for an Act Relating
to the Compensation of Public Officers
of the State and Making Appropriations
Therefor."

Introduced by: Senator Wong, by
request.

No. 2554-82 "A Bill for an Act Relating
to the Compensation of Public Officers
of the State and Making Appropriations
Therefor."

Introduced by: Senator Wong, by
request.

No. 2555-82 "A Bill for an Act Relating
to the Establishment of a State Operated
Lottery System."

Introduced by: Senator Wong.

No. 2556-82 "A Bill for an Act Relating
to Time Sharing Plans."

Introduced by: Senators Abercrombie,
Cayetano, Carpenter, Uwayne and
Kawasaki.

No. 2557-82 "A Bill for an Act Relating
to Driving under the Influence of
Intoxicating Liquor."

Introduced by: Senator Abercrombie.

No. 2558-82 "A Bill for an Act Relating
to Public Accountancy."

Introduced by: Senator Abercrombie.

No. 2559-82 "A Bill for an Act Relating
to Inheritance and Estate Taxes."

Introduced by: Senator Abercrombie.

No. 2560-82 "A Bill for an Act Relating
to Prosecuting Attorneys."

Introduced by: Senator Abercrombie.

No. 2561-82 "A Bill for an Act Relating
to Horizontal Property Regimes."

Introduced by: Senator Abercrombie.

No. 2562-82 "A Bill for an Act Relating
to Horizontal Property Regimes."

Introduced by: Senator Abercrombie.

No. 2563-82 "A Bill for an Act Relating
to Horizontal Property Regimes."

Introduced by: Senator Abercrombie.

No. 2564-82 "A Bill for an Act Relating
to Horizontal Property Regimes."

Introduced by: Senator Abercrombie.

No. 2565-82 "A Bill for an Act Relating
to Nuisance Abatement."

Introduced by: Senator Carpenter,
by request.

No. 2566-82 "A Bill for an Act Relating
to Appeals by the State in Criminal
Cases."

Introduced by: Senator Carpenter,
by request.

No. 2567-82 "A Bill for an Act Relating
to Protection of Person and Property."

Introduced by: Senator Carpenter,
by request.

No. 2568-82 "A Bill for an Act Relating
to Committed Persons, Furlough,
Employment."

Introduced by: Senator Carpenter,
by request.

No. 2569-82 "A Bill for an Act Relating
to Intimidation of an Educational Worker."

Introduced by: Senator Carpenter,
by request.

No. 2570-82 "A Bill for an Act Relating
to the Penal Code."

Introduced by: Senator Carpenter,
by request.

No. 2571-82 "A Bill for an Act Relating
to Driver's License Revocation."

Introduced by: Senator Carpenter,
by request.

No. 2572-82 "A Bill for an Act Relating
to Child Abuse."

Introduced by: Senator Carpenter,
by request.

No. 2573-82 "A Bill for an Act Relating
to Arrests Generally."

Introduced by: Senator Carpenter,
by request.

No. 2574-82 "A Bill for an Act Relating
to the Hawaii Penal Code."

Introduced by: Senator Carpenter,
by request.

No. 2575-82 "A Bill for an Act Relating
to Financial Disclosure by Judges."

Introduced by: Senator Carpenter,
by request.

No. 2576-82 "A Bill for an Act Relating
to Constitutional Amendment."

Introduced by: Senator Carpenter,
by request.

No. 2577-82 "A Bill for an Act Relating
to Hawaii Rules of Evidence."

Introduced by: Senator Carpenter,
by request.

No. 2578-82 "A Bill for an Act Relating
to Penal Responsibility and Fitness
to Proceed."

Introduced by: Senator Carpenter,
by request.

No. 2579-82 "A Bill for an Act Relating
to Child Witnesses in Criminal Proceedings."

Introduced by: Senator Carpenter,
by request.

No. 2580-82 "A Bill for an Act Proposing
an Amendment to Article VI, Section
3, of the Hawaii Constitution to Allow
for Voter Retention of Judges."

Introduced by: Senator Carpenter,
by request.

No. 2581-82 "A Bill for an Act Proposing
an Amendment to Article VI, Section
6, of the Constitution of the State
of Hawaii to Amend the Criminal Trial
Assignments."

Introduced by: Senator Carpenter,
by request.

No. 2582-82 "A Bill for an Act Proposing
an Amendment to Article VI, Section
3, of the Hawaii Constitution to Change
the Appointment of Judges."

Introduced by: Senator Carpenter,
by request.

No. 2583-82 "A Bill for an Act Relating
to Disposition of Convicted Defendants."

Introduced by: Senator Carpenter,
by request.

No. 2584-82 "A Bill for an Act Relating
to Promoting Dangerous or Harmful
Drugs."

Introduced by: Senator Carpenter,
by request.

No. 2585-82 "A Bill for an Act Relating
to Electronic Eavesdropping."

Introduced by: Senator Carpenter,
by request.

No. 2586-82 "A Bill for an Act to Amend
Section 708-833.5, Hawaii Revised
Statutes, Relating to Shoplifting."

Introduced by: Senator Carpenter,
by request.

No. 2587-82 "A Bill for an Act Relating
to Disposition of Convicted Defendants."

Introduced by: Senator Carpenter,
by request.

- No. 2588-82 "A Bill for an Act Relating to Penal Responsibility and Fitness to Proceed."
Introduced by: Senator Carpenter, by request.
- No. 2589-82 "A Bill for an Act Relating to Statewide Traffic Code."
Introduced by: Senators Yee, Kobayashi, O'Connor, Holt, Henderson, Soares, Kuroda, Machida, Ajifu, Young and Saiki.
- No. 2590-82 "A Bill for an Act Making an Appropriation for a Mini-Computer for the Investigation and Narcotics Control Section."
Introduced by: Senator Cayetano.
- No. 2591-82 "A Bill for an Act Relating to Marriage."
Introduced by: Senator Cayetano, by request.
- No. 2592-82 "A Bill for an Act Relating to Chapter 448E, Hawaii Revised Statutes."
Introduced by: Senator Uwaine.
- No. 2593-82 "A Bill for an Act Relating to Temporary Disability Insurance."
Introduced by: Senator Uwaine.
- No. 2594-82 "A Bill for an Act Relating to Home Care Services."
Introduced by: Senator Uwaine.
- No. 2595-82 "A Bill for an Act Relating to Usury."
Introduced by: Senator Uwaine.
- No. 2596-82 "A Bill for an Act Relating to Wages and Other Compensation."
Introduced by: Senator Uwaine.
- No. 2597-82 "A Bill for an Act Relating to the Executive Compensation Commission."
Introduced by: Senator Uwaine.
- No. 2598-82 "A Bill for an Act Relating to the Compensation of Public Officers."
Introduced by: Senator Uwaine.
- No. 2599-82 "A Bill for an Act Relating to the Salaries of Certain State Officials."
Introduced by: Senator Uwaine.
- No. 2600-82 "A Bill for an Act Relating to Collective Bargaining in Public Employment."
Introduced by: Senator Uwaine.
- No. 2601-82 "A Bill for an Act Relating to the Department of Agriculture."
Introduced by: Senator Uwaine.
- No. 2602-82 "A Bill for an Act Relating to Public Officers and Employees."
Introduced by: Senator Uwaine.
- No. 2603-82 "A Bill for an Act Relating to Retirement."
Introduced by: Senator Uwaine.
- No. 2604-82 "A Bill for an Act Relating to Public Officers and Employees."
Introduced by: Senator Uwaine.
- No. 2605-82 "A Bill for an Act Relating to the Employees' Retirement System."
Introduced by: Senator Uwaine.
- No. 2606-82 "A Bill for an Act Relating to the Compensation of Public Officers and Employees."
Introduced by: Senator Uwaine.
- No. 2607-82 "A Bill for an Act Relating to Public Officers and Employees."
Introduced by: Senator Uwaine.
- No. 2608-82 "A Bill for an Act Relating to the Penal Code."
Introduced by: Senator Uwaine.
- No. 2609-82 "A Bill for an Act Relating to Residential Group Living."
Introduced by: Senators Young and Holt.
- No. 2610-82 "A Bill for an Act Making an Appropriation to Fund the Rental Assistance Fund."
Introduced by: Senator Young.
- No. 2611-82 "A Bill for an Act Relating to Public Utilities."
Introduced by: Senator Soares.
- No. 2612-82 "A Bill for an Act Relating to Taxation."
Introduced by: Senator Soares.
- No. 2613-82 "A Bill for an Act Relating to Interest."

- Introduced by: Senator Soares.
- No. 2614-82 "A Bill for an Act Relating to Special Purpose Revenue Bonds."
- Introduced by: Senator Soares.
- No. 2615-82 "A Bill for an Act Relating to Theft of Utility Services."
- Introduced by: Senator Soares.
- No. 2616-82 "A Bill for an Act Making an Appropriation for a Study of Chapter 269, Public Utilities Commission, Hawaii Revised Statutes."
- Introduced by: Senator Soares.
- No. 2617-82 "A Bill for an Act Relating to Theft of Utility Services."
- Introduced by: Senator Soares.
- No. 2618-82 "A Bill for an Act Relating to Income Taxation."
- Introduced by: Senator Toyofuku.
- No. 2619-82 "A Bill for an Act Relating to Passenger Restraint."
- Introduced by: Senator Saiki, by request.
- No. 2620-82 "A Bill for an Act Making an Appropriation for a Child Motor Vehicle Safety Program."
- Introduced by: Senator Saiki, by request.
- No. 2621-82 "A Bill for an Act Relating to a Wastewater Treatment Works Revolving Fund."
- Introduced by: Senators Carpenter, Young, Ajifu, Henderson, Soares, George, Kobayashi, Anderson and Saiki.
- No. 2622-82 "A Bill for an Act Relating to Disqualification of Judge."
- Introduced by: Senator Carpenter, by request.
- No. 2623-82 "A Bill for an Act Relating to Crime."
- Introduced by: Senator Carpenter.
- No. 2624-82 "A Bill for an Act Relating to the Grand Jury Counsel."
- Introduced by: Senator Carpenter.
- No. 2625-82 "A Bill for an Act Relating to Manganese Nodule Processing."
- Introduced by: Senators Carpenter, Ushijima and Henderson.
- No. 2626-82 "A Bill for an Act Relating to Involuntary Civil Commitment under Mental Health Law. Admissions for Nonemergency Treatment or Supervision."
- Introduced by: Senator Carpenter, by request.
- No. 2627-82 "A Bill for an Act Relating to Organized Crime. Chapter 842, Hawaii Revised Statutes."
- Introduced by: Senator Carpenter, by request.
- No. 2628-82 "A Bill for an Act Relating to Revocation of Probation or Suspension of Sentence."
- Introduced by: Senator Carpenter, by request.
- No. 2629-82 "A Bill for an Act Making an Appropriation for the Establishment and Operation of a Consumer Fraud Unit and Appellate Research and Legislative Staff for the Honolulu Prosecuting Attorney."
- Introduced by: Senator Carpenter, by request.
- No. 2630-82 "A Bill for an Act Relating to Jury Verdicts."
- Introduced by: Senator Carpenter, by request.
- No. 2631-82 "A Bill for an Act Relating to Family Court."
- Introduced by: Senator Carpenter, by request.
- No. 2632-82 "A Bill for an Act Relating to Uniform Controlled Substance."
- Introduced by: Senator Carpenter, by request.
- No. 2633-82 "A Bill for an Act Relating to Mortgages of Real Property or Fixtures."
- Introduced by: Senators Kuroda, Kobayashi, Carpenter, Ajifu, Uwayne and Yamasaki.
- No. 2634-82 "A Bill for an Act Relating to Intoxicating Liquor."
- Introduced by: Senator Henderson.
- No. 2635-82 "A Bill for an Act Relating to Intoxicating Liquor."

- Introduced by: Senator Henderson.
- No. 2636-82 "A Bill for an Act Relating to Informed Consent."
- Introduced by: Senator Cayetano.
- No. 2637-82 "A Bill for an Act Relating to Harbors."
- Introduced by: Senator George.
- No. 2638-82 "A Bill for an Act Relating to Sales and Transfer of Real Property Situated in Hazardous Areas."
- Introduced by: Senators George, Soares, Kobayashi, Henderson, Abercrombie, Carpenter, Saiki, Ajifu and Kuroda.
- No. 2639-82 "A Bill for an Act Relating to Special Purpose Revenue Bonds for Kahuku Hospital."
- Introduced by: Senators George, Anderson and Ajifu.
- No. 2640-82 "A Bill for an Act Making Appropriations for the Capital Improvement Projects for the Third Senatorial District."
- Introduced by: Senators George, Anderson and Ajifu.
- No. 2641-82 "A Bill for an Act Relating to Motor Vehicle Equipment."
- Introduced by: Senators George, Soares, Kobayashi, Henderson, Abercrombie, Carpenter, Saiki, Ajifu and Kuroda.
- No. 2642-82 "A Bill for an Act Relating to the Juvenile Justice Interagency Board."
- Introduced by: Senator Wong, by request.
- No. 2643-82 "A Bill for an Act Relating to the Public Employees Health Fund."
- Introduced by: Senator Wong, by request.
- No. 2644-82 "A Bill for an Act Relating to the Hawaii Housing Authority."
- Introduced by: Senator Wong, by request.
- No. 2645-82 "A Bill for an Act Relating to the Development of Geothermal Energy."
- Introduced by: Senator Wong, by request.
- No. 2646-82 "A Bill for an Act Relating to Patients' Compensation Fund."
- Introduced by: Senator Wong, by request.
- No. 2647-82 "A Bill for an Act Relating to Security Personnel of the Judiciary."
- Introduced by: Senator Wong, by request.
- No. 2648-82 "A Bill for an Act Relating to the Office of Hawaiian Affairs."
- Introduced by: Senator Wong, by request.
- No. 2649-82 "A Bill for an Act Relating to the Office of Hawaiian Affairs (OHA)."
- Introduced by: Senator Wong, by request.
- No. 2650-82 "A Bill for an Act Relating to the State Policy Concerning the Utilization of Volunteer Services."
- Introduced by: Senator Wong, by request.
- No. 2651-82 "A Bill for an Act Relating to the Aloha Tower Development Corporation."
- Introduced by: Senator Wong, by request.
- No. 2652-82 "A Bill for an Act Relating to the Office of Hawaiian Affairs (OHA)."
- Introduced by: Senator Wong, by request.
- No. 2653-82 "A Bill for an Act Relating to the Board of Land and Natural Resources."
- Introduced by: Senator Wong, by request.
- No. 2654-82 "A Bill for an Act Relating to the Establishment of the Hawaiian Education Commission."
- Introduced by: Senator Wong, by request.
- No. 2655-82 "A Bill for an Act Relating to the Attorney General."
- Introduced by: Senator Wong, by request.
- No. 2656-82 "A Bill for an Act Relating to the Hawaii State Planning Act."
- Introduced by: Senator Wong, by request.

- No. 2657-82 "A Bill for an Act Relating to Kuleana Land."
Introduced by: Senator Wong, by request.
- No. 2658-82 "A Bill for an Act Relating to Mohai Aloha Fee."
Introduced by: Senator Wong, by request.
- No. 2659-82 "A Bill for an Act Relating to Quieting Title."
Introduced by: Senator Wong, by request.
- No. 2660-82 "A Bill for an Act Relating to Limitation of Actions."
Introduced by: Senator Wong, by request.
- No. 2661-82 "A Bill for an Act Relating to Public Lands."
Introduced by: Senator Wong, by request.
- No. 2662-82 "A Bill for an Act Relating to Motor Vehicles."
Introduced by: Senator O'Connor.
- No. 2663-82 "A Bill for an Act Relating to Traffic."
Introduced by: Senator O'Connor.
- No. 2664-82 "A Bill for an Act Relating to Driving while Intoxicated."
Introduced by: Senator O'Connor.
- No. 2665-82 "A Bill for an Act Relating to Speedy Criminal Proceedings."
Introduced by: Senator O'Connor.
- No. 2666-82 "A Bill for an Act Proposing an Amendment to Article I, Section 12, of the Hawaii Constitution to Provide for the Denial of Bail to Protect the Public from Violent Crime."
Introduced by: Senator O'Connor.
- No. 2667-82 "A Bill for an Act Relating to Search and Seizure."
Introduced by: Senator O'Connor.
- No. 2668-82 "A Bill for an Act Relating to Bailable Offenses."
Introduced by: Senator O'Connor.
- No. 2669-82 "A Bill for an Act Relating to Plea Bargaining."
Introduced by: Senator O'Connor.
- No. 2670-82 "A Bill for an Act Relating to Detention of Persons Awaiting Court Proceedings."
Introduced by: Senator O'Connor.
- No. 2671-82 "A Bill for an Act Relating to the Disposition of Convicted Persons."
Introduced by: Senator O'Connor.
- No. 2672-82 "A Bill for an Act Relating to the Purpose of Sentencing."
Introduced by: Senator O'Connor.
- No. 2673-82 "A Bill for an Act Relating to the Corrections Master Plan."
Introduced by: Senator O'Connor.
- No. 2674-82 "A Bill for an Act Relating to Training, Education, Training and Work Programs for Committed Persons."
Introduced by: Senator O'Connor.
- No. 2675-82 "A Bill for an Act Relating to Custody of Prisoners."
Introduced by: Senator O'Connor.
- No. 2676-82 "A Bill for an Act Relating to Furlough of Committed Persons."
Introduced by: Senator O'Connor.
- No. 2677-82 "A Bill for an Act Relating to Jurors."
Introduced by: Senator O'Connor.
- No. 2678-82 "A Bill for an Act Relating to Preliminary Instruction of the Jury."
Introduced by: Senator O'Connor.
- No. 2679-82 "A Bill for an Act Relating to Examination of Jurors."
Introduced by: Senator O'Connor.
- No. 2680-82 "A Bill for an Act Relating to Pre-Trial Bargaining in Civil Cases."
Introduced by: Senator O'Connor.
- No. 2681-82 "A Bill for an Act Relating to Motor Vehicles."
Introduced by: Senators Kobayashi, Carpenter, George and Soares.
- No. 2682-82 "A Bill for an Act Relating to Mental Health."

Introduced by: Senators Carpenter, Cayetano, Abercrombie, Kawasaki, Young, Yamasaki, Ajifu, George, Kobayashi and Anderson.

No. 2683-82 "A Bill for an Act Relating to Equal Access to Justice."

Introduced by: Senators Carpenter, Kuroda and Henderson.

No. 2684-82 "A Bill for an Act Relating to Criminal Injuries Compensation."

Introduced by: Senators Carpenter, Young, Yamasaki, Soares, George, Kobayashi and Saiki.

No. 2685-82 "A Bill for an Act Relating to the Leasing of Ocean and Marine Resources."

Introduced by: Senators Carpenter, Ajifu, Soares, Saiki, George and Anderson.

No. 2686-82 "A Bill for an Act Relating to Elections."

Introduced by: Senator Carpenter.

No. 2687-82 "A Bill for an Act Relating to Deferred Acceptance of Guilty Plea."

Introduced by: Senator Carpenter.

No. 2688-82 "A Bill for an Act Relating to Election Registration for the Office of Hawaiian Affairs."

Introduced by: Senator Carpenter.

No. 2689-82 "A Bill for an Act Relating to Land Use."

Introduced by: Senator Ajifu.

No. 2690-82 "A Bill for an Act Relating to the Hawaii Cooperative Council."

Introduced by: Senator Ajifu.

No. 2691-82 "A Bill for an Act Relating to Cooperative Associations."

Introduced by: Senators Ajifu, Abercrombie, Cobb and Uwaine.

No. 2692-82 "A Bill for an Act Relating to Insurance."

Introduced by: Senators Ajifu, Abercrombie, Cobb and Uwaine.

No. 2693-82 "A Bill for an Act Relating to Trade Regulation and Practice."

Introduced by: Senators Ajifu, Abercrombie, Cobb and Uwaine.

No. 2694-82 "A Bill for an Act Relating to the Uniform Commercial Code."

Introduced by: Senators Ajifu, Abercrombie, Cobb and Uwaine.

No. 2695-82 "A Bill for an Act Relating to Consumer Cooperative Associations."

Introduced by: Senators Ajifu, Abercrombie, Cobb and Uwaine.

No. 2696-82 "A Bill for an Act Relating to Consumer Cooperative Associations."

Introduced by: Senators Ajifu, Abercrombie, Cobb and Uwaine.

No. 2697-82 "A Bill for an Act Relating to Consumer Cooperative Associations."

Introduced by: Senators Ajifu, Abercrombie, Cobb and Uwaine.

No. 2698-82 "A Bill for an Act Relating to Consumer Cooperative Associations."

Introduced by: Senators Ajifu, Abercrombie, Cobb and Uwaine.

No. 2699-82 "A Bill for an Act Relating to Taxation."

Introduced by: Senators Ajifu, Abercrombie, Cobb and Uwaine.

No. 2700-82 "A Bill for an Act Relating to Credit Unions."

Introduced by: Senators Ajifu and Cobb.

No. 2701-82 "A Bill for an Act Relating to Housing Cooperatives."

Introduced by: Senators Young, Ajifu and Holt.

No. 2702-82 "A Bill for an Act Relating to the Hawaii Cooperative Council."

Introduced by: Senators Ajifu, Abercrombie and Uwaine.

No. 2703-82 "A Bill for an Act Relating to Cooperatives."

Introduced by: Senators Ajifu, Abercrombie and Uwaine.

No. 2704-82 "A Bill for an Act Relating to Cooperative Associations."

Introduced by: Senators Ajifu, Abercrombie and Uwaine.

No. 2705-82 "A Bill for an Act Relating to Insurance."

Introduced by: Senators Ajifu,

Abercrombie and Uwaine.

No. 2706-82 "A Bill for an Act Relating to Trade Regulation and Practice."

Introduced by: Senators Ajifu, Abercrombie and Uwaine.

No. 2707-82 "A Bill for an Act Relating to the Uniform Commercial Code."

Introduced by: Senators Ajifu, Abercrombie and Uwaine.

No. 2708-82 "A Bill for an Act Relating to the Hawaii Convention Center Authority."

Introduced by: Senators Kuroda, Soares, Uwaine, Yee, Kobayashi, Ajifu, Campbell and Henderson.

No. 2709-82 "A Bill for an Act Relating to the Encouragement of Federally Certified Development Companies."

Introduced by: Senators Kuroda, Campbell, Soares, Henderson, Toyofuku, Kobayashi, Ajifu and Yamasaki.

No. 2710-82 "A Bill for an Act Relating to Hotels."

Introduced by: Senators Kuroda, Ajifu, Kobayashi, George, Yamasaki and Henderson.

No. 2750-82 "A Bill for an Act Relating to Culture and Arts."

Introduced by: Senator Wong.

No. 2751-82 "A Bill for an Act Making an Appropriation for Continuing Education for Women."

Introduced by: Senator Wong.

No. 2752-82 "A Bill for an Act Making an Appropriation for a Statewide Sexual Assault Prevention Program."

Introduced by: Senator Wong.

No. 2753-82 "A Bill for an Act Making an Appropriation for the Department of Education's Driver Education Program."

Introduced by: Senator Wong.

No. 2754-82 "A Bill for an Act Making an Appropriation for the Victim-Witness Counselor Programs."

Introduced by: Senator Wong.

No. 2755-82 "A Bill for an Act Making an Appropriation for a Feasibility Study Relating to Housing Programs of the Department of Hawaiian Home Lands."

Introduced by: Senator Wong.

No. 2756-82 "A Bill for an Act Relating to the 1984 Hawaii Statehood Silver Jubilee."

Introduced by: Senator Wong.

No. 2757-82 "A Bill for an Act Making an Appropriation to Provide for the Expenses of the 1984 Hawaii Statehood Silver Jubilee Committee."

Introduced by: Senator Wong.

No. 2758-82 "A Bill for an Act Relating to Expenditure of Public Money and Public Contracts."

Introduced by: Senator Wong.

No. 2759-82 "A Bill for an Act Relating to the Compensation of Public Officers and Employees and Making an Appropriation Therefor."

Introduced by: Senators Wong and Anderson.

No. 2760-82 "A Bill for an Act Relating to the Issuance of Special Purpose Revenue Bonds."

Introduced by: Senator Wong.

No. 2761-82 "A Bill for an Act Relating to Special Purpose Revenue Bonds for Health Care Facilities."

Introduced by: Senator Wong.

No. 2762-82 "A Bill for an Act Establishing a Foster Family for Aged or Disabled Adult Pilot Project."

Introduced by: Senator Wong.

On motion by Senator Kuroda, seconded by Senator Anderson and carried, the following bills were referred to print and were placed on the calendar for further consideration on Wednesday, February 17, 1982:

Senate Bills

No. 2711-82 "A Bill for an Act Relating to Agriculture."

Introduced by: Senators Wong and Yee.

No. 2712-82 "A Bill for an Act Relating to Agriculture."

Introduced by: Senators Wong and Yee.

No. 2713-82 "A Bill for an Act Relating to Land Use."

- Introduced by: Senators Wong and Yee.
- No. 2714-82 "A Bill for an Act Relating to Unfair and Deceptive Practices."
- Introduced by: Senators Wong and Yee.
- No. 2715-82 "A Bill for an Act Relating to Land Use."
- Introduced by: Senators Wong and Yee.
- No. 2716-82 "A Bill for an Act Relating to the Hawaii Economic Revitalization Opportunities Act."
- Introduced by: Senators Wong, by request, and Yee.
- No. 2717-82 "A Bill for an Act Relating to Economic Development."
- Introduced by: Senators Wong and Yee.
- No. 2718-82 "A Bill for an Act Relating to Energy."
- Introduced by: Senators Wong and Yee.
- No. 2719-82 "A Bill for an Act Relating to Planning."
- Introduced by: Senators Wong and Yee.
- No. 2720-82 "A Bill for an Act Relating to the Hawaii State Planning Act."
- Introduced by: Senators Wong and Yee.
- No. 2721-82 "A Bill for an Act Relating to the Environment."
- Introduced by: Senators Wong and Yee.
- No. 2722-82 "A Bill for an Act Relating to the Environment."
- Introduced by: Senators Wong and Yee.
- No. 2723-82 "A Bill for an Act Relating to Recreation."
- Introduced by: Senators Wong and Yee.
- No. 2724-82 "A Bill for an Act Relating to Catastrophic Illness."
- Introduced by: Senators Wong and Yee.
- No. 2725-82 "A Bill for an Act Relating to Health Insurance."
- Introduced by: Senators Wong and Yee.
- No. 2726-82 "A Bill for an Act Relating to Post Secondary Education."
- Introduced by: Senators Wong and Yee.
- No. 2727-82 "A Bill for an Act Relating to Higher Education."
- Introduced by: Senators Wong and Yee.
- No. 2728-82 "A Bill for an Act Relating to the University of Hawaii."
- Introduced by: Senators Wong and Yee.
- No. 2729-82 "A Bill for an Act Relating to Victims' Compensation."
- Introduced by: Senators Wong and Yee.
- No. 2730-82 "A Bill for an Act Relating to Circuit Courts."
- Introduced by: Senators Wong and Yee.
- No. 2731-82 "A Bill for an Act Relating to Chapter 329."
- Introduced by: Senators Wong and Yee.
- No. 2732-82 "A Bill for an Act Relating to Tort Actions."
- Introduced by: Senators Wong and Yee.
- No. 2733-82 "A Bill for an Act Relating to Chapter 706."
- Introduced by: Senators Wong and Yee.
- No. 2734-82 "A Bill for an Act Relating to Chapter 704."
- Introduced by: Senators Wong and Yee.
- No. 2735-82 "A Bill for an Act Relating to Chapter 11."
- Introduced by: Senators Wong and Yee.
- No. 2736-82 "A Bill for an Act Relating to Chapter 353."
- Introduced by: Senators Wong and Yee.

No. 2737-82 "A Bill for an Act Relating to Chapter 76."

Introduced by: Senators Wong and Yee.

No. 2738-82 "A Bill for an Act Relating to Chapter 124."

Introduced by: Senators Wong and Yee.

No. 2739-82 "A Bill for an Act Relating to Family Courts."

Introduced by: Senators Wong and Yee.

No. 2740-82 "A Bill for an Act Relating to the Criminal Justice System."

Introduced by: Senators Wong and Yee.

No. 2741-82 "A Bill for an Act Relating to the Hawaii Code of Military Justice."

Introduced by: Senators Wong and Yee.

No. 2742-82 "A Bill for an Act Relating to Public Safety."

Introduced by: Senators Wong and Yee.

No. 2743-82 "A Bill for an Act Relating to Dogs."

Introduced by: Senators Wong and Yee.

No. 2744-82 "A Bill for an Act Relating to Public Utilities."

Introduced by: Senators Wong and Yee.

No. 2745-82 "A Bill for an Act Relating to Transportation."

Introduced by: Senators Wong and Yee.

No. 2746-82 "A Bill for an Act Relating to Transportation Safety."

Introduced by: Senators Wong and Yee.

No. 2747-82 "A Bill for an Act Relating to Transportation."

Introduced by: Senators Wong and Yee.

No. 2748-82 "A Bill for an Act Relating to Vehicles."

Introduced by: Senators Wong and Yee.

No. 2749-82 "A Bill for an Act Relating to Vehicles."

Introduced by: Senators Wong and Yee.

STANDING COMMITTEE REPORT

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 16-82), informing the Senate that Senate Resolution Nos. 19 to 21, Standing Committee Report No. 15-82, and Senate Bill Nos. 2474-82 to 2531-82 have been printed and are ready for distribution.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Friday, February 12, 1982:

Senate Bills Referred to:

No. 2474-82 Jointly to the Committee on Public Utilities and the Committee on Transportation

No. 2475-82 Committee on Judiciary

No. 2476-82 Committee on Government Operations and Intergovernmental Relations, then to the Committee on Ways and Means

No. 2477-82 Committee on Consumer Protection and Commerce

No. 2478-82 Committee on Judiciary

No. 2479-82 Jointly to the Committee on Human Resources and the Committee on Health, then to the Committee on Ways and Means

No. 2480-82 Committee on Judiciary

No. 2481-82 Committee on Health, then to the Committee on Judiciary

No. 2482-82 Committee on Human Resources, then to the Committee on Ways and Means

No. 2483-82 Committee on Human Resources, then to the Committee on Ways and Means

No. 2484-82 Committee on Housing and Hawaiian Homes

No. 2485-82 Committee on Housing and Hawaiian Homes

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| No. 2486-82 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means | No. 2505-82 Committee on Judiciary |
| No. 2487-82 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means | No. 2506-82 Committee on Judiciary |
| No. 2488-82 Committee on Housing and Hawaiian Homes | No. 2507-82 Committee on Judiciary |
| No. 2489-82 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means | No. 2508-82 Committee on Judiciary |
| No. 2490-82 Jointly to the Committee on Housing and Hawaiian Homes and the Committee on Government Operations and Intergovernmental Relations | No. 2509-82 Committee on Public Utilities |
| No. 2491-82 Jointly to the Committee on Housing and Hawaiian Homes and the Committee on Government Operations and Intergovernmental Relations | No. 2510-82 Committee on Agriculture, then to the Committee on Ways and Means |
| No. 2492-82 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means | No. 2511-82 Committee on Health, then to the Committee on Ways and Means |
| No. 2493-82 Jointly to the Committee on Housing and Hawaiian Homes and the Committee on Human Resources | No. 2512-82 Committee on Public Utilities, then to the Committee on Ways and Means |
| No. 2494-82 Committee on Housing and Hawaiian Homes | No. 2513-82 Committee on Public Utilities, then to the Committee on Ways and Means |
| No. 2495-82 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means | No. 2514-82 Committee on Ways and Means |
| No. 2496-82 Jointly to the Committee on Housing and Hawaiian Homes and the Committee on Consumer Protection and Commerce | No. 2515-82 Committee on Ways and Means |
| No. 2497-82 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means | No. 2516-82 Committee on Judiciary, then to the Committee on Ways and Means |
| No. 2498-82 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means | No. 2517-82 Committee on Health, then to the Committee on Ways and Means |
| No. 2499-82 Committee on Judiciary, then to the Committee on Ways and Means | No. 2518-82 Committee on Health |
| No. 2500-82 Committee on Judiciary | No. 2519-82 Committee on Economic Development, then to the Committee on Ways and Means |
| No. 2501-82 Committee on Judiciary | No. 2520-82 Committee on Judiciary |
| No. 2502-82 Committee on Judiciary | No. 2521-82 Committee on Judiciary |
| No. 2503-82 Committee on Health, then to the Committee on Consumer Protection and Commerce | No. 2522-82 Committee on Ecology, Environment and Recreation, then to the Committee on Judiciary |
| No. 2504-82 Committee on Judiciary | No. 2523-82 Committee on Human Resources, then to the Committee on Ways and Means |
| | No. 2524-82 Committee on Human Resources, then to the Committee on Ways and Means |
| | No. 2525-82 Committee on Human Resources |
| | No. 2526-82 Committee on Human Resources |
| | No. 2527-82 Committee on Human Resources |
| | No. 2528-82 Committee on Human Resources |

No. 2529-82 Committee on Human Resources, then to the Committee on Ways and Means

No. 2530-82 Committee on Human Resources

No. 2531-82 Committee on Human Resources

At 11:48 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:50 o'clock a.m.

At this time, Senator Cayetano rose on a point of personal privilege and stated as follows:

"Mr. President, I'd like to take a few minutes to discuss with this body a report I read in one of yesterday's major daily newspapers. I believe it was The Advertiser which reported a Lou Harris poll which found that the American people favor President Reagan's 'New Federalism' by a 60-35 percent majority.

"Having recently concluded an analysis of the proposal, I find this report very alarming. Among other things, it reveals that the majority of the American people have not yet discovered the writing between the lines of Reagan's New Federalism.

"I have no influence over what happens in Alabama, in Texas or in New York. But as a member of this Senate, I believe I have a duty to speak out, to warn the people of Hawaii that the President's New Federalism is a Trojan Horse for reactionary philosophy, that states like Hawaii with no oil will be devastated if Congress adopts Reagan's proposal and that what Reagan is proposing is not a New Federalism but, as my colleague Senator Abercrombie told me the other day, a 'New Feudalism' which is not really new but a return to the days of Herbert Hoover.

"President Reagan's proposal is divided into two phases. The first phase involves a swap of three welfare programs between the states and the Federal Government. The states would take over the Aid to Families with Dependent Children and food stamp programs and the Federal Government would take over the Medicaid program. The second phase, which begins in 1987, would result in the 'turnback' of approximately 43 grant-in-aid programs from the Federal Government to the states by 1991. A federal trust fund would be set up to fund the states to keep these

programs going until 1991. The trust fund would be funded with revenue generated from the federal excise tax on alcohol, tobacco, telephone service, gasoline (2¢ per gallon) and the windfall profits tax on oil. Beginning FY '88, the federal trust fund payments to the states would decline by 25 percent each year with the states being free to impose its own excise taxes. By 1991, the trust fund would be terminated. In a nutshell, this is the Reagan New Federalism.

"I do not want to debate the national implications of this policy today. I think we could do that for days. Questions relating to national equity and issues, I leave for another time. Now that I understand Reagan's proposal, including the writing between the lines, I want to get down to the nitty gritty. Like the man in the television commercial says, 'Let's talk about Hawaii.'

"If we look to the New Federalism in FY '82 perspective, we find that Hawaii stands to lose an estimated \$30 to \$50 million in the first phase, the swap phase of Reagan's proposal. Preliminary estimates by federal officials indicate that the loss in the second phase of the proposal, the so-called 'turnback' of federal programs, is approximately \$133 million. If we add Hawaii's estimated total losses from both phases, we find that Hawaii stands to lose approximately \$163 million in FY '82 dollars under the New Federalism.

"How could we make that loss up under the President's program? Well, Hawaii, like all of the other states, will be able to take over the phased-out federal excise taxes on alcohol, tobacco, telephone, gasoline and the windfall profits tax.

"If we add up the federal excise tax on alcohol, tobacco, telephone and gasoline paid in Hawaii, we find, comparatively speaking, that these taxes amount to peanuts. In 1980, a paltry \$17 million in federal excise taxes was paid in Hawaii. Moreover, the estimated future growth of these taxes as a revenue generator is very low. For example, alcohol taxes, which amounted only to \$190,000 in 1980 in Hawaii, is expected to grow only 6.9 percent nationally between 1982 and 1986. Similarly, the tobacco tax is expected to grow only 7.7 percent. But even more distressing is that the federal excise tax on gasoline, which is the largest federal excise tax revenue generator in Hawaii, will actually decline by 6.5 percent in Hawaii between 1982 and 1986 because of energy conservation.

"Reducing all of this to 1982 dollars, I estimate that the loss of \$163 million

of federal funds for the swap and turnback phases of Reagan's proposal can be offset by only approximately \$11 million in excise taxes imposed on alcohol, tobacco, telephone and gasoline. Mr. President, this would leave the State of Hawaii holding the bag for approximately \$149 million in revenue to maintain the programs at FY '82 levels.

"In such an event, Hawaii has to either raise state taxes to keep the programs running at current levels or cut programs.

"I submit that we will be faced with deficits so huge that our people will suffer no matter which way we go.

"For example, if we increase the turned over excise taxes to make up the deficit, we face the horrendous prospect of increasing the excise tax on gasoline a whopping 30¢ per gallon, in addition to the present state and county excise taxes we already have on gasoline. The excise tax on distilled alcohol would be increased from \$10.50 per 100-proof gallon to a huge \$147.00 per gallon.

"I suppose we could make up the deficit by raising existing state taxes. But, how many are in favor of increasing the state excise tax on food and drugs from 4 percent to 14 percent? That is what it would take to make up the deficit.

"If we did these things our people would rise up in arms and throw all of us out of office. The nonviability of these courses of action is obvious.

"Of course, President Reagan's New Federalism entitles the states to take over the so-called windfall profits tax. Hawaii has one problem though -- we don't have any oil. We have a lot of wind. This business about the states taking over the windfall profits is one of the most cynical aspects of the New Federalism. Obviously, President Reagan did not give Hawaii much consideration when he dreamed up his New Federalism idea. As I said before, the windfall profits tax would be a boon to oil producing states and therein, maybe, lies its appeal. For Hawaii, there would be only a lot of 'wind' and then a fall.

"If President Reagan is sincere in his New Federalism, if he wants to be fair to all our states and in particular to states like Hawaii which do not have oil, then I suggest he amend his New Federalism by agreeing to giving Hawaii a fair share of the federal

income tax. In 1980, Hawaii residents paid \$244 million in federal personal income taxes. Even if Hawaii were to receive only one-half of that amount, we could tackle the challenge of Reagan's New Federalism. And I think most of us would be happy to do it.

"On this score, I believe the President should be reminded of his own admonition to his critics. To quote President Reagan: 'It's time to put up or shut up.'

"The grave threat that President Reagan's New Federalism poses to Hawaii transcends partisan lines. If Congress adopts it, Hawaii will be devastated. I suggest all of us, including those who leaped to praise the New Federalism without analysis, get together to make our concerns known to Congress. Otherwise, Mr. President, we had better start drilling for oil."

Senator Abercrombie also rose on a point of personal privilege in support of the previous speaker's comments and stated as follows:

"Mr. President, it's quite true, as Senator Cayetano has indicated, that I did characterize the so-called New Federalism as 'Old Feudalism.' I did so, unfortunately, only half in jest. The reason I indicated to Senator Cayetano as I did is that I felt that this was in fact a return ... this proposal for a New Federalism was in fact a return to what can only be termed a feudalistic basis ... that we would not in fact be sharing the cost not only for our national security, but for our domestic well-being on a nation-wide basis, but rather that an analysis of the New Federalism proposal shows quite clearly that those who already have the control of vast sums of money or in some instances, more important, the control of the business levers of this country would not only remain in that kind of control but their power would increase at the expense of working people throughout the country, and in my estimate would indicate to me that there would actually be a loss of security not only in terms of our foreign affairs, but in terms of our domestic well-being.

"I would indicate, for example, that if we were to return income taxes to the states, based solely on their proportionate input, we would find very rapidly a situation where people would not be able to support the services that are required for their people, for their simple shelter, for their well-being, for their health, for their welfare.

"We find a regime in Washington

now which finds it capable of expending tens of millions of dollars in El Salvador with the same kinds of people that got us into the same kinds of trouble in Vietnam and in other areas of the world that we have experienced in our recent history, let alone our far-distant history.

"We find that Chase Manhattan Bank has been bailed out by the Reagan Administration to the tune of between \$350 and \$400 million so that the Communist regime there which is now oppressing its people with martial law may remain solvent in the bankers' eyes.

"We find that the Soviet Union is a beneficiary of funds from this country in terms of foreign credits and in terms of subsidies which the American taxpayer has to bear, all in the name of national security.

"I bring this to your attention, Mr. President, for very simple reasons. In the area of my committee responsibility, I have been begging Mr. Weinberger and the Pentagon to assist me in making clear to the Congress that if impact-aid is denied to this state and other educational jurisdictions that the educational well-being of our children will suffer.

"While I have been begging these people to do it, they have chosen to ignore me entirely. Other state legislators and other congressional people have indicated their willingness to help, but the absence of any kind of understanding on the part of the National Administration in this area of impact-aid has required me to introduce a bill in this body for educational fees that will be paid by those who are utilizing our school system and are not paying for it.

"Does it occur to the National Administration and to those advocates of the New Feudalism that if you want to buy weapons and have not the people capable of administering, maintaining or utilizing those systems that you are, in fact, defeating yourself?

"I say then in conclusion, Mr. President, that the Old Feudalism that has come to us in the guise of New Federalism can only operate to the deleterious effect on our people, of withdrawing from us the progress that we have made in education, the progress that we have made in the health and welfare areas of our domestic life, and will, in fact, increase the insecurity that we have in relationship to our foreign affairs."

Senator Anderson added as follows:

"Mr. President, since I read the same article, same newspaper, saw the same television program, I think I should say a few words.

"I have a copy of the President's Federalism initiative basic framework and all the numbers attached between the swaps and turnbacks. I've been in contact with the OMB and my figures aren't \$148 million deficit. My figures don't show all these scary figures at this point and time.

"Last week, Mr. President, there were some people on television saying that Federalism wasn't going to work in the swap because thousands of people are going to migrate to Hawaii for the liberal welfare system that Hawaii has. Well, they're forgetting to say that Hawaii has had a liberal welfare system for many years now in comparison to other states because we built on top of the federal level, and we don't have a tremendous in-migration of welfare recipients coming to Hawaii now. We have trouble getting tourists here to pay their airplane tickets getting to Hawaii.

"I don't think we ought to get involved, Mr. President, at this point, with nitty gritty details. That's basically what we're doing. We're getting caught up in the details of the Federalism or the New Federalism, and I don't think anybody in this room or I don't think anybody in Congress, as yet, is aware of the details. It's the objective, Mr. President, that's important...home rule, self-determination.

"Hawaii's problems are unlike that of Detroit, Michigan. They're unlike that of New York and they're unlike that of California and, therefore, the programs implemented by people from 5,000 miles away might just not necessarily fit the people's problem in the State of Hawaii, Mr. President. That's all the man is saying.

"There are 40 or 42 federal programs that some experts 5,000 miles away have imposed on 50 states, tried to be somewhat equal, but they don't fit.

"When Congress legislates for the blacks because of the minority problem, the minority problem isn't one in Hawaii but we have to live by the laws that they pass.

"I think the discussions we've been having lately on Kahe where because the air in Detroit is a problem, the air in Los Angeles is a problem, that we the people in these islands have to

pay \$63 million more to conform to some federal bureaucratic EPA environmental problem that doesn't have any application to Hawaii whatsoever. It's the objective of home rule and self-determination.

"I wonder how long...let's say for the type of situation that might be a hypothetical case... let's say the HGEA, for example...I wonder how long the HGEA would allow the national organization to commit them to dollars, commit them to programs, commit them to policy as they apply to the Hawaiian Government Employees Association.

"How many of you would let a distant cousin, or a sister-in-law or a relative in California spend your money or commit your life in Hawaii or commit you to a way of life in Hawaii where they have no part and no knowledge? That's basically what's happening, Mr. President. Washington has gotten out of hand. Washington has gotten over-check, and I could quote most eloquently a Democrat governor who the President quoted, that Congress ought to be resolved in paying attention to arms limitation and not fixing potholes in our streets. So, give the man a chance.

"Let's get the details this summer. Let's find out if the objective is one that really applies to Hawaii. I've been a strong advocate of home rule for many, many years and it's kind of interesting that I sit here and read lately the arguments and the cries that you hear are somewhat like the Republicans in the '60s and in the '70s whenever something came forth from the Democratic party and the Republicans said that it won't work, it can't work.

"Whereas, if you had asked a year ago whether the union and Ford Motor Company could get together to resolve their problem to be more competitive, you would have said that it would never work, but it is working.

"Today's times are bringing people to the bargaining table to solve today's problems. What didn't work last year can work this year. What's not working this year, can work next year. But instead of being negative about it, instead of being so anti, let's use your strength and your talent, and let's sit down at the table and maybe, just maybe, one of those four Democratic congressmen might open his door and be a little more receptive to some New Federalism and maybe then he can contribute, and maybe then we'll

get some of the data back through our congressional delegation for which they get paid.

"Thank you."

Senator Cayetano then responded as follows:

"Mr. President, I really find the remarks by the previous speaker amazing for a man who has ambitions to lead this state for the next four years.

"Don't pay attention to the details? Come on, you had better pay attention to the details. You had better understand that on tobacco we only collected \$2,000 in federal taxes in Hawaii in 1980. You had better understand that on some of the other taxes, on alcohol, only \$180,000 was collected. I've got my figures, where's yours? I'm pretty comfortable with the analysis we did. That's the same thing we used, okay?"

The President, at this time, requested that Senator Cayetano address his remarks to the Chair.

Senator Cayetano continued as follows:

"Mr. President, in my remarks I said that if President Reagan modified his New Federalism to give Hawaii a solid revenue base with which to fund the turnback programs, then I accept the challenge.

"Mr. President, would you ask the Senator from the Third Senatorial District what we are going to do with respect to the windfall profits? We don't have any oil, unless the good Senator found some in Kailua that I don't know about.

"The windfall profits comprise a major part of the Reagan strategy for turning over the programs to the states. In the trust fund itself it comprises 60 percent of the fund...the trust fund that's supposed to carry us on to 1991.

"I'm not opposed to the New Federalism in the sense that it speaks for home rule. I'm for home rule. I will say, however, that on certain issues, state's rights and home rule were detrimental to the national interest and I speak of the civil rights movement. You know, you went down to Selma, Alabama and marched. If we had left those issues to the states, we would still be fighting Brown vs. the Board of Education, Supreme Court, 1954.

"I'm not opposed to the President's program, I'm just saying, 'Take Hawaii

into consideration.' Everything else seemingly does not take Hawaii into consideration. We here in this state had better pay attention to it because we're just a small part of Congress, a small part of the United States.

"Our people in sugar know. They cannot understand, for example, why the Washington Administration does not understand sugar's plight. I'll tell you why...because the people in New York, in Massachusetts, those states believe in the argument of getting cheaper sugar for their people, their consumers.

"We are such a small voice, a small fish in this big pond. We had better get our act together here at home and notify our congressional delegation as to what it is that we want to do.

"I don't know, maybe it's a matter of style, Mr. President, but I thought that my job here and the job of any Senator was to pay attention to the 'damn' details. It's the details that fill you. Thank you."

Senator Abercrombie further responded as follows:

"Mr. President, I have only one thing to add. I cannot wait until next summer. My budget is due before the Ways and Means Committee this Friday, and I hope every Senator and Representative will take into consideration some of the points that I have raised with respect to our education budget. I do not think that it is plausible nor possible for the National Administration to ignore the local jurisdiction, precisely those jurisdictions which the President trumpets most loudly when defending his New Feudalism proposal.

"I have seen the President's speech, the full content of his speech, in the New York Times. I have examined it very carefully and I do not see a recognition in there that this deliberative body can wait until summer to come to conclusions for the next fiscal year. Somewhere, somehow, Mr. President, we are going to be required to find between \$3 and \$4 million just in impact-aid alone in education. I do not want to sacrifice the educational lives not only of the children who reside in this state, but the children of those guests of ours who are in this state who are not domiciled in this state.

"I do not want to see a situation in which we have a division between those who serve in our military forces or who are here in some other federal capacity and those who live here.

This is the excruciating part about this abstraction called New Federalism. It fails to take into account the human context, the human dimension within which we must live. And that requires that we have a relationship in a community where people feel that they are getting a fair shake.

"People do not object so much to paying their taxes. They do not object so much to sharing their taxes with others when there is a clear and present recognition that failure to do so would result in a detrimental effect to everybody, for example, in terms of health care. Obviously, those of us who have suffered through a family member going through the terrors and horrors of cancer operations and so on, ultimately leading to death, that we recognize that individually very few families in this country are capable of taking care of that on their own. We have to work together on a national basis to address problems like this.

"I think the import of my commentary and that of the previous speaker is that unless we pay attention now, right now, while we are in session, to the financial details that are associated with this proposal, we will not only do a disservice to ourselves and to our community, but we will actually undermine the domestic security as well as the international security of this nation."

Senator Anderson then added as follows:

"Mr. President, very briefly, allow me to belabor this, but this Senate on the question of impact-aid has a policy. As I recall, we went into special session last year because the Governor overreacted, as did the Board of Education, as did the HSTA, on the amount of impact funds that weren't going to come to this state and, as you recall, the Governor wouldn't sign some 500 contracts.

"At that time the Senate, as I recall, said that that was a premature concern. It was a fear that was not based on any fact or figures but just assumptions, what so much of the conversation has been up to today, and this Senate was ready to meet in special session in late year to fund any cuts in impact-aid, and I haven't heard the President or anyone else yet say otherwise.

"It's kind of difficult to understand that with a state which has a \$213 million anticipated surplus, that if there is a \$2 million cut or \$3 million cut we wouldn't fill that gap to take care of our own problem and our own children.

"It's somewhat hypocritical and contradictory to not be supportive of the Federal Government, regardless of who's in charge, with a trillion dollar deficit and we have a \$213 million surplus and we won't come to the aid of a \$2 or \$3 million cut.

"I would like to stand here and say for one Senator, that my commitment, the commitment that we made last year, Senator Abercrombie, chairman of Education, that any legitimate problem in the way of education we should fill that gap and make sure our children, because we can afford it, are given the level of education that we so decide. Thank you."

Senator Cayetano answered as follows:

"Mr. President, just one last rejoinder.

"I've heard it time and time again that we have this huge surplus. I've heard it from the people who lobby and who come down here distributing flyers talking about this great surplus. I've heard legislators, who should know better, talk about this huge surplus.

"Mr. President, my analysis of the state's fiscal condition, which I hope to share with this body perhaps next week and which I might add nobody else is doing... someone should do it... indicates that if we give the kinds of tax cuts or tax credits, whether it

be eliminating the general excise tax on food and drugs or giving the Governor's tax credit of \$50, that by 1984, we will be running in a deficit position.

"I think it is incumbent upon us to look beyond this two hundred million dollar surplus. Let's be a little long-range about this thing. I realize that in our arena sometimes the short-term thing is the convenient thing to do for political reasons, but if we do things taking into consideration the long-run, maybe we'll all sleep a little better."

Senator Carpenter, at this time, rose on a point of personal privilege and stated:

"Mr. President, speaking as one who's not running for office this year, whatever the form the New Federalism takes, whether it's Old Feudalism or whatever, and the exercises that this Legislature will be going through here in making decisions prior to, perhaps, some of the more finite details coming to us, I just hope that it doesn't turn out to be the same old 'futile-ism.'"

ADJOURNMENT

At 12:20 o'clock p.m., on motion by Senator Kuroda, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, February 17, 1982.

TWENTIETH DAY

Wednesday, February 17, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Bishop Hosen Fukuhara of the Higashi Hongwanji Mission of Hawaii, after which the Roll was called showing all Senators present with the exception of Senators Carpenter, Cobb, Kawasaki and Machida who were excused.

The Chair announced that he had read and approved the Journal of the Nineteenth Day.

At this time, Senator Anderson, on behalf of the Senate, introduced 40 members of the McCully Senior Citizens Club.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 90), requesting immediate consideration of a bill (Senate Bill No. 2644-82) relating to the Hawaii Housing Authority to increase the maximum interest rate payable on bonds issued by the Authority under Chapter 356, HRS, was read by the Clerk and was placed on file.

HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 16), transmitting House Bill No. 1489, H.D. 1, which passed Third Reading in the House of Representatives on February 16, 1982, was read by the Clerk and was placed on file.

On motion by Senator Kuroda, seconded by Senator Anderson and carried, H.B. No. 1489, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed First Reading by title, and was referred to the Committee on Consumer Protection and Commerce.

At 11:44 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:45 o'clock a.m.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 17), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF AN ORTHOPEDIC UNIT TO SERVE ORTHOPEDICALLY HANDICAPPED AND OTHER HEALTH-IMPAIRED CHILDREN IN THE CENTRAL OAHU AREA," was

offered by Senators Kuroda, Abercrombie, Soares, Uwaine, Yee, Kobayashi, Ajifu, George, Campbell, Henderson, Mizuguchi, Machida and Yamasaki, and was read by the Clerk.

By unanimous consent, S.C.R. No. 17 was referred jointly to the Committee on Health and the Committee on Education.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 24 to 28) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 24), entitled: "SENATE RESOLUTION REQUESTING THE MERCHANTS IN THE STATE OF HAWAII TO EXTEND DISCOUNTS PRESENTLY GIVEN TO QUALIFIED SENIOR CITIZENS TO QUALIFIED HANDICAPPED CITIZENS," was offered by Senators Kobayashi, Ajifu, Kawasaki, Ushijima, Henderson, Saiki and George.

By unanimous consent, S.R. No. 24 was referred to the Committee on Consumer Protection and Commerce.

A resolution (S.R. No. 25), entitled: "SENATE RESOLUTION REQUESTING FEDERAL OFFICIALS TO REPEAL LEGISLATION REQUIRING STATES TO ESTABLISH HEALTH PLANNING AGENCIES," was offered by Senators Cayetano, Uwaine, Carpenter, Yamasaki, Kawasaki, Saiki, Ajifu, Soares, Kuroda, Holt, Ushijima and Mizuguchi.

By unanimous consent, S.R. No. 25 was referred to the Committee on Health.

A resolution (S.R. No. 26), entitled: "SENATE RESOLUTION REQUESTING A FEASIBILITY STUDY FOR CONSTRUCTION OF A CONVENTION CENTER," was offered by Senators Kuroda, Soares, Uwaine, Yee, Kobayashi, Campbell, Henderson, Machida, Ajifu and Yamasaki.

By unanimous consent, S.R. No. 26 was referred to the Committee on Tourism.

A resolution (S.R. No. 27), entitled: "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF AN ORTHOPEDIC UNIT TO SERVE ORTHOPEDICALLY HANDICAPPED AND OTHER HEALTH-IMPAIRED CHILDREN IN THE CENTRAL OAHU AREA," was offered by Senators

Kuroda, Abercrombie, Soares, Uwaine, Yee, Kobayashi, Ajifu, George, Campbell, Henderson, Mizuguchi, Machida and Yamasaki.

By unanimous consent, S.R. No. 27 was referred jointly to the Committee on Health and the Committee on Education.

A resolution (S.R. No. 28), electing Richard Kalaniohuohu Perkins, Assistant Clerk of the Senate, was offered by Senators Kuroda and Yee.

On motion by Senator Kuroda, seconded by Senator Yee and carried, S.R. No. 28 was adopted.

The President then administered the oath of office to Richard Kalaniohuohu Perkins.

INTRODUCTION OF SENATE BILLS

On motion by Senator Kuroda, seconded by Senator Anderson and carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Thursday, February 18, 1982:

Senate Bills

No. 2763-82 "A Bill for an Act Making an Appropriation for Activation of an Interim Recompression (Hyperbaric) Treatment Facility on Oahu."

Introduced by: Senator Cayetano, by request.

No. 2764-82 "A Bill for an Act Relating to Disability Payments."

Introduced by: Senator Cayetano.

No. 2765-82 "A Bill for an Act Relating to Public Contracts."

Introduced by: Senator Cayetano.

No. 2766-82 "A Bill for an Act Relating to the No-Fault Motor Vehicle Law."

Introduced by: Senator Cayetano.

No. 2767-82 "A Bill for an Act Relating to Medical Deductions for Income Taxation."

Introduced by: Senator Cayetano.

No. 2768-82 "A Bill for an Act Proposing an Amendment to Article VI, Section 3, of the Hawaii Constitution to Provide for Elected Justices and Judges."

Introduced by: Senator Carpenter.

No. 2769-82 "A Bill for an Act Relating to Mortgages and Agreements of Sale."

Introduced by: Senator Carpenter.

No. 2770-82 "A Bill for an Act Relating to Public Lands."

Introduced by: Senator Carpenter.

No. 2771-82 "A Bill for an Act Relating to Bicycles and Mopeds."

Introduced by: Senator Carpenter.

No. 2772-82 "A Bill for an Act Relating to Grand Jury Counsel and Proceeding."

Introduced by: Senator Carpenter, by request.

No. 2773-82 "A Bill for an Act Relating to Penal Responsibility and Fitness to Proceed."

Introduced by: Senator Carpenter, by request.

No. 2774-82 "A Bill for an Act Relating to Sentencing and Parole."

Introduced by: Senators Carpenter and Henderson.

No. 2775-82 "A Bill for an Act Relating to Soil and Water Conservation."

Introduced by: Senator Ajifu.

No. 2776-82 "A Bill for an Act Relating to Agriculture."

Introduced by: Senator Ajifu.

No. 2777-82 "A Bill for an Act Relating to Agriculture."

Introduced by: Senator Ajifu.

No. 2778-82 "A Bill for an Act Relating to Agricultural Parks and Agricultural Lands."

Introduced by: Senator Ajifu.

No. 2779-82 "A Bill for an Act Relating to Animals."

Introduced by: Senator Ajifu.

No. 2780-82 "A Bill for an Act Relating to Animal Quarantine."

Introduced by: Senator Ajifu.

No. 2781-82 "A Bill for an Act Relating to Animal Diseases and Related Matters."

Introduced by: Senator Ajifu.

No. 2782-82 "A Bill for an Act Relating to Animals."

Introduced by: Senator Ajifu.

No. 2783-82 "A Bill for an Act Relating to Agriculture."

Introduced by: Senator Ajifu.

No. 2784-82 "A Bill for an Act Relating to the Agricultural Loan Division."

Introduced by: Senator Ajifu.

No. 2785-82 "A Bill for an Act Relating to Agriculture."

Introduced by: Senator Ajifu.

No. 2786-82 "A Bill for an Act Relating to Agriculture and Aquaculture."

Introduced by: Senator Ajifu.

No. 2787-82 "A Bill for an Act Relating to Executive Departments."

Introduced by: Senator Ajifu.

No. 2788-82 "A Bill for an Act Relating to Agricultural Water Systems."

Introduced by: Senator Ajifu.

No. 2789-82 "A Bill for an Act Relating to Agriculture."

Introduced by: Senator Ajifu.

No. 2790-82 "A Bill for an Act Relating to the Sale of Produce."

Introduced by: Senator Ajifu.

No. 2791-82 "A Bill for an Act Relating to Shortages of Petroleum Products."

Introduced by: Senator Ajifu.

No. 2792-82 "A Bill for an Act Relating to Disaster Relief."

Introduced by: Senator Ajifu.

No. 2793-82 "A Bill for an Act Relating to Agricultural Water Use."

Introduced by: Senator Ajifu.

No. 2794-82 "A Bill for an Act Relating to Agricultural Matters."

Introduced by: Senator Ajifu.

No. 2795-82 "A Bill for an Act Relating to Education."

Introduced by: Senator Ajifu.

No. 2796-82 "A Bill for an Act Relating

to Agriculture, Health, and Related Matters."

Introduced by: Senator Ajifu.

No. 2797-82 "A Bill for an Act Relating to Agriculture."

Introduced by: Senator Ajifu.

No. 2798-82 "A Bill for an Act Relating to Professions and Occupations."

Introduced by: Senator Ajifu.

No. 2799-82 "A Bill for an Act Relating to the Inheritance Tax."

Introduced by: Senator Ajifu.

No. 2800-82 "A Bill for an Act Relating to Excise Tax Credit."

Introduced by: Senator Ajifu.

No. 2801-82 "A Bill for an Act Relating to Collective Bargaining and Higher Education."

Introduced by: Senator Ajifu.

No. 2802-82 "A Bill for an Act Relating to the Elderly."

Introduced by: Senator Ajifu.

No. 2803-82 "A Bill for an Act Making an Appropriation for the Hawaii Council on Portuguese Heritage."

Introduced by: Senator Soares.

No. 2804-82 "A Bill for an Act Relating to Capital Improvement Projects for the Seventh Senatorial District."

Introduced by: Senators Soares, Saiki and Cobb.

No. 2805-82 "A Bill for an Act Relating to Collective Bargaining."

Introduced by: Senators Yee, George, Kobayashi, Ajifu, Machida and Henderson.

No. 2806-82 "A Bill for an Act Relating to Sentencing."

Introduced by: Senators Kuroda, Kawasaki, Soares, Carpenter, Kobayashi, George, Cayetano, Saiki and Young.

No. 2807-82 "A Bill for an Act Relating to State and County Housing Loan Programs."

Introduced by: Senator Young.

No. 2808-82 "A Bill for an Act Relating to Housing by Counties."

Introduced by: Senator Young.

No. 2809-82 "A Bill for an Act Relating to the Uniform Land Sales Practices Act."

Introduced by: Senator Young.

No. 2810-82 "A Bill for an Act Relating to Agricultural Lands."

Introduced by: Senator Young.

No. 2811-82 "A Bill for an Act Relating to General Excise Tax Law."

Introduced by: Senators Carpenter, Kuroda, Saiki, Soares and Ajifu.

No. 2812-82 "A Bill for an Act Relating to Rates and Conditions of Service for Cogenerators and Small Power Producers."

Introduced by: Senators Carpenter, Kuroda, Cayetano, Ushijima, Soares, Saiki and Ajifu.

No. 2813-82 "A Bill for an Act Authorizing the Issuance of General Obligation Bonds and Making Appropriations for the County of Hawaii."

Introduced by: Senators Carpenter, Henderson and Ushijima.

No. 2814-82 "A Bill for an Act Relating to Public Lands."

Introduced by: Senators Carpenter, Henderson and Ushijima.

No. 2815-82 "A Bill for an Act Relating to Continuing a Project for a Career Opportunities Program and Making an Appropriation Therefor."

Introduced by: Senator Abercrombie.

No. 2816-82 "A Bill for an Act Relating to Grants, Subsidies, and Purchases of Service."

Introduced by: Senator Abercrombie.

No. 2817-82 "A Bill for an Act Relating to Taxation."

Introduced by: Senator Abercrombie.

No. 2818-82 "A Bill for an Act Proposing an Amendment to Article X, Section 6, of the Hawaii Constitution, to Change the Powers of the Board of Regents."

Introduced by: Senator Abercrombie, by request.

No. 2819-82 "A Bill for an Act Proposing an Amendment to Article X, Section 6, of the Hawaii Constitution, to Change the Appointment Procedures of the University of Hawaii."

Introduced by: Senator Abercrombie, by request.

No. 2820-82 "A Bill for an Act Relating to the Provision of Insurance for Exceptional Children Placed with Businesses for Occupational or Related Training."

Introduced by: Senator Abercrombie.

No. 2821-82 "A Bill for an Act Authorizing the Issuance of Special Purpose Revenue Bonds for Industrial Enterprises."

Introduced by: Senators Abercrombie, Saiki, Kobayashi and Henderson.

No. 2822-82 "A Bill for an Act Authorizing the Issuance of Special Purpose Revenue Bonds for Industrial Enterprises."

Introduced by: Senators Abercrombie, Henderson and Kobayashi.

No. 2823-82 "A Bill for an Act Relating to Public Schools Special Fees and Charges."

Introduced by: Senator Abercrombie.

No. 2824-82 "A Bill for an Act Relating to Exemption of Adult Education Special Funds."

Introduced by: Senator Abercrombie.

No. 2825-82 "A Bill for an Act Relating to Noise Prevention in Public Schools."

Introduced by: Senator Abercrombie.

No. 2826-82 "A Bill for an Act Authorizing the Issuance of Revenue Bonds and Making an Appropriation for the Waikiki Aquarium."

Introduced by: Senators Abercrombie, Saiki, Kobayashi and Henderson.

No. 2827-82 "A Bill for an Act Authorizing the Issuance of Revenue Bonds and Making an Appropriation for the Waikiki War Memorial Natatorium."

Introduced by: Senators Abercrombie, Henderson and Kobayashi.

No. 2828-82 "A Bill for an Act

- Relating to Capital Improvement Projects Located in the County of Maui."
- Introduced by: Senators Yamasaki and Machida.
- No. 2829-82 "A Bill for an Act Relating to Capital Improvement Projects."
- Introduced by: Senator Yamasaki.
- No. 2830-82 "A Bill for an Act Relating to Water Use Control."
- Introduced by: Senator Yamasaki, by request.
- No. 2831-82 "A Bill for an Act Relating to Annulment, Divorce, and Separation."
- Introduced by: Senator George.
- No. 2832-82 "A Bill for an Act Relating to Water Activities."
- Introduced by: Senators George and Kobayashi.
- No. 2833-82 "A Bill for an Act Relating to the Hawaii Crime Commission."
- Introduced by: Senators Kawasaki, Carpenter, Cayetano and Kobayashi.
- No. 2834-82 "A Bill for an Act Relating to the Criminal Justice System."
- Introduced by: Senators Kawasaki, Carpenter, Cayetano and Kobayashi.
- No. 2835-82 "A Bill for an Act Relating to Criminal Justice Training Academy."
- Introduced by: Senators Kawasaki, Carpenter, Cayetano and Kobayashi.
- No. 2836-82 "A Bill for an Act Relating to Furloughs."
- Introduced by: Senators Kawasaki, Carpenter, Cayetano and Kobayashi.
- No. 2837-82 "A Bill for an Act Relating to Inspection of Tax Records."
- Introduced by: Senators Kawasaki and Carpenter.
- No. 2838-82 "A Bill for an Act Relating to Limiting Commercial Exploitation of Crime."
- Introduced by: Senators Kawasaki, Carpenter, Cayetano and Kobayashi.
- No. 2839-82 "A Bill for an Act Relating to Mandatory Gambling Fines."
- Introduced by: Senators Kawasaki, Carpenter, Cayetano and Kobayashi.
- No. 2840-82 "A Bill for an Act Relating to Paroles and Pardons."
- Introduced by: Senators Kawasaki, Carpenter and Kobayashi.
- No. 2841-82 "A Bill for an Act Relating to Penal Responsibility."
- Introduced by: Senators Kawasaki, Carpenter and Kobayashi.
- No. 2842-82 "A Bill for an Act Relating to the Establishment of a Center for Forensic Psychiatry."
- Introduced by: Senators Kawasaki, Carpenter, Cayetano and Kobayashi.
- No. 2843-82 "A Bill for an Act Relating to Rights of Victims and Witnesses in Criminal Proceedings."
- Introduced by: Senators Kawasaki, Carpenter, Cayetano and Kobayashi.
- No. 2844-82 "A Bill for an Act Relating to Sentencing."
- Introduced by: Senators Kawasaki, Carpenter, Cayetano and Kobayashi.
- No. 2845-82 "A Bill for an Act Relating to Sexual Offenses."
- Introduced by: Senators Kawasaki, Carpenter and Kobayashi.
- No. 2846-82 "A Bill for an Act Relating to Witness Security and Protection."
- Introduced by: Senators Kawasaki, Carpenter and Kobayashi.
- No. 2847-82 "A Bill for an Act Relating to Death or Personal Injury Resulting from the Negligent Operation or Use of Mopeds, Bicycles, Pedicabs, Animals, Coasters, Sleds, Skateboards, Roller Skates, or Other Devices."
- Introduced by: Senators Kawasaki, Carpenter and Kobayashi.
- No. 2848-82 "A Bill for an Act Relating to Off-Road Vehicles."
- Introduced by: Senator Kawasaki.
- No. 2849-82 "A Bill for an Act Relating to Secondhand Dealers."
- Introduced by: Senator Kawasaki.
- No. 2850-82 "A Bill for an Act Relating to Marijuana."
- Introduced by: Senator Kawasaki.

No. 2851-82 "A Bill for an Act Relating to the Registration of Vehicles."

Introduced by: Senator Kawasaki.

No. 2852-82 "A Bill for an Act Relating to Abandoned Vehicles as It Pertains to Public Auction."

Introduced by: Senator Kawasaki.

No. 2853-82 "A Bill for an Act Relating to Coastal Zone Management."

Introduced by: Senator Kawasaki.

No. 2854-82 "A Bill for an Act Relating to the Composition of the Board of Trustees for the Employees' Retirement System of the State of Hawaii."

Introduced by: Senator Kawasaki, by request.

No. 2855-82 "A Bill for an Act Making an Appropriation for State Grants-in-Aid for Improvements in the City and County of Honolulu."

Introduced by: Senator Kawasaki, by request.

No. 2856-82 "A Bill for an Act Relating to Optometry."

Introduced by: Senator Kawasaki.

No. 2857-82 "A Bill for an Act Authorizing the Issuance of General Obligation Bonds and Making an Appropriation for an Agriculture Community Center, Oahu."

Introduced by: Senator Kawasaki.

No. 2858-82 "A Bill for an Act Relating to the Clarification of the Definition of Standard Bar."

Introduced by: Senator Kawasaki.

No. 2859-82 "A Bill for an Act Relating to Housing."

Introduced by: Senator Kawasaki, by request.

No. 2860-82 "A Bill for an Act Relating to the Hawaii Crime Commission."

Introduced by: Senators Machida and Kobayashi.

No. 2861-82 "A Bill for an Act Relating to the Housing Loan and Mortgage Program."

Introduced by: Senator Wong, by request.

No. 2862-82 "A Bill for an Act Relating to Collective Bargaining."

Introduced by: Senator Wong, by request.

No. 2863-82 "A Bill for an Act Relating to Shoplifting."

Introduced by: Senator Wong, by request.

No. 2864-82 "A Bill for an Act Relating to the Authorization of Special Purpose Revenue Bonds to Assist a Processing Enterprise."

Introduced by: Senator Wong, by request.

No. 2865-82 "A Bill for an Act Relating to Medicine and Surgery."

Introduced by: Senator Wong, by request.

No. 2866-82 "A Bill for an Act Relating to the Hawaii Housing Authority."

Introduced by: Senator Wong, by request.

No. 2867-82 "A Bill for an Act Proposing an Amendment to Article II, Section 7, of the Hawaii Constitution, to Change the Resignation Requirements for an Elected Public Officer Desiring to Run for Another Public Office."

Introduced by: Senator Wong, by request.

No. 2868-82 "A Bill for an Act Relating to Income Taxation."

Introduced by: Senator Yamasaki.

No. 2869-82 "A Bill for an Act Relating to the Support of Children."

Introduced by: Senator Yamasaki.

No. 2870-82 "A Bill for an Act Relating to Insurance."

Introduced by: Senator Uwaine.

No. 2871-82 "A Bill for an Act Relating to Agricultural Cooperatives."

Introduced by: Senator Ajifu.

No. 2872-82 "A Bill for an Act Relating to the Hawaii Bank Act of 1931."

Introduced by: Senator Ajifu.

No. 2873-82 "A Bill for an Act Relating to the Treatment of Dangerous People."

Introduced by: Senator Ajifu.

No. 2874-82 "A Bill for an Act Relating to Civil Service."

Introduced by: Senator Ajifu.

No. 2875-82 "A Bill for an Act Relating to Weights and Measures."

Introduced by: Senator Ajifu.

No. 2876-82 "A Bill for an Act Relating to Land Use."

Introduced by: Senator Ajifu.

No. 2877-82 "A Bill for an Act Relating to the Establishment of Cluster Development within Rural and Agricultural Land Use Districts."

Introduced by: Senator Ajifu.

No. 2878-82 "A Bill for an Act Relating to Branch Banks."

Introduced by: Senator Uwaine, by request.

No. 2879-82 "A Bill for an Act Relating to Interest on Credit Cards."

Introduced by: Senator Uwaine, by request.

No. 2880-82 "A Bill for an Act Relating to Industrial Loan Companies."

Introduced by: Senator Uwaine, by request.

No. 2882-82 "A Bill for an Act Relating to Public Utilities."

Introduced by: Senator Wong.

No. 2883-82 "A Bill for an Act Relating to Insurance."

Introduced by: Senator Wong.

No. 2884-82 "A Bill for an Act Relating to Adult Probation Records."

Introduced by: Senator Wong, by request.

No. 2885-82 "A Bill for an Act Relating to Public Assistance."

Introduced by: Senator Wong, by request.

No. 2886-82 "A Bill for an Act Relating to Public Assistance."

Introduced by: Senator Wong, by request.

No. 2887-82 "A Bill for an Act Relating to Public Assistance."

Introduced by: Senator Wong, by request.

No. 2888-82 "A Bill for an Act Relating to Public Assistance."

Introduced by: Senator Wong, by request.

No. 2889-82 "A Bill for an Act Relating to Public Assistance."

Introduced by: Senator Wong, by request.

No. 2890-82 "A Bill for an Act Relating to Collective Bargaining."

Introduced by: Senator Wong, by request.

No. 2891-82 "A Bill for an Act Relating to Use Tax Overpayments by General Motors Dealerships."

Introduced by: Senator Wong.

No. 2892-82 "A Bill for an Act Relating to Sugar Stabilization Program."

Introduced by: Senator Wong, by request.

No. 2893-82 "A Bill for an Act Relating to the General Excise Tax Law."

Introduced by: Senator Wong, by request.

No. 2894-82 "A Bill for an Act Relating to Agricultural Communities."

Introduced by: Senator Wong.

No. 2895-82 "A Bill for an Act Relating to Sick Leave Exceptions."

Introduced by: Senator Uwaine.

No. 2896-82 "A Bill for an Act Relating to the Public Employees Health Fund."

Introduced by: Senator Uwaine.

No. 2897-82 "A Bill for an Act Relating to Public Employees."

Introduced by: Senator Uwaine.

No. 2898-82 "A Bill for an Act Relating to Dispensing Opticians."

- Introduced by: Senator Uwaine.
- No. 2899-82 "A Bill for an Act Relating to Employer-Employee Relationships."
- Introduced by: Senator Uwaine.
- No. 2900-82 "A Bill for an Act Relating to Usury."
- Introduced by: Senator Uwaine.
- No. 2901-82 "A Bill for an Act Relating to the Hawaii Legislative Council."
- Introduced by: Senator Uwaine.
- No. 2902-82 "A Bill for an Act Relating to Workers' Compensation."
- Introduced by: Senators Henderson, Kuroda, Kobayashi, Yee and Carpenter.
- No. 2903-82 "A Bill for an Act Relating to Conveyance Tax."
- Introduced by: Senators Henderson, Yee, Wong, Carpenter and Kobayashi.
- No. 2904-82 "A Bill for an Act Relating to a Water Commission and Formulation of a State Water Code."
- Introduced by: Senators Henderson, Kuroda, Soares, Young, Carpenter, Uwaine, Ajifu, Yee and Wong.
- No. 2905-82 "A Bill for an Act Relating to Usury."
- Introduced by: Senator Henderson.
- No. 2906-82 "A Bill for an Act Relating to Quality Growth Policy."
- Introduced by: Senators Henderson, Carpenter and Cayetano.
- No. 2907-82 "A Bill for an Act Relating to Hawaiian Research Center for Future Study."
- Introduced by: Senators Henderson, Carpenter, Kobayashi and Cayetano.
- No. 2908-82 "A Bill for an Act Relating to Commission on the Year 2000."
- Introduced by: Senator Henderson.
- No. 2909-82 "A Bill for an Act Relating to the Development of an Inter-Island Electrical Power Cable."
- Introduced by: Senators Henderson, Carpenter and Kobayashi.
- No. 2910-82 "A Bill for an Act Relating to Taxation."
- Introduced by: Senators Henderson, Yee, Carpenter and Kobayashi.
- No. 2911-82 "A Bill for an Act Making Appropriation for Continuing Education and Community Services Program at the University of Hawaii at Hilo."
- Introduced by: Senators Henderson, Carpenter and Kobayashi.
- No. 2912-82 "A Bill for an Act Relating to Loans."
- Introduced by: Senators Henderson, Yee, Carpenter and Kobayashi.
- No. 2913-82 "A Bill for an Act Relating to Workers' Compensation."
- Introduced by: Senators Henderson, Uwaine, Yee, Wong, Carpenter and Kobayashi.
- No. 2914-82 "A Bill for an Act Relating to State Population and Planning."
- Introduced by: Senator Henderson.
- No. 2915-82 "A Bill for an Act Relating to Marine Affairs Coordinator."
- Introduced by: Senator Henderson.
- No. 2916-82 "A Bill for an Act Relating to Providing State Employees with the Option to Establish an Individual Retirement Account with Contributions from the State."
- Introduced by: Senators Cayetano and Kuroda.
- No. 2917-82 "A Bill for an Act Relating to Qualification of Experts Where Insanity or Mental Illness Is an Issue."
- Introduced by: Senators Cayetano and Kuroda.
- No. 2918-82 "A Bill for an Act Relating to the Residential Landlord-Tenant Code."
- Introduced by: Senators Cayetano, Abercrombie, Kuroda and Soares.
- No. 2919-82 "A Bill for an Act Relating to Security for Special Purpose Revenue Bonds."
- Introduced by: Senator Cayetano, by request.
- No. 2920-82 "A Bill for an Act Relating to Publication of Property

Insurance Rates."

Introduced by: Senators Cayetano, Yamasaki, Abercrombie, Machida, Kawasaki, George, Ajifu, Kuroda, Kobayashi, Campbell, Machida and Soares.

No. 2921-82 "A Bill for an Act Relating to Salaries of High School Athletic Coaches."

Introduced by: Senator Cayetano, by request.

No. 2922-82 "A Bill for an Act Relating to Interspousal Tort Immunity."

Introduced by: Senators Cayetano and Abercrombie.

No. 2923-82 "A Bill for an Act Relating to Abolishment of the Premarital Rubella and Syphilis Test."

Introduced by: Senators Cayetano and George.

No. 2924-82 "A Bill for an Act Relating to a Patient's Right of Self-Determination."

Introduced by: Senators Cayetano and Kuroda.

No. 2925-82 "A Bill for an Act Relating to Rezoning Agricultural Districts."

Introduced by: Senators Cayetano, Abercrombie, Kawasaki and Kuroda.

No. 2926-82 "A Bill for an Act Relating to Release of Matching State Funds."

Introduced by: Senators Cayetano, Abercrombie, Uwaine, Ajifu, Kuroda, Kobayashi, George and Soares.

No. 2927-82 "A Bill for an Act Relating to Publication of Life Insurance Rates."

Introduced by: Senators Cayetano, Yamasaki, Abercrombie, Machida, Kawasaki, George, Ajifu, Kuroda, Kobayashi, Yee, Soares and Campbell.

No. 2928-82 "A Bill for an Act Relating to Medical Care Payments."

Introduced by: Senators Cayetano, Uwaine, Henderson, Kawasaki, George, Abercrombie, Ajifu, Kuroda, Kobayashi and Soares.

No. 2929-82 "A Bill for an Act Relating to the Designation of Bellows Field as the Site for the Proposed Oahu General Aviation Reliever Airport."

Introduced by: Senators Cayetano, Kuroda and Mizuguchi.

No. 2930-82 "A Bill for an Act Relating to the Abolishment of the State Health Planning and Development Agency."

Introduced by: Senators Cayetano, Abercrombie, Henderson, Kawasaki, Ajifu, George, Kuroda, Kobayashi, Soares and Campbell.

No. 2931-82 "A Bill for an Act Making an Appropriation for the Transportation of the Elderly, Disabled, Handicapped, and Other Disadvantaged Persons, Including Preschool Children for Kauai Economic Opportunity, Inc."

Introduced by: Senator Toyofuku.

No. 2932-82 "A Bill for an Act Making an Appropriation for Sugar Research and Development."

Introduced by: Senator Yee.

No. 2933-82 "A Bill for an Act Making Appropriations for Capital Improvement Projects for the Seventh Senatorial District."

Introduced by: Senators Saiki, Soares and Cobb.

No. 2934-82 "A Bill for an Act Relating to the Land Acquisition."

Introduced by: Senators Saiki and Soares.

No. 2935-82 "A Bill for an Act Relating to Transportation."

Introduced by: Senator O'Connor, by request.

No. 2936-82 "A Bill for an Act Making an Appropriation for Computer Terminals in the Schools."

Introduced by: Senators Campbell, Ajifu, Cayetano, Machida, Toyofuku, O'Connor, Holt, Mizuguchi, Ushijima, Yamasaki and Abercrombie.

No. 2937-82 "A Bill for an Act Authorizing the Issuance of General Obligation Bonds and Making an Appropriation for Various Projects in Central Oahu."

Introduced by: Senators Campbell, Holt, Kawasaki and Wong.

No. 2938-82 "A Bill for an Act Proposing Amendments to the Constitution of the State of Hawaii Concerning Legislative Sessions."

Introduced by: Senators Campbell

and Abercrombie.

No. 2939-82 "A Bill for an Act Relating to the Hawaii Farm Security Program."

Introduced by: Senator Ajifu.

No. 2940-82 "A Bill for an Act Relating to Agricultural and Aquacultural Associations."

Introduced by: Senator Ajifu.

No. 2941-82 "A Bill for an Act Relating to Taxation."

Introduced by: Senator Ajifu.

No. 2942-82 "A Bill for an Act Making an Appropriation for Aquaculture Feeds Production Program."

Introduced by: Senator Ajifu.

No. 2943-82 "A Bill for an Act Relating to a Sugar Stabilization Program."

Introduced by: Senator Ajifu.

No. 2944-82 "A Bill for an Act Relating to Mentally Ill Persons."

Introduced by: Senator Ajifu.

No. 2945-82 "A Bill for an Act Relating to Fitness to Proceed."

Introduced by: Senator Ajifu.

No. 2946-82 "A Bill for an Act Relating to Corrections."

Introduced by: Senator Ajifu.

No. 2947-82 "A Bill for an Act Relating to the Filipino 75th Anniversary Commission."

Introduced by: Senator Wong, by request.

No. 2948-82 "A Bill for an Act Relating to the Aloha Tower Development Corporation."

Introduced by: Senator Wong, by request.

No. 2949-82 "A Bill for an Act Relating to State Functions and Responsibilities in Health."

Introduced by: Senator Wong, by request.

No. 2950-82 "A Bill for an Act Relating to the Funding of County Emergency Medical Services Deficits."

Introduced by: Senator Wong,

by request.

No. 2951-82 "A Bill for an Act Relating to the Establishment of the Aquaculture Advisory Council."

Introduced by: Senator Wong, by request.

No. 2952-82 "A Bill for an Act Making an Appropriation for the Redevelopment of the Kaka'ako Community Development District and Authorizing the Issuance of Bonds."

Introduced by: Senator Wong, by request.

No. 2954-82 "A Bill for an Act Relating to Horizontal Property Regimes."

Introduced by: Senator Wong.

No. 2955-82 "A Bill for an Act Relating to Emergency Medical Services."

Introduced by: Senators Cayetano and Kuroda.

No. 2956-82 "A Bill for an Act Relating to Solid Waste Disposal."

Introduced by: Senators Kuroda, Cayetano, Kobayashi, Machida, Campbell and Henderson.

No. 2957-82 "A Bill for an Act Relating to Elections."

Introduced by: Senator Kobayashi.

No. 2958-82 "A Bill for an Act Relating to Fishing."

Introduced by: Senators Kobayashi, Holt, Kuroda, Soares, Saiki, Yee, George, Ajifu and Henderson.

No. 2959-82 "A Bill for an Act Relating to Additional Judges for the Circuit Court of the Second Circuit."

Introduced by: Senators Machida, O'Connor and Yamasaki.

No. 2960-82 "A Bill for an Act Relating to Public Lands."

Introduced by: Senators Kobayashi, Kawasaki, Yee, Holt, Anderson, Kuroda, Soares, Yamasaki, Saiki, George, Ajifu and Henderson.

No. 2961-82 "A Bill for an Act Making Appropriations for Capital Improvement Projects for the Sixth

- Senatorial District."
- Introduced by: Senators Kobayashi, Yee and Uwaine.
- No. 2962-82 "A Bill for and Act Proposing Amendments to Article VII, Sections 8 and 9, of the Hawaii Constitution, to Repeal the General Fund Expenditure Ceiling."
- Introduced by: Senator Machida, by request.
- No. 2963-82 "A Bill for an Act Relating to Tax Credits for Drug and Related Purchases."
- Introduced by: Senators Machida and Yamasaki.
- No. 2964-82 "A Bill for an Act Relating to Public Purchasing."
- Introduced by: Senators Machida and Yamasaki.
- No. 2965-82 "A Bill for an Act Relating to Hawaii Employment Security Law."
- Introduced by: Senators Kuroda, Kobayashi, George, Soares, Henderson, Yee, Cayetano and Kawasaki.
- No. 2966-82 "A Bill for an Act Relating to Airports."
- Introduced by: Senators Kuroda, Yee, Cayetano, Campbell, Machida, George, Young, Soares and Henderson.
- No. 2967-82 "A Bill for an Act Relating to Public Money and Public Contracts."
- Introduced by: Senators Kuroda, Kawasaki and Soares.
- No. 2968-82 "A Bill for an Act Relating to Public Lands."
- Introduced by: Senator Carpenter.
- No. 2969-82 "A Bill for an Act Relating to Public Employees."
- Introduced by: Senator Carpenter.
- No. 2970-82 "A Bill for an Act Relating to the University of Hawaii."
- Introduced by: Senators Saiki, Kobayashi, George and Kuroda.
- No. 2971-82 "A Bill for an Act Relating to Lands for Agriculture."
- Introduced by: Senator Yamasaki, by request.
- No. 2972-82 "A Bill for an Act Relating to Place of Imprisonment."
- Introduced by: Senator Carpenter.
- No. 2973-82 "A Bill for an Act Relating to Coastal Zone Management."
- Introduced by: Senator Henderson.
- No. 2974-82 "A Bill for an Act Relating to Agricultural Lands of Importance."
- Introduced by: Senator Henderson.
- No. 2975-82 "A Bill for and Act Relating to Wills."
- Introduced by: Senators Abercrombie and Cayetano.
- No. 2976-82 "A Bill for an Act Relating to Condominium Management."
- Introduced by: Senator Abercrombie.
- No. 2977-82 "A Bill for an Act Relating to Land Use."
- Introduced by: Senator Ajifu.
- No. 2978-82 "A Bill for an Act Relating to the Hawaii Cancer Commission."
- Introduced by: Senators Kawasaki, Kuroda, Carpenter, Ajifu, Young, George, Uwaine, Kobayashi and Soares.
- No. 2979-82 "A Bill for an Act Relating to Offenses against Public Order."
- Introduced by: Senators Carpenter, Cayetano and Kobayashi.
- No. 2980-82 "A Bill for an Act Relating to Tourism."
- Introduced by: Senators Holt, Machida, Mizuguchi and Toyofuku.
- No. 2981-82 "A Bill for an Act Relating to the Office of Hawaiian Affairs."
- Introduced by: Senators Holt, Toyofuku, Machida and Mizuguchi.
- No. 2982-82 "A Bill for an Act Relating to the Office of Hawaiian Affairs."
- Introduced by: Senators Holt, Toyofuku, Machida and Mizuguchi.
- No. 2983-82 "A Bill for an Act Relating to the Tax Review Commission."

Introduced by: Senators Holt, Toyofuku, Machida and Mizuguchi.

No. 2984-82 "A Bill for an Act Relating to the State Program for the Unemployed."

Introduced by: Senators Holt, Toyofuku, Machida and Mizuguchi.

No. 2985-82 "A Bill for an Act Relating to Campaign Contributions."

Introduced by: Senators Holt, Toyofuku, Machida and Mizuguchi.

No. 2986-82 "A Bill for an Act Relating to the Office of Hawaiian Affairs."

Introduced by: Senators Holt, Toyofuku, Machida and Mizuguchi.

No. 2987-82 "A Bill for an Act Relating to Intoxicating Liquor."

Introduced by: Senator Henderson.

No. 2988-82 "A Bill for an Act Making Appropriations for Capital Improvement Projects for the First Senatorial District."

Introduced by: Senator Henderson.

No. 2989-82 "A Bill for an Act Relating to Professions and Occupations."

Introduced by: Senator Henderson.

No. 2990-82 "A Bill for an Act Relating to the Taxation of Liquor."

Introduced by: Senator Henderson.

No. 2991-81 "A Bill for an Act Relating to Capital Improvement Projects for the County of Kauai."

Introduced by: Senator Toyofuku.

No. 2992-82 "A Bill for an Act Making an Appropriation for the Planning and Construction of a Senior Citizen Multi-Purpose Building in Nuuanu."

Introduced by: Senator Holt.

No. 2993-82 "A Bill for an Act Relating to Father Damien DeVeuster Day."

Introduced by: Senator Abercrombie.

No. 2994-82 "A Bill for an Act Relating to the Hawaii Community Development Authority."

Introduced by: Senator Wong, by request.

On motion by Senator Kuroda, seconded by Senator Anderson and carried, the following bills were referred to print

and were placed on the calendar for further consideration on Thursday, February 18, 1982:

Senate Bills

No. 2881-82 "A Bill for an Act Relating to Travel Agency Activities."

Introduced by: Senators Wong and Yee.

No. 2953-82 "A Bill for an Act Relating to Transfer of Parks between the State and the Counties."

Introduced by: Senator Wong, by request.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 17-82) informing the Senate that Senate Resolution Nos. 22 and 23, and Senate Bill Nos. 2532-82 to 2762-82 have been printed and are ready for distribution.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Cayetano, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 18-82) recommending that the Senate consent to the nomination of Frank D. Padgett, Associate Justice, Hawaii State Supreme Court, for a ten-year term, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, and in accordance with Governor's Message No. 46.

By unanimous consent, action on Stand. Com. Rep. No. 18-82 and Gov. Msg. No. 46 was deferred until Thursday, February 18, 1982.

Senator Cayetano, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 19-82) recommending that the Senate consent to the nomination of Paul M. De Silva, Judge, Third Circuit Court, for a ten-year term, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, and in accordance with Governor's Message No. 51.

By unanimous consent, action on Stand. Com. Rep. No. 19-82 and Gov. Msg. No. 51 was deferred until Thursday, February 18, 1982.

Senator Cayetano, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 20-82) recommending that the Senate consent to the nomination of Yoshimi Hayashi, Associate Justice,

Hawaii State Supreme Court, for a ten-year term, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, and in accordance with Governor's Message No. 71.

By unanimous consent, action on Stand. Com. Rep. No. 20-82 and Gov. Msg. No. 71 was deferred until Thursday, February 18, 1982.

Senator Cayetano for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 21-82) recommending that the Senate consent to the nomination of Ronald T. Y. Moon, Judge, First Circuit Court, for a ten-year term, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, and in accordance with Governor's Message No. 72.

By unanimous consent, action on Stand. Com. Rep. No. 21-82 and Gov. Msg. No. 72 was deferred until Thursday, February 18, 1982.

Senator Ajifu, for the Committee on Government Operations and Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 22-82) recommending the Senate advise and consent to the nomination of Arthur U. Ishimoto, Adjutant General, for a term to expire December 6, 1982, in accordance with Governor's Message No. 87.

By unanimous consent, action on Stand. Com. Rep. No. 22-82 and Gov. Msg. No. 87 was deferred until Thursday, February 18, 1982.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Tuesday, February 16, 1982:

Senate Bills Referred to:

No. 2532-82 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means

No. 2533-82 Committee on Tourism, then to the Committee and Ways and Means

No. 2534-82 Committee on Judiciary, then to the Committee on Ways and Means

No. 2535-82 Committee on Human Resources, then to the Committee on Judiciary

No. 2536-82 Committee on Higher Education

No. 2537-82 Committee on Judiciary

No. 2538-82 Committee on Ecology, Environment and Recreation, then to the Committee on Judiciary.

No. 2539-82 Committee on Judiciary

No. 2540-82 Committee on Judiciary

No. 2541-82 Committee on Judiciary

No. 2542-82 Committee on Judiciary

No. 2543-82 Committee on Judiciary

No. 2544-82 Committee on Judiciary

No. 2545-82 Committee on Judiciary

No. 2546-82 Committee on Ecology, Environment and Recreation, then to the Committee on Judiciary

No. 2547-82 Committee on Higher Education, then to the Committee on Ways and Means

No. 2548-82 Committee on Ways and Means

No. 2549-82 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means

No. 2550-82 Committee on Judiciary

No. 2551-82 Committee on Human Resources, then to the Committee on Ways and Means

No. 2552-82 Committee on Human Resources

No. 2553-82 Committee on Human Resources, then to the Committee on Ways and Means

No. 2554-82 Committee on Human Resources, then to the Committee on Ways and Means

No. 2555-82 Committee on Judiciary, then to the Committee on Ways and Means

No. 2556-82 Committee on Consumer Protection and Commerce

No. 2557-82 Committee on Transportation, then to the Committee on Judiciary

No. 2558-82 Committee on Consumer Protection and Commerce

No. 2559-82 Committee on Ways and Means

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| No. 2560-82 Committee on Judiciary | No. 2591-82 Committee on Health,
then to the Committee on Ways
and Means |
| No. 2561-82 Committee on Consumer
Protection and Commerce | No. 2592-82 Committee on Consumer
Protection and Commerce |
| No. 2562-82 Committee on Consumer
Protection and Commerce | No. 2593-82 Committee on Human
Resources |
| No. 2563-82 Committee on Consumer
Protection and Commerce | No. 2594-82 Committee on Human
Resources, then to the Committee
on Ways and Means |
| No. 2564-82 Committee on Consumer
Protection and Commerce, then to
the Committee on Ways and Means | No. 2595-82 Committee on Consumer
Protection and Commerce |
| No. 2565-82 Committee on Judiciary | No. 2596-82 Committee on Human
Resources |
| No. 2566-82 Committee on Judiciary | No. 2597-82 Committee on Human
Resources, then to the Committee
on Ways and Means |
| No. 2567-82 Committee on Judiciary | No. 2598-82 Jointly to the Committee
on Human Resources and the Committee
on Judiciary, then to the Committee
on Ways and Means |
| No. 2568-82 Committee on Judiciary | No. 2599-82 Committee on Human
Resources, then to the Committee
on Ways and Means |
| No. 2569-82 Committee on Judiciary | No. 2600-82 Committee on Human
Resources |
| No. 2570-82 Committee on Judiciary | No. 2601-82 Committee on Human
Resources, then to the Committee
on Ways and Means |
| No. 2571-82 Committee on Transportation,
then to the Committee on Judiciary | No. 2602-82 Committee on Human
Resources |
| No. 2572-82 Committee on Judiciary | No. 2603-82 Committee on Human
Resources, then to the Committee
on Ways and Means |
| No. 2573-82 Committee on Judiciary | No. 2604-82 Committee on Human
Resources, then to the Committee
on Ways and Means |
| No. 2574-82 Committee on Judiciary | No. 2605-82 Committee on Human
Resources, then to the Committee
on Ways and Means |
| No. 2575-82 Committee on Judiciary | No. 2606-82 Committee on Human
Resources, then to the Committee
on Ways and Means |
| No. 2576-82 Committee on Judiciary | No. 2607-82 Committee on Human
Resources, then to the Committee
on Ways and Means |
| No. 2577-82 Committee on Judiciary | No. 2608-82 Committee on Judiciary |
| No. 2578-82 Committee on Judiciary | No. 2609-82 Committee on Housing
and Hawaiian Homes |
| No. 2579-82 Committee on Judiciary | No. 2610-82 Committee on Housing
and Hawaiian Homes, then to the |
| No. 2580-82 Committee on Judiciary | |
| No. 2581-82 Committee on Judiciary | |
| No. 2582-82 Committee on Judiciary | |
| No. 2583-82 Committee on Judiciary | |
| No. 2584-82 Committee on Judiciary | |
| No. 2585-82 Committee on Judiciary | |
| No. 2586-82 Committee on Judiciary | |
| No. 2587-82 Committee on Judiciary | |
| No. 2588-82 Committee on Judiciary | |
| No. 2589-82 Committee on Transportation,
then to the Committee on Judiciary | |
| No. 2590-82 Committee on Health,
then to the Committee on Ways and
Means | |

Committee on Ways and Means	No. 2634-82 Committee on Consumer Protection and Commerce
No. 2611-82 Jointly to the Committee on Public Utilities and the Committee on Human Resources, then to the Committee on Ways and Means	No. 2635-82 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
No. 2612-82 Committee on Ways and Means	No. 2636-82 Committee on Health
No. 2613-82 Committee on Public Utilities	No. 2637-82 Committee on Transportation, then to the Committee on Ways and Means
No. 2614-82 Committee on Economic Development, then to the Committee on Ways and Means	No. 2638-82 Committee on Consumer Protection and Commerce
No. 2615-82 Committee on Public Utilities	No. 2639-82 Committee on Health, then to the Committee on Ways and Means
No. 2616-82 Committee on Public Utilities, then to the Committee on Ways and Means	No. 2640-82 Committee on Ways and Means
No. 2617-82 Committee on Public Utilities, then to the Committee on Judiciary	No. 2641-82 Committee on Transportation
No. 2618-82 Committee on Ways and Means	No. 2642-82 Committee on Judiciary
No. 2619-82 Committee on Transportation	No. 2643-82 Committee on Human Resources
No. 2620-82 Committee on Transportation, then to the Committee on Ways and Means	No. 2644-82 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
No. 2621-82 Committee on Ecology, Environment, and Recreation, then to the Committee on Ways and Means	No. 2645-82 Committee on Economic Development, then to the Committee on Ways and Means
No. 2622-82 Committee on Judiciary	No. 2646-82 Committee on Consumer Protection and Commerce
No. 2623-82 Committee on Judiciary, then to the Committee on Ways and Means	No. 2647-82 Committee on Human Resources, then to the Committee on Ways and Means
No. 2624-82 Committee on Judiciary	No. 2648-82 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
No. 2625-82 Committee on Economic Development, then to the Committee on Ways and Means	No. 2649-82 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
No. 2626-82 Committee on Health, then to the Committee on Judiciary	No. 2650-82 Jointly to the Committee on Government Operations and Intergovernmental Relations and the Committee on Housing and Hawaiian Homes
No. 2627-82 Committee on Judiciary, then to the Committee on Ways and Means	No. 2651-82 Jointly to the Committee on Economic Development and the Committee on Housing and Hawaiian Homes
No. 2628-82 Committee on Judiciary	No. 2652-82 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
No. 2629-82 Committee on Judiciary, then to the Committee on Ways and Means	
No. 2630-82 Committee on Judiciary	
No. 2631-82 Committee on Judiciary	
No. 2632-82 Committee on Judiciary	
No. 2633-82 Committee on Consumer Protection and Commerce	

- No. 2653-82 Jointly to the Committee on Economic Development and the Committee on Housing and Hawaiian Homes
- No. 2654-82 Jointly to the Committee on Education and the Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
- No. 2655-82 Jointly to the Committee on Housing and Hawaiian Homes and the Committee on Judiciary
- No. 2656-82 Jointly to the Committee on Housing and Hawaiian Homes and the Committee on Economic Development
- No. 2657-82 Jointly to the Committee on Housing and Hawaiian Homes and the Committee on Judiciary, then to the Committee on Ways and Means
- No. 2658-82 Jointly to the Committee on Housing and Hawaiian Homes and the Committee on Tourism, then to the Committee on Ways and Means
- No. 2659-82 Committee on Judiciary
- No. 2660-82 Committee on Judiciary
- No. 2661-82 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means

REREFERRAL OF SENATE BILLS

The President re-referred the following Senate Bills:

Senate Bill No. 2364-82 which was introduced on Tuesday, February 9, 1982, to the Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means; and

Senate Bill No. 2390-82 which was introduced on Wednesday, February 10, 1982, to the Committee on Higher Education, then to the Committee on Human Resources, then to the Committee on Ways and Means.

At this time, Senator O'Connor rose and addressed the members of the Senate as follows:

"Mr. President, I rise on a point of personal privilege.

"My point, Mr. President, is that there was yesterday, in this body, a debate between the learned Senators Cayetano and Anderson concerning the New Federalism. Unfortunately, I was not able to state at that time, my personal position on this matter and I would like to do that at this time.

"Mr. President, this year, as in no other year, battle lines are being drawn between the position of the Republican Party, nationally, and the position of the Democratic Party. The Republicans advocate the New Federalism. The Democrats generally desire to retain those social programs which we have found beneficial and useful for our people, and following the precept of that great leader, whose anniversary we celebrated last week, Franklin Delano Roosevelt, we believe basically, that government is here to help the people.

"Now, Mr. President, in this situation in which we find ourselves in 1982, I read with...I can't say amazement...but I read with, what I expected all along, the front page of the Maui News of Monday, February 15, 1982, and I would like to read it into the record at this time.

"The Front Page of the Maui News states:

"Anderson: He is now official candidate for state governor" by Cliff Bronson, staff writer, Kahului. "I will be your candidate" for governor, State Senator D.G. "Andy" Anderson told Maui Republicans Friday night at the Maui County annual Lincoln Day Steak Fry Friday night at the Aloha Restaurant. This was his first public announcement that he is actually a candidate.

"He told the Maui Republicans that he had traveled the state for three or four months, concentrating on the Neighbor Islands. "There is a feeling for change in the state leadership," he said. "Ten years is too long" for one party's faction to control the state government. "The Republicans now have a chance to put forth their ideas...The bills we kill we should get medals for," he added.

"Commenting on the political changes in the state government, Anderson said, "No longer does the HGEA (Hawaii Government Employees Association) control the State Senate. This is attributed in part to the bi-partisan Senate coalition that Anderson has helped found and run during the last and present sessions of the Legislature.

"He spoke in support of the Reagan Administration's New Federalism policy that will return many programs, notably in welfare areas, to the states. "Hawaii can make its own decisions under the New Federalism

policies," he said.

"He also spoke in support of getting rid of the 4 percent gross income tax on food and drugs, which the state Republican organization has been pushing through circulation of petitions throughout the state. The Maui GOP has been very active in this program."

"Well, it is plain, Mr. President, from that article and those statements and the statements made yesterday on the floor of this honorable body, that we are in a situation where certain people are going to take one position and others are going to take a different position. And, I am interested that the position taken by the Republican gubernatorial candidate is diametrically opposed to the position that I take, and that I believe in, and I believe government stands for.

"For example, we have the curious and cruel situation, not only in this state, but across the country, of being faced with one of the worst recession/depression that this country has seen in 40 years. We are faced with the largest deficit in the federal budget that this country will ever see in the next budget. Both of these because of the Republican President that we have in fact and in power.

"He says that the recession is not his fault, but the fault of almost anyone else, and yet, quoting Newsweek of this past week:

'...The major deficit is causing the long-term money markets to dry up and those money markets drying up are causing in fact, the continuing of this recession and its deepening.'

"Moreover, we have the terrible situation in the country of unemployment increasing by leaps and bounds, and yet we have the cruel situation of Reaganomics cutting the federal job-finding programs not just in other states but in our state also. And, I would quote from Martin Taylor who is Michigan's Director of Employment Security, and I have heard our own Department of Labor head say much the same thing:

"It's one of the cruelest things I've ever seen. The cutback is not defensible on a conservative or liberal basis. It absolutely makes no sense.'

"In short, Mr. President, because we could go on through 40 additional programs, I would say that to have our school children inoculation program devastated, to have the impact aid to schools cut back by as much as is anticipated,

\$2 million; and worse, this morning I heard a small debate occurred yesterday about public television in one of our committees, and the facing that public television has, and that may be cutting back of a little bit of our state aid. Senator Abercrombie has yet to find out that Reaganomics will cut back public television and radio from approximately \$180 million funding to approximately \$90 million funding in the next budget.

"These are the kinds of things, Mr. President, where the battle lines are drawn; it will be party versus party; it will be Republican candidate for governor versus the Democrat. And, Mr. President, I think that in this body it will be very clear, as we go forward, exactly where we stand and exactly where the Republicans stand.

"Thank you very much."

Senator Anderson then rose and stated:

"Yeah, I guess all the barbs are being thrown my way this year.

"I'm sorry the good Senator wasn't here yesterday. I would only ask that...I think he normally refers to others as my learned colleagues, would research last year's Reaganomics budget as it passed Congress. It passed the Republican controlled Senate with many Democrats supporting it, and if I'm not mistaken, unless I read differently, the House of Representatives is controlled by Democrats, and it also passed that body.

"So, there are many, many Democrats across the country, in Congress, who have supported it and are on record. Now, we're talking about the federalism and these anticipated... and the word is always projected, anticipated, possible...they always start the cuts by one of these adjectives or descriptions where it may or may not happen.

"I think even with my discussions with Senator Cayetano yesterday, I think that Senator Cayetano said in the end that he wasn't really against the concept or the objective of home rule and self-determination, which is the bottom line of the New Federalism, but it was the details, and if the details could be ironed out so that Hawaii's share in the windfall profits or another economic base so that we weren't short-changed, then the objective of home rule was certainly in fact, his desire. I

don't think the question of home rule is really Republican or Democrat; I think it's responsibility. I think you're going to find as the summer progresses and details of New Federalism is discussed in Congress, and amended, and changed, that the final package of home rule, you're going to find many, many Democrats across the country...in Congress and in legislatures...supporting it fully.

"I cannot stand here and understand how any Democrat or any legislator who is responsible or wants to be to his constituency doesn't want to be held accountable for what program is delivered to his people. And, as I said yesterday, and I'll say again, that those four hundred and some odd people in Congress who affect our lives every time they cast their vote, and the hundred in the Senate who cast ayes and nays who affect our lives every day, who have never been to Hawaii; they know nothing about our people; they know nothing about our geography; they know nothing about our priorities; but yet, vote after vote impacts our lives in dollars and taxes. I don't think any responsible legislator can continually expect this to go on and on.

"I would hope that many of these programs...be it public television, or public radio...if the state priority is such where it's needed, then you pay for it.

"I don't know of this federal money machine, my good Senator, that pumps out trillions of dollars in debt year after year for all of these good programs, and certainly they are all good. There isn't a bad program on the books; but there is no money, sir. We are a trillion dollars in debt, and for the previous 40 years of Democrat leadership in Congress there has been no solution; there has been no proposal; there has been no program to move forward. Sure, President Reagan may make a mistake; maybe he is not perfect, but the man is trying, and he's got a program, and the alternative of what he is doing is just more lip service and partisanship, and we've tried that for 40 years."

Senator O'Connor then rose and stated:

"Thank you, Mr. President.

"I'm glad we heard one of the first campaign speeches of the new year. It was dramatic.

"The same speaker has advocated in this body for at least as many years as I can recall that we keep down spending in the state, that we stay within the newly imposed state spending limits.

We are, Mr. President, within thirty-some-odd million dollars, right now, of that state spending limit. And, I would just like to read the figures for Hawaii from President Reagan's New Federalism, and this will warm your heart, Mr. President, because it comes from a document put up by AFSCME.

"The dollars which this federalism program of Mr. Reagan's in the present increment...we're not looking forward to the 40 programs down the line; we're not looking forward to something that's high up in the sky, off in the future; this is his present proposal...for Hawaii...and I have a listing of all the states...the turnback program, the trust fund allocation, which is the positive side for us, is a \$145 million to us. The turnback program, which is of course those which we're relieved of, is \$192 million for a net difference of minus \$47 million to the State of Hawaii.

"In addition, the Medicaid savings which we would gain, when we push Medicaid off on the Federal Government, are \$94 million, and the public assistance cuts or costs which we incur by picking up Welfare and Food Stamps is \$130 million.

"The total net difference, Mr. President, for this first increment of Reaganomics and federalism is minus \$83 million. Now, all I can say is the last speech by my learned colleague hits the nail upon the head as I hope it does, and I will keep a copy of that for the last night that we're here.

"I trust that he has been saying that he intends to exceed the spending limit in the state this year because he is going to have to, to adopt Reaganomics in our next budget.

"Thank you, Mr. President."

Senator Anderson then queried:

"Point of information, Mr. President.

"I'd like to ask the Senator a question...what AFSCME means. That's an abbreviation; what is AFSCME, if I may ask?"

The President then responded:

"As I understand, AFSCME stands for the American Federation of State, County and Municipal Employees."

Senator Anderson then continued:

"Employees...that would be the HGEA's boss, super-union, wouldn't it?"

The President answered in the affirmative, to which Senator Anderson then remarked:

"Well then, I don't bear any credence in those figures from HGEA's super-union."

Senator Soares then rose and stated:

"I might add that if we have any further outbursts from the Minority in the Senate, the real minority of this Senate, the Majority Republican committee chairman will make himself heard too."

The President then asserted:

"Senator Soares, I have always said before, there is no Democratic minority here in the Senate."

Senator Soares then answered:

"Mr. President, then, I should rise on a point of personal privilege."

"I think it is an obvious attempt on the part of my colleague from the Seventh Senatorial District, this morning to get some attention from the body and from our friends in the media to follow through on yesterday morning's discussion on the floor of the Senate. And I think basically, he will be identifying the speaker from time to time, hoping to try to destroy a good relationship which now exists in the Senate."

The President then replied:

"Senator Soares, on a point of personal privilege, I think we should respect the opinions of those who are expressing a particular position here on this floor. We might not agree always with what they say. However, we should have the courtesy to allow them to state their position. Be very calm. Isn't that correct, Senator Anderson?"

Senator Anderson then answered:

"Mr. President, I support that wholeheartedly. I'd like to make an announcement, if I have the floor...I'd like to announce that I will not be here tomorrow because of a previous engagement, so if anybody else is planning anything, please put it off until Friday, please."

Senator Holt then rose and addressed the members of the Senate as follows:

"Mr. President, I rise on a point of personal privilege."

"On behalf of some constituent calls

I received this morning, I would like a clarification from the Chair, on your position on Senator Anderson's recent public announcement of his candidacy for governor as reported in the Maui News."

"Callers this morning seriously question whether the ten coalition Democrats here in this chamber are being used in the most political sense, since without the protection and help of the coalition, this individual would not be able to run for governor so quietly and effectively."

"Mr. President, we all know that this individual has done much more than just talk about it. He's announced his candidacy. What do we tell our Democrat constituents? They are already unhappy about President Reagan's economic policy and they are twice as unhappy about the possibility of Democrats in Hawaii contributing to a Republican candidate for governor."

"At the Fifth Senatorial District Democratic Party meeting held last year, you told about 50 loyal grassroots Democrats, including myself, that you gave Senator Anderson your word that the coalition would be intact when the 1982 session started, but that the moment Anderson announces for governor, the deal was off. On behalf of these loyal Democrats, and the ones who called me this morning, I ask for a clarification because I feel that they deserve an answer."

The President then replied:

"It is the position of the Chair--that is, speaking for myself--that the statement stands. As far as the Senator's announcement on Maui this past weekend, my understanding is that the discussion was on the probability of Anderson becoming perhaps the future governor of Hawaii. It's still within the realm of probability."

"I think that if Senator Anderson would want to announce for governor, he would take the opportunity to announce it from Honolulu because this is where the greatest exposure would be to any person who seeks to announce for higher office, not on Maui or Kauai. I have nothing against those particular islands but I would think as a politician, the advantage would be to make an announcement here in Honolulu."

"I also want to clarify the meeting

that was held at Farrington High School. I made it very clear to the Democrats present that my position on the coalition was very clear, that I organized the Senate with the idea that, first, I wanted to keep the Senate independent--that was my feeling. Obviously, several of the members who sided with me in the organization felt the same way. Second, from a sheer standpoint of political survival...and I have never made any excuses about it...if we were threatened, if we were not going to be able to do the kinds of things that my group of Senators were in favor of, then the course of action leading to the coalition was necessary and justified.

"I'm not here to discuss the coalition. The coalition is a fact. It is operating here in the Senate. There are people here within the Senate body who disagree with the coalition, and my only answer to them is that those people who participated in the forming of the coalition here will have to assume the responsibility for their action at the polls. We will let the people of Hawaii decide whether or not the coalition was good for Hawaii.

"I have always believed as those of you who have known me for a long time can attest, pride of authorship or personal publicity doesn't mean anything in the legislative process. The bottom line is results, and if the results are good, the people will return each and every one of you coalition members to office in the next election. I am confident that the people have the ability, they have the information, they have the intellect to make good decisions and I will wait for the verdict.

"Until such time that Senator Anderson does announce for governor--I have made this very clear publicly--if he does do it during the course of the session, I will ask him to resign from this body. If he does not do it, then the coalition, as far as Dickie Wong is concerned, is over. And I hope, Senator Holt, that that may clarify my position to some of your constituents who are also mine on this whole question of what's happening here in the Senate."

Senator Holt then continued:

"Senator Wong, I think it's immaterial where he announces from. It can be from Maui; it can be from Kauai; it can be on Oahu. But, I respect your word and I believe your word is your bond."

The President then commented:

"My word is very good."

Senator Holt then added:

"You gave your word to those loyal Democrats and they just want to know where you stand.

"Thank you."

The President then stated:

"I've given my word; I hope it gets out to my Democrats in the Fifth Senatorial District."

Senator Cayetano then rose and stated:

"Mr. President, I certainly respect your position on this matter, but I think since we got the horse right here, I should ask him through you, Mr. President, whether he is in fact a candidate. Was that announcement he made on Maui in fact, an announcement of his candidacy? I think that's a fair question.

"Mr. President, I respect the members of the coalition; I respect Senator Soares and members of his party. I think we've all done a good job of working together. But, I think that if Senator Anderson has in fact made an announcement to seek the governorship of the state, then, I think the Senate coalition would work better without him, and I think that the question and the statement you made in stating your position should be settled today, if possible."

The President then replied:

"Senator Cayetano, I approached Senator Anderson this morning and brought the incident on Maui to his attention. The story was not correct as written in the paper. He did not announce for governor; and that is my answer. I confronted Senator Anderson about ten minutes before session time to check on this."

Senator Anderson rose and stated:

"Mr. President, if I may speak for myself.

"I'd like to state for the record that if and when I announce for governor, and I'm looking at it very carefully, like you probably are at being a judge or moving up on the political calendar yourself, that if and when I announce for governor, you, Senator, will be personally invited that morning to the press conference, and you will know without question first hand from me, my decision."

Senator Cayetano then replied:

"Mr. President, I know the answer to what the Senator is talking about. Let me say, first of all, that I have no...I'd like to get re-elected--that's about it. But, I do have some concerns about the game I think that the good Senator has been playing. I think in fairness to his colleagues, a resignation is in order. I think that we can do better work. All of us will have our minds clear; those of us who are in the coalition at this time would have our minds clear and work better if this wasn't a problem."

Senator Anderson then stated:

"Mr. President, I'm sorry to belabor this, but this is so much hogwash and so ridiculous.

"I've got to believe that the good Senator who was very, very responsible for the coalition being formed and forming it, that good work is coming out of this body, and I have not used the coalition in any way for bettering my political future or aspirations, and I think that if you will sit down and honestly evaluate it, you'll come to the same conclusion. Now, maybe your party is unhappy or some of you are unhappy because you have a split with the others, and that's understandable. But, let me say the coalition very well could have come about with some of our Republicans being in the outs.

"There was no secret in the numbers that we had to have all Republicans or all Democrats. The coalition came together because the people's business was not being dealt with in the time frame set down by the Constitution. It was that simple. I think the coalition did very, very well for the public, and I think you stated that matter of fact after the adjournment of last session. Anything before us this year is progressing and moving along just like it has in the past.

"Andy Anderson doesn't need the coalition to be quiet and effective to run for governor. I have 20 years of experience. I can command that television camera up there and this microphone just as easily as anybody else as a minority member or a coalition member. I think the coalition is functioning for the people of the state; that's important. And, whether or not I have aspirations to go on to another office like many of you do, it's my business, and as long as I don't exploit this body, as long as I don't exploit the workings of the coalition and the Senate, then I don't think anybody in this room has a 'bitch.'"

Senator Cayetano then replied:

"Mr. President, one final word on this. I believe I have a 'bitch.' And, the 'bitch' is this: If Senator Anderson believes that he can run for governor and continue to be a member of the coalition, then he should so state that position. But, don't tell us that if I do decide to run for governor, then I will resign or I'll get out of the coalition. Come on, let's not play games--that's all I'm saying."

Senator Yee then rose and stated:

"Mr. President, a point of personal privilege.

"Number one, I think we have belabored the point thoroughly, and I think those who are opposed to Senator Anderson being a candidate for governor...I'll say this in great honesty, all these questions and problems you bring up on the floor, you're making Senator Anderson a better and more viable governor. You're giving him a lot of publicity that he didn't expect--free publicity, really. And, if you keep harassing him on the floor every day, he has to respond to your remarks and the press will be here, the media will be here. Now, if you really want to defeat him, the less said the better.

"Thank you."

Senator O'Connor then rose and stated:

"I appreciate the last speaker's comments. I hope that Senator Anderson responds to our remarks, particularly as we go forward on this New Federalism situation. The reason I rise, Mr. President, is because I read into the record this article, and I feel somewhat responsible for a Mr. Cliff Bronson who is a newspaper reporter, and Mr. Bronson quotes Mr. Anderson--in quotes, 'I will be your candidate for governor.'"

"Now, if that's not an announcement, I don't know what it is; sounds like...maybe he missed a can when he tried to kick at it. But, it's right there; it's in black and white, and I would make the front page of Maui News because of this give-and-take this morning, part of the record of today's proceedings.

"Thank you, Mr. President."

Senator Cayetano then rose and stated:

"Mr. President, in response to Senator Yee's comments, let me say that the issue is not whether Senator Anderson gets more publicity because of the questions we pose to him. After all the good Senator said that he can command the press and the media and the cameras at will; he said that a few minutes ago. The issue, Mr. President, is one of credibility, and if that issue has to be raised daily, then perhaps it should for the people of this state."

Senator Uwaine then rose and stated:

"Mr. President will Senator Anderson yield to a question?"

Senator Anderson answered in the affirmative and Senator Uwaine continued:

"Mr. President, will you kindly ask Senator Anderson, just to refresh my memory, but, last year, prior to the organization of this Senate by this coalition that presently exists, wasn't Senator O'Connor and his 'gang of six' also negotiating with the Republicans in trying to form a coalition?"

The President then interjected:

"Senator Uwaine, I think the organization of the Senate is past history, and I would like to leave it as past history. We have the responsibility to carry on the job of the Senate. What happened in the past has already happened and we should concentrate our efforts on what we are going to do for the people, rather than what we're going to do for ourselves."

"So much for past history. As far as I'm concerned, the coalition...I will repeat again...the coalition is the group here in the Senate that has organized for the purpose of conducting business. To my colleagues here in the Senate, whatever your own political beliefs or whatever candidates you support for governor, certainly support them wholeheartedly, but I think we should concentrate here in these chambers with getting on with business instead of getting sidetracked. I welcome these discussions. I think it's uncomfortable for some people, but I think the Senate has always main-

tained the position that no matter how controversial an issue, no matter how heated an issue, Senators have a right to state their position."

"The Chair would appreciate very much, Senator Uwaine, if we could leave it at that."

Senator Uwaine then added:

"Just one last comment, Mr. President, some people in this body have very short memories."

"Thank you, Mr. President."

The President then made the following announcement:

"The Chair would like to remind all Senators that 4:30 p.m. today is the deadline for the introduction of bills. We would like to see you get your bills down as promptly as possible. I'm sure we don't want to have our Assistant Clerk, on his first day on the job, miss his family by having to work too late so I would like to ask for the indulgence of the Senators to get their bills in promptly."

"And, also at this time, I would really again like to commend the Senators for their valiant attempt to shut down the flow of bills. My understanding is that we're up to about 800 or so. Our record last year was 1300. I think we're doing well; we're on target. It's a step in the right direction."

"It doesn't solve the problem. As far as I'm concerned, the rules didn't go too far, personally, but I think it's been an effort on every Senator to try and keep it down, and I know the Senate will look good."

ADJOURNMENT

At 12:20 o'clock p.m., on motion by Senator Kuroda, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, February 18, 1982.

TWENTY-FIRST DAY

Thursday, February 18, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Bruce Edwards, Pastor of Makakilo Baptist Church, after which the Roll was called showing all Senators present with the exception of Senators Anderson, Carpenter, Cobb and Mizuguchi who were excused.

The President announced that he had read and approved the Journal of the Twentieth Day.

Senator Saiki, on behalf of Senator Anderson, introduced to the members of the Senate a group (32) from the Pauoa Senior Citizens Club.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 91 and 92) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 91), transmitting copies of a report prepared by the Department of Land and Natural Resources, dated January 25, 1982, in response to House Resolution 288 (1981) requesting an evaluation of the fuel potential of all planted forest stands, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 92), dated February 17, 1982, requesting immediate consideration of the bill (Senate Bill No. 2861-82) relating to income limits under the Hula Mae Program, was placed on file.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 18 and 19) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 18), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING FEDERAL OFFICIALS TO REPEAL LEGISLATION REQUIRING STATES TO ESTABLISH HEALTH PLANNING AGENCIES," was offered by Senators Cayetano, Abercrombie, Henderson, Kawasaki, George, Ajifu, Kuroda, Kobayashi and Soares.

By unanimous consent, S.C.R. No. 18 was referred to the Committee on Health.

A concurrent resolution (S.C.R. No. 19), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE OF HAWAII TO ACQUIRE THROUGH LAND EXCHANGE LAND IN WAILUPE VALLEY, AINA HAINA FOR PRESERVATION AS A CONSERVATION DISTRICT," was offered by Senators Saiki and Soares.

By unanimous consent, S.C.R. No. 19 was referred to the Committee on Ecology, Environment and Recreation.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 29 to 31) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 29), entitled: "SENATE RESOLUTION REQUESTING THE HAWAII HOUSING AUTHORITY AND COUNTY HOUSING AGENCIES TO SELECT APPROPRIATE HOUSING SITES FOR ELDERLY HOUSING PROJECTS," was offered by Senators Kobayashi, Holt, Anderson, Mizuguchi, Kuroda, Soares, Yamasaki, Saiki, Yee, George, Ajifu and Henderson.

By unanimous consent, S.R. No. 29 was referred to the Committee on Housing and Hawaiian Homes.

A resolution (S.R. No. 30), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON FILM STUDIOS IN HAWAII," was offered by Senators Campbell, Ajifu, Cayetano, Machida, Toyofuku, O'Connor, Holt, Ushijima, Yamasaki and Abercrombie.

By unanimous consent, S.R. No. 30 was referred to the Committee on Economic Development, then to the Committee on Legislative Management.

A resolution (S.R. No. 31), entitled: "SENATE RESOLUTION REQUESTING A SURVEY OF THE ELECTORATE REGARDING THE DEBT CEILING," was offered by Senators Campbell, Toyofuku, O'Connor, Holt, Mizuguchi, Ushijima, Yamasaki and Abercrombie.

By unanimous consent, S.R. No. 31 was referred to the Committee on Ways and Means.

STANDING COMMITTEE REPORT

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 23-82), informing the Senate that Senate Concurrent Resolution No. 17, Senate Resolution Nos. 24 to 28, Standing

Committee Report Nos. 18-82 to 22-82, and Senate Bill Nos. 2763-82 to 2994-82 have been printed and are ready for distribution.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

MATTERS DEFERRED
FROM FEBRUARY 17, 1982

Standing Committee Report No. 18-82 (Gov. Msg. No. 46):

Senator Cayetano moved that Stand. Com. Rep. No. 18-82 be received and placed on file, seconded by Senator George and carried.

Senator Cayetano then moved that the Senate consent to the nomination of Frank D. Padgett, Associate Justice, Hawaii State Supreme Court, for a ten-year term, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, seconded by Senator George.

The motion was put by the Chair and Roll Call vote having been ordered, was carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Anderson, Carpenter, Cobb and Mizuguchi).

Standing Committee Report No. 19-82 (Gov. Msg. No. 51):

Senator Cayetano moved that Stand. Com. Rep. No. 19-82 be received and placed on file, seconded by Senator George and carried.

Senator Cayetano then moved that the Senate consent to the nomination of Paul M. De Silva, Judge, Third Circuit Court, for a ten-year term, in accordance with Article VI, Section 3, of the Hawaii State Constitution, seconded by Senator George.

The motion was put by the Chair and Roll Call vote having been ordered, was carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Anderson, Carpenter, Cobb and Mizuguchi).

Standing Committee Report No. 20-82 (Gov. Msg. No. 71):

Senator Cayetano moved that Stand. Com. Rep. No. 20-82 be received and placed on file, seconded by Senator George and carried.

Senator Cayetano then moved that the Senate consent to the nomination of Yoshimi Hayashi, Associate Justice, Hawaii State Supreme Court, for a ten-year term, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, seconded by Senator George.

The motion was put by the Chair and Roll Call vote having been ordered, was carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Anderson, Carpenter, Cobb and Mizuguchi).

Standing Committee Report No. 21-82 (Gov. Msg. No. 72):

Senator Cayetano moved that Stand. Com. Rep. No. 21-82 be received and placed on file, seconded by Senator George and carried.

Senator Cayetano then moved that the Senate consent to the nomination of Ronald T.Y. Moon, Judge, First Circuit Court, for a ten-year term, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, seconded by Senator George.

The motion was put by the Chair and Roll Call having been ordered, was carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Anderson, Carpenter, Cobb and Mizuguchi).

Standing Committee Report No. 22-82 (Gov. Msg. No. 87):

Senator Kawasaki moved that Stand. Com. Rep. No. 22-82 be received and placed on file, seconded by Senator Ajifu and carried.

Senator Kawasaki then moved that the Senate advise and consent to the nomination of Brigadier General Arthur U. Ishimoto, Adjutant General, term to expire December 6, 1982, seconded by Senator Ajifu.

Roll Call vote having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Anderson, Carpenter, Cobb and Mizuguchi).

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Tuesday, February 16, 1982:

Senate Bills	Referred to:	Committee on Judiciary
No. 2662-82	Committee on Judiciary	No. 2689-82 Committee on Agriculture
No. 2663-82	Committee on Transportation, then to the Committee on Judiciary	No. 2690-82 Jointly to the Committee on Agriculture and the Committee on Economic Development, then to the Committee on Ways and Means
No. 2664-82	Committee on Transportation, then to the Committee on Judiciary	No. 2691-82 Jointly to the Committee on Agriculture and the Committee on Consumer Protection and Commerce
No. 2665-82	Committee on Judiciary	No. 2692-82 Jointly to the Committee on Agriculture and the Committee on Consumer Protection and Commerce
No. 2666-82	Committee on Judiciary	No. 2693-82 Jointly to the Committee on Agriculture and the Committee on Consumer Protection and Commerce
No. 2667-82	Committee on Judiciary	No. 2694-82 Jointly to the Committee on Agriculture and the Committee on Consumer Protection and Commerce, then to the Committee on Judiciary
No. 2668-82	Committee on Judiciary	No. 2695-82 Jointly to the Committee on Agriculture and the Committee on Consumer Protection and Commerce
No. 2669-82	Committee on Judiciary	No. 2696-82 Jointly to the Committee on Agriculture and the Committee on Consumer Protection and Commerce
No. 2670-82	Committee on Judiciary, then to the Committee on Ways and Means	No. 2697-82 Jointly to the Committee on Agriculture and the Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
No. 2671-82	Committee on Judiciary, then to the Committee on Ways and Means	No. 2698-82 Jointly to the Committee on Agriculture and the Committee on Consumer Protection and Commerce
No. 2672-82	Committee on Judiciary	No. 2699-82 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
No. 2673-82	Committee on Judiciary	No. 2700-82 Committee on Consumer Protection and Commerce
No. 2674-82	Committee on Judiciary	No. 2701-82 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
No. 2675-82	Committee on Judiciary	No. 2702-82 Jointly to the Committee on Agriculture and the Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
No. 2676-82	Committee on Judiciary	No. 2703-82 Jointly to the Committee on Consumer Protection and Commerce and the Committee on Public Utilities
No. 2677-82	Committee on Judiciary	No. 2704-82 Committee on Consumer Protection and Commerce
No. 2678-82	Committee on Judiciary	No. 2705-82 Committee on Consumer Protection and Commerce
No. 2679-82	Committee on Judiciary	
No. 2680-82	Committee on Judiciary	
No. 2681-82	Committee on Transportation, then to the Committee on Ways and Means	
No. 2682-82	Committee on Health	
No. 2683-82	Committee on Judiciary, then to the Committee on Ways and Means	
No. 2684-82	Committee on Judiciary, then to the Committee on Ways and Means	
No. 2685-82	Committee on Economic Development, then to the Committee on Ways and Means	
No. 2686-82	Committee on Judiciary	
No. 2687-82	Committee on Judiciary	
No. 2688-82	Committee on Housing and Hawaiian Homes, then to the	

No. 2706-82	Committee on Consumer Protection and Commerce	No. 2731-82	Committee on Judiciary
No. 2707-82	Committee on Consumer Protection and Commerce	No. 2732-82	Committee on Judiciary
No. 2708-82	Committee on Tourism, then to the Committee on Ways and Means	No. 2733-82	Committee on Judiciary
No. 2709-82	Committee on Economic Development, then to the Committee on Ways and Means	No. 2734-82	Committee on Judiciary
No. 2710-82	Committee on Tourism	No. 2735-82	Committee on Judiciary
No. 2711-82	Committee on Agriculture	No. 2736-82	Committee on Judiciary
No. 2712-82	Committee on Agriculture	No. 2737-82	Committee on Judiciary
No. 2713-82	Committee on Agriculture	No. 2738-82	Committee on Judiciary
No. 2714-82	Committee on Consumer Protection and Commerce	No. 2739-82	Committee on Judiciary
No. 2715-82	Committee on Economic Development	No. 2740-82	Committee on Judiciary
No. 2716-82	Committee on Economic Development, then to the Committee on Ways and Means	No. 2741-82	Committee on Judiciary
No. 2717-82	Committee on Economic Development	No. 2742-82	Committee on Judiciary
No. 2718-82	Committee on Economic Development	No. 2743-82	Committee on Judiciary
No. 2719-82	Committee on Economic Development	No. 2744-82	Committee on Public Utilities
No. 2720-82	Committee on Economic Development	No. 2745-82	Committee on Transportation
No. 2721-82	Committee on Ecology, Environment and Recreation	No. 2746-82	Committee on Transportation
No. 2722-82	Committee on Ecology, Environment and Recreation	No. 2747-82	Committee on Transportation
No. 2723-82	Committee on Ecology, Environment and Recreation	No. 2748-82	Committee on Transportation
No. 2724-82	Committee on Health	No. 2749-82	Committee on Transportation
No. 2725-82	Committee on Health	No. 2750-82	Committee on Education, then to the Committee on Ways and Means
No. 2726-82	Committee on Higher Education	No. 2751-82	Committee on Higher Education, then to the Committee on Ways and Means
No. 2727-82	Committee on Higher Education	No. 2752-82	Committee on Judiciary, then to the Committee on Ways and Means
No. 2728-82	Committee on Higher Education	No. 2753-82	Committee on Education, then to the Committee on Ways and Means
No. 2729-82	Committee on Judiciary	No. 2754-82	Committee on Judiciary, then to the Committee on Ways and Means
No. 2730-82	Committee on Judiciary	No. 2755-82	Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
		No. 2756-82	Committee on Education, then to the Committee on Judiciary
		No. 2757-82	Committee on Education, then to the Committee on Ways and Means

No. 2758-82 Committee on Human Resources, then to the Committee on Ways and Means

No. 2759-82 Committee on Human Resources, then to the Committee on Ways and Means

No. 2760-82 Committee on Economic Development, then to the Committee on Ways and Means

No. 2761-82 Committee on Health, then to the Committee on Ways and Means

No. 2762-82 Committee on Human Resources, then to the Committee on Ways and Means

The President then made the following committee assignments of bills that were introduced on Wednesday, February 17, 1982:

Senate Bills Referred to:

No. 2763-82 Committee on Health, then to the Committee on Ways and Means

No. 2764-82 Committee on Human Resources, then to the Committee on Ways and Means

No. 2765-82 Committee on Transportation

No. 2766-82 Committee on Consumer Protection and Commerce

No. 2767-82 Committee on Health, then to the Committee on Ways and Means

No. 2768-82 Committee on Judiciary

No. 2769-82 Committee on Judiciary

No. 2770-82 Committee on Economic Development

No. 2771-82 Committee on Transportation, then to the Committee on Government Operations and Intergovernmental Relations

No. 2772-82 Committee on Judiciary

No. 2773-82 Committee on Judiciary

No. 2774-82 Committee on Judiciary

No. 2775-82 Committee on Agriculture, then to the Committee on Ways and Means

No. 2776-82 Committee on Agriculture, then to the Committee on Ways and Means

No. 2777-82 Committee on Agriculture, then to the Committee on Ways and Means

No. 2778-82 Committee on Agriculture, then to the Committee on Ways and Means

No. 2779-82 Committee on Agriculture, then to the Committee on Government Operations and Intergovernmental Relations

No. 2780-82 Committee on Agriculture, then to the Committee on Ways and Means

No. 2781-82 Committee on Agriculture, then to the Committee on Ways and Means

No. 2782-82 Committee on Agriculture, then to the Committee on Ways and Means

No. 2783-82 Committee on Agriculture, then to the Committee on Ways and Means

No. 2784-82 Committee on Agriculture, then to the Committee on Ways and Means

No. 2785-82 Committee on Agriculture, then to the Committee on Ways and Means

No. 2786-82 Committee on Agriculture

No. 2787-82 Committee on Agriculture, then to the Committee on Ways and Means

No. 2788-82 Committee on Agriculture, then to the Committee on Government Operations and Intergovernmental Relations

No. 2789-82 Committee on Agriculture, then to the Committee on Ways and Means

No. 2790-82 Committee on Agriculture, then to the Committee on Ways and Means

No. 2791-82 Committee on Agriculture, then to the Committee on Economic Development

No. 2792-82 Jointly to the Committee on Agriculture and the Committee on Government Operations and Intergovernmental Relations, then to the Committee on Ways and Means

No. 2793-82 Committee on Agriculture, then to the Committee on Economic Development

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| No. 2794-82 | Jointly to the Committee on Agriculture, the Committee on Public Utilities and the Committee on Transportation | No. 2812-82 | Committee on Public Utilities |
| No. 2795-82 | Jointly to the Committee on Agriculture, the Committee on Higher Education, and the Committee on Education, then to the Committee on Ways and Means | No. 2813-82 | Committee on Ways and Means |
| No. 2796-82 | Jointly to the Committee on Agriculture and the Committee on Health | No. 2814-82 | Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means |
| No. 2797-82 | Jointly to the Committee on Agriculture, the Committee on Human Resources and the Committee on Judiciary | No. 2815-82 | Committee on Education, then to the Committee on Ways and Means |
| No. 2798-82 | Committee on Agriculture, then to the Committee on Consumer Protection and Commerce | No. 2816-82 | Committee on Government Operations and Intergovernmental Relations, then to the Committee on Ways and Means |
| No. 2799-82 | Committee on Ways and Means | No. 2817-82 | Committee on Judiciary, then to the Committee on Ways and Means |
| No. 2800-82 | Committee on Ways and Means | No. 2818-82 | Committee on Higher Education |
| No. 2801-82 | Committee on Higher Education, then to the Committee on Human Resources, then to the Committee on Ways and Means | No. 2819-82 | Committee on Higher Education |
| No. 2802-82 | Committee on Judiciary, then to the Committee on Ways and Means | No. 2820-82 | Committee on Education, then to the Committee on Ways and Means |
| No. 2803-82 | Committee on Education, then to the Committee on Ways and Means | No. 2821-82 | Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means |
| No. 2804-82 | Committee on Ways and Means | No. 2822-82 | Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means |
| No. 2805-82 | Committee on Human Resources | No. 2823-82 | Committee on Education, then to the Committee on Ways and Means |
| No. 2806-82 | Committee on Judiciary | No. 2824-82 | Committee on Education, then to the Committee on Ways and Means |
| No. 2807-82 | Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means | No. 2825-82 | Committee on Education |
| No. 2808-82 | Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means | No. 2826-82 | Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means |
| No. 2809-82 | Committee on Housing and Hawaiian Homes | No. 2827-82 | Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means |
| No. 2810-82 | Jointly to the Committee on Housing and Hawaiian Homes and the Committee on Agriculture | No. 2828-82 | Committee on Ways and Means |
| No. 2811-82 | Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means | No. 2829-82 | Committee on Ways and Means |
| | | No. 2830-82 | Committee on Economic Development, then to the Committee on Ways and Means |
| | | No. 2831-82 | Committee on Judiciary |

- No. 2832-82 Jointly to the Committee on Ecology, Environment and Recreation and the Committee on Transportation, then to the Committee on Ways and Means
- No. 2833-82 Committee on Judiciary, then to the Committee on Ways and Means
- No. 2834-82 Committee on Judiciary, then to the Committee on Ways and Means
- No. 2835-82 Committee on Judiciary, then to the Committee on Ways and Means
- No. 2836-82 Committee on Judiciary
- No. 2837-82 Committee on Judiciary
- No. 2838-82 Committee on Judiciary, then to the Committee on Ways and Means
- No. 2839-82 Committee on Judiciary
- No. 2840-82 Committee on Judiciary
- No. 2841-82 Committee on Judiciary
- No. 2842-82 Committee on Judiciary, then to the Committee on Ways and Means
- No. 2843-82 Committee on Judiciary, then to the Committee on Ways and Means
- No. 2844-82 Committee on Judiciary
- No. 2845-82 Committee on Judiciary
- No. 2846-82 Committee on Judiciary, then to the Committee on Ways and Means
- No. 2847-82 Committee on Transportation, then to the Committee on Judiciary
- No. 2848-82 Committee on Transportation, then to the Committee on Ways and Means
- No. 2849-82 Committee on Consumer Protection and Commerce
- No. 2850-82 Committee on Judiciary
- No. 2851-82 Committee on Transportation, then to the Committee on Ways and Means
- No. 2852-82 Committee on Government Operations and Intergovernmental Relations
- No. 2853-82 Committee on Economic Development
- No. 2854-82 Committee on Human Resources
- No. 2855-82 Committee on Ways and Means
- No. 2856-82 Committee on Consumer Protection and Commerce
- No. 2857-82 Committee on Human Resources, then to the Committee on Ways and Means
- No. 2858-82 Committee on Government Operations and Intergovernmental Relations
- No. 2859-82 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
- No. 2860-82 Committee on Human Resources, then to the Committee on Ways and Means
- No. 2861-82 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
- No. 2862-82 Committee on Human Resources, then to the Committee on Ways and Means
- No. 2863-82 Committee on Judiciary
- No. 2864-82 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 2865-82 Committee on Consumer Protection and Commerce
- No. 2866-82 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
- No. 2867-82 Committee on Judiciary
- No. 2868-82 Committee on Ways and Means
- No. 2869-82 Committee on Judiciary, then to the Committee on Ways and Means
- No. 2870-82 Committee on Consumer Protection and Commerce
- No. 2871-82 Jointly to the Committee on Agriculture and the Committee on Consumer Protection and Commerce
- No. 2872-82 Committee on Consumer Protection and Commerce
- No. 2873-82 Committee on Judiciary
- No. 2874-82 Committee on Human Resources

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| No. 2875-82 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means | Ways and Means |
| No. 2876-82 Committee on Housing and Hawaiian Homes | No. 2897-82 Committee on Human Resources, then to the Committee on Ways and Means |
| No. 2877-82 Committee on Housing and Hawaiian Homes | No. 2898-82 Committee on Consumer Protection and Commerce |
| No. 2878-82 Committee on Consumer Protection and Commerce | No. 2899-82 Committee on Human Resources |
| No. 2879-82 Committee on Consumer Protection and Commerce | No. 2900-82 Committee on Consumer Protection and Commerce |
| No. 2880-82 Committee on Consumer Protection and Commerce | No. 2901-82 Committee on Legislative Management |
| No. 2881-82 Committee on Tourism | No. 2902-82 Committee on Human Resources |
| No. 2882-82 Committee on Public Utilities | No. 2903-82 Committee on Ways and Means |
| No. 2883-82 Committee on Human Resources | No. 2904-82 Committee on Economic Development, then to the Committee on Ways and Means |
| No. 2884-82 Committee on Judiciary | No. 2905-82 Committee on Consumer Protection and Commerce |
| No. 2885-82 Committee on Human Resources, then to the Committee on Ways and Means | No. 2906-82 Committee on Economic Development |
| No. 2886-82 Committee on Human Resources, then to the Committee on Ways and Means | No. 2907-82 Committee on Economic Development |
| No. 2887-82 Committee on Human Resources, then to the Committee on Ways and Means | No. 2908-82 Committee on Economic Development |
| No. 2888-82 Committee on Human Resources, then to the Committee on Ways and Means | No. 2909-82 Committee on Economic Development, then to the Committee on Ways and Means |
| No. 2889-82 Committee on Human Resources, then to the Committee on Ways and Means | No. 2910-82 Committee on Ways and Means |
| No. 2890-82 Committee on Human Resources | No. 2911-82 Committee on Higher Education, then to the Committee on Ways and Means |
| No. 2891-82 Committee on Ways and Means | No. 2912-82 Committee on Agriculture, then to the Committee on Ways and Means |
| No. 2892-82 Committee on Agriculture, then to the Committee on Ways and Means | No. 2913-82 Committee on Human Resources |
| No. 2893-82 Committee on Agriculture, then to the Committee on Ways and Means | No. 2914-82 Committee on Economic Development |
| No. 2894-82 Committee on Housing and Hawaiian Homes | No. 2915-82 Committee on Economic Development |
| No. 2895-82 Committee on Human Resources | No. 2916-82 Committee on Human Resources, then to the Committee on Ways and Means |
| No. 2896-82 Committee on Human Resources, then to the Committee on | No. 2917-82 Committee on Judiciary, then to the Committee on Ways and |

Means	No. 2937-82 Committee on Ways and Means
No. 2918-82 Committee on Consumer Protection and Commerce	No. 2938-82 Committee on Judiciary
No. 2919-82 Committee on Health, then to the Committee on Ways and Means	No. 2939-82 Committee on Agriculture, then to the Committee on Ways and Means
No. 2920-82 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means	No. 2940-82 Committee on Agriculture, then to the Committee on Ways and Means
No. 2921-82 Committee on Education, then to the Committee on Ways and Means	No. 2941-82 Committee on Agriculture, then to the Committee on Ways and Means
No. 2922-82 Committee on Judiciary	No. 2942-82 Committee on Agriculture, then to the Committee on Ways and Means
No. 2923-80 Committee on Health	No. 2943-82 Committee on Agriculture, then to the Committee on Ways and Means
No. 2924-82 Committee on Health, then to the Committee on Judiciary	No. 2944-82 Committee on Judiciary
No. 2925-82 Committee on Agriculture, then to the Committee on Economic Development	No. 2945-82 Committee on Judiciary
No. 2926-82 Committee on Health, then to the Committee on Ways and Means	No. 2946-82 Committee on Judiciary
No. 2927-82 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means	No. 2947-82 Committee on Education, then to the Committee on Ways and Means
No. 2928-82 Committee on Human Resources, then to the Committee on Ways and Means	No. 2948-82 Committee on Economic Development, then to the Committee on Ways and Means
No. 2929-82 Committee on Transportation, then to the Committee on Ways and Means	No. 2949-82 Committee on Health, then to the Committee on Ways and Means
No. 2930-82 Committee on Health, then to the Committee on Ways and Means	No. 2950-82 Committee on Health, then to the Committee on Ways and Means
No. 2931-82 Committee on Human Resources, then to the Committee on Ways and Means	No. 2951-82 Committee on Agriculture, then to the Committee on Ways and Means
No. 2932-82 Committee on Agriculture, then to the Committee on Ways and Means	No. 2952-82 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
No. 2933-82 Committee on Ways and Means	No. 2953-82 Committee on Ecology, Environment and Recreation
No. 2934-82 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means	No. 2954-82 Committee on Consumer Protection and Commerce
No. 2935-82 Committee on Transportation, then to the Committee on Ways and Means	No. 2955-82 Committee on Health, then to the Committee on Ways and Means
No. 2936-82 Committee on Education, then to the Committee on Ways and Means	No. 2956-82 Committee on Ecology, Environment and Recreation
	No. 2957-82 Committee on Judiciary

- No. 2958-82 Committee on Ecology, Environment and Recreation
- No. 2959-82 Committee on Judiciary, then to the Committee on Ways and Means
- No. 2960-82 Committee on Ecology, Environment and Recreation, then to the Committee on Economic Development
- No. 2961-82 Committee on Education, then to the Committee on Ways and Means
- No. 2962-82 Committee on Ways and Means
- No. 2963-82 Committee on Health, then to the Committee on Ways and Means
- No. 2964-82 Committee on Human Resources, then to the Committee on Ways and Means
- No. 2965-82 Committee on Human Resources
- No. 2966-82 Committee on Transportation, then to the Committee on Ways and Means
- No. 2967-82 Committee on Government Operations and Intergovernmental Relations, then to the Committee on Ways and Means
- No. 2968-82 Committee on Economic Development
- No. 2969-82 Committee on Human Resources, then to the Committee on Ways and Means
- No. 2970-82 Committee on Higher Education
- No. 2971-82 Committee on Agriculture, then to the Committee on Ways and Means
- No. 2972-82 Committee on Judiciary
- No. 2973-82 Committee on Economic Development
- No. 2974-82 Committee on Agriculture, then to the Committee on Ways and Means
- No. 2975-82 Committee on Judiciary
- No. 2976-82 Committee on Consumer Protection and Commerce
- No. 2977-82 Committee on Agriculture, then to the Committee on Ways and Means
- No. 2978-82 Committee on Health, then to the Committee on Ways and Means
- No. 2979-82 Committee on Judiciary
- No. 2980-82 Committee on Tourism, then to the Committee on Ways and Means
- No. 2981-82 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
- No. 2982-82 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
- No. 2983-82 Committee on Ways and Means
- No. 2984-82 Committee on Human Resources, then to the Committee on Ways and Means
- No. 2985-82 Committee on Judiciary
- No. 2986-82 Committee on Housing and Hawaiian Homes
- No. 2987-82 Committee on Government Operations and Intergovernmental Relations
- No. 2988-82 Committee on Ways and Means
- No. 2989-82 Committee on Consumer Protection and Commerce
- No. 2990-82 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
- No. 2991-82 Committee on Ways and Means
- No. 2992-82 Committee on Human Resources, then to the Committee on Ways and Means
- No. 2993-82 Committee on Judiciary
- No. 2994-82 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means

At this time, Senator George, chairman of the Committee on Transportation, requested a waiver of the 48-hour notice of a Public Hearing on the following measures:

S.B. No. 2557-82, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR;" and

S.B. No. 2663-82, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC,"

and the President granted the waiver.

Senator Cayetano then rose to remark as follows:

"Mr. President, just a note for the Journal.

"I really don't understand why the drunk driving bills were sent to Transportation. I don't get the bills relating to Medicaid fraud or drug abuse and all of that (relating to Health)."

The Chair replied: "Because they deal with transportation and drunk driving, we decided that they go to Transportation first, then Judiciary."

Senator Cayetano answered: "Then, if we have a change in the Penal Code regarding the sale of drugs, it should come to Health."

The Chair responded: "Senator Cayetano, I would consider doing it that way, if that should be your request."

Senator Soares then rose on a point of personal privilege and stated as follows:

"Mr. President, I would like to advise this honorable body that if any of my colleagues want to discuss the old Democratic 'Imperialism' or the new Republican 'Federalism,' they can address their remarks to me."

At this time, Senator Machida rose on a point of personal privilege and stated:

"Mr. President, I was absent from yesterday's session and did not witness the exchange of dialogue relative to the contents of a certain article in the February 15th issue of the Maui News. I have, however, been informed verbally of the proceedings and feel compelled to air my concerns.

"First, I believe statements were made by one or two members of this body that the contents of the article were not totally correct. Mr. President, I am a life-long resident of the island of Maui and to my knowledge the credibility of the Maui News or that of the reporter who wrote that article have never been questioned before. As we neighbor islanders know and can attest to, it is imperative that any newsworthy article in a local newspaper of a small community, such as Maui County, must be as accurate as possible to ensure longevity.

"Secondly, Mr. President, I understand that the Chair implied that making an announcement of one's candidacy for a state-wide office on the island of Maui is not significant or shouldn't be considered a formal declaration of running for a public office. I always thought the island of Maui, as well as the islands of Lanai, Molokai, Kahoolawe, Kauai, Niihau and Hawaii have all been integral parts of the State of Hawaii, or has Maui been reduced in importance or obscurity for some reason which I am not aware of. For my own political future, and for the information of all neighbor island elected officials, I want to know whether future announcements for public office should be made on the island of Oahu and not on a neighbor island where they reside before it becomes a formal declaration. A certain Republican candidate has already announced for the Senate seat I occupy on the island of Maui. Should I inform him that his announcement is not official until made on the island of Oahu?"

Senator Soares again rose on a point of personal privilege to state as follows:

"Mr. President, I did indicate earlier this morning that any discussion on imperialism and federalism should be directed to the potential lieutenant governor candidate. I haven't announced yet. I've been just bagging up the mail and keeping all the checks that's been coming in asking me to consider this office, so I may announce from Molokai for that office when I decide to run."

Senator Abercrombie then said: "Mr. President, I have an announcement. I want to promise right now. I have not made an announcement about it either, what I shall run for or run away from at this time, but I promise right now that when I do make up my mind that I'll make the announcement on Maui."

The Chair then remarked as follows:

"I would like to take a brief moment to thank every member of the Senate for your efforts in trying to improve the flow of bills this year. I very much appreciate it. It's just the first step in a long series to contain the introduction of bills. I appreciate each member's restraint and cooperation."

ADJOURNMENT

At 11:46 o'clock a.m., on motion by Senator Kuroda, seconded by Senator Yee and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, February 19, 1982.

TWENTY-SECOND DAY

Friday, February 19, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Father Christopher Keahi, Pastor of the Blessed Sacrament Church, after which the Roll was called showing all Senators present with the exception of Senators Anderson, Carpenter, Cobb and Ushijima who were excused.

The Chair announced that he had read and approved the Journal of the Twenty-First Day.

At this time, the following introductions were made to the members of the Senate:

Senator Kobayashi introduced 29 fifth grade students from Royal Elementary School, accompanied by their teacher, Mrs. Elaine Ching.

Senator Saiki introduced a group of students from various high schools stating:

"Mr. President, on behalf of Senator Andy Anderson, it is my pleasure to present to you today, student government officers from Kaiser, Aiea, Campbell and Farrington High Schools. They were given a demonstration on voting procedures this morning by the Lieutenant Governor's Office and will be having lunch in the caucus room and you're all invited to attend and meet them."

Senator Kuroda rose and introduced his cousin from Japan stating:

"Mr. President, I take this time to introduce my cousin visiting from Japan. Mrs. Akiko Sasaki is from Hiroshima, where my father emigrated from in 1904. She is here as a guest of my family to honor my father on his 100th birthday, which we will celebrate on Sunday. She is accompanied by my brother Ronald and my sister-in-law Ruth Kuroda."

Senator Soares then rose and made the following announcement:

"On your desks this morning are 'sugar-and-spice and everything nice' pretzels to share in the joy that I am very happy to announce this morning, that is, my wife Lorraine and I, . . . that my daughter Kelly and my son-in-law Michael Soo have blessed us with our first granddaughter, born yesterday morning, while we were on the floor discussing my lieutenant governor candidacy. One more vote

and I will be making it.

"But, during that morning session yesterday, the Sergeant-at-Arms came over and brought me a note that said: 'Senator Soares, you now have a granddaughter.' My granddaughter is the first granddaughter after six grandsons, and so I share our joy with all of you this morning with these sugar-and-spice pretzels before the fireworks begin under the announcement section of the Order of the Day."

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 93 and 94) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 93), transmitting copies of a report prepared by the Department of Planning and Economic Development, entitled: "Hawaii Deep Water Electrical Transmission Cable Demonstration Program, Phase I, Program Review," was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 94), transmitting copies of a report prepared by the University of Hawaii in response to Section 55, Act 1, SSLH, 1981, directing the University of Hawaii to prepare a comprehensive internal reallocation plan of existing positions and resources from academic areas where student enrollment has declined over the past ten years, to those areas where the present student demands have placed increased workload constraints on the faculty, clerical staff, and students, was referred to the Committee on Higher Education.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 17 to 20) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 17), transmitting House Bill No. 2018-82, which passed Third Reading in the House of Representatives on February 18, 1982, was placed on file.

On motion by Senator Kuroda, seconded by Senator Yee and carried, H.B. No. 2018-82 entitled: "A BILL

FOR AN ACT RELATING TO APPLICABILITY OF GENERAL INSURANCE LAW," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 18), transmitting House Bill No. 2030-82, which passed Third Reading in the House of Representatives on February 18, 1982, was placed on file.

On motion by Senator Kuroda, seconded by Senator Yee and carried, H.B. No. 2030-82 entitled: "A BILL FOR AN ACT RELATING TO BLACKOUTS AND ILLUMINATION CONTROL," passed First Reading and was referred to the Committee on Government Operations and Intergovernmental Relations.

A communication from the House (Hse. Com. No. 19), transmitting House Concurrent Resolution No. 84, which was adopted by the House of Representatives on February 18, 1982, was placed on file.

On motion by Senator Kuroda, seconded by Senator Yee and carried, H.C.R. No. 84 entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING PRESIDENT REAGAN TO ESTABLISH A NATIONAL DAY OF OBSERVANCE ON THE ANNIVERSARY OF EXECUTIVE ORDER 9066," was adopted.

A communication from the House (Hse. Com. No. 20), transmitting House Concurrent Resolution No. 90, which was adopted by the House of Representatives on February 19, 1982, was placed on file.

On motion by Senator Kuroda, seconded by Senator Yee and carried, H.C.R. No. 90 specifying the dates of the mandatory recess for the Regular Session of 1982, pursuant to Article III, Section 10, of the Constitution of the State of Hawaii, to be the 22nd, 23rd, 24th, 25th and the 26th days of February 1982, was adopted.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 24-82), informing the Senate that Senate Concurrent Resolution Nos. 18 and 19, and Senate Resolution Nos. 29 to 31 have been printed and are ready for distribution.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 25-82), recommending that Senate Bill No. 1893, as amended in S.D. 1,

pass Second Reading and be recommitted to the Committee on Ecology, Environment and Recreation.

On motion by Senator Kobayashi, seconded by Senator George and carried, the report of the Committee was adopted and S.B. No. 1893, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE PARKS AND RECREATION AREAS," passed Second Reading and was recommitted to the Committee on Ecology, Environment and Recreation.

ORDER OF THE DAY

MISCELLANEOUS COMMUNICATION

A miscellaneous communication (Misc. Com. No. 1), transmitting copies of a study prepared by Haldi Associates, Inc., Economic Management and Counsel, entitled: "Economic Perspective on the Duty-Free Concession at Honolulu International Airport," was read by the Clerk and was referred to the Committee on Transportation.

RE-REFERRAL OF SENATE BILLS

The President re-referred the following Senate Bills:

Senate Bill No. 2389-82 which was introduced on Wednesday, February 10, 1982, to the Committee on Economic Development;

Senate Bill No. 2476-82 which was introduced on Friday, February 12, 1982, to the Committee on Higher Education, then to the Committee on Ways and Means;

Senate Bill No. 2611-82 which was introduced on Tuesday, February 16, 1982, to the Committee on Public Utilities, then to the Committee on Human Resources; and

Senate Bill No. 2894-82 which was introduced on Wednesday, February 17, 1982, to the Committee on Agriculture.

At this time, Senator O'Connor rose and addressed the members of the Senate as follows:

"Mr. President, I rise on a point of personal privilege.

"My point involves several things, Mr. President: first, it involves Father Keahi's prayer this morning; second, with a letter I received from President Reagan; third, with some \$200 fund-raising tickets that have been circulated in my law firm;

fourth, with an editorial that appears in this morning's paper; and fifth, with the recess we are about to embark upon next week.

"Taking those one at a time, Mr. President, I really like Father Keahi. He is a terribly nice guy and he runs a smooth church. But, to have Father Keahi come and pray for the coalition is a little bit too much.

"Secondly, Mr. President, I want to report to this honorable body that I received a letter from President Reagan this week... yesterday to be exact... a four-page letter, addressed to myself, as 'Attorney-at-Law' in Honolulu, and the bottom line of President Reagan's letter was, he was soliciting me to contribute massive amounts of money for the defeat of Democratic senators and congressmen in Washington. Now, I know that President Reagan wants to defeat Democratic senators and congressmen in Washington, and I know that he's going to need a lot of money to do that, but to solicit me to accomplish that end, Mr. President, is just too much.

"Now, I've written a blistering letter back to President Reagan, informing him that I want more Democratic senators and congressmen elected next year, so hopefully this program he is pushing of New Federalism can end before it begins. But, I am aggrieved by that letter from President Reagan.

"To make matters worse, yesterday, one of my partners came through the law firm with some campaign fund-raiser tickets. I see a lot of those, as you all do, from time to time, but these campaign fund-raiser tickets were different because they were for \$200, which first of all, is a rather unusual sum, and next, they publicized the fact our ex-President Gerald Ford was returning to town in April, and further, they were for the gubernatorial campaign of one of our colleagues in this body--one that we had some discussion about the other day."

At this point, Senator Soares interjected:

"Point of order, Mr. President, is it me?"

Senator O'Connor then continued:

"No, no, no, this is a gubernatorial not a lieutenant governor's campaign.

"Furthermore, I don't think he's a... yes, I guess he is a grandfather. But, now, there are some strange things, because, Mr. President, this same individual seems to be denying the fact that he's

running for this office for which \$200 campaign tickets are being solicited for a major fund-raising event which is going to occur the day after this session is supposed to end, namely, April 24, 1982--a strange day for a fund-raiser of a non-candidate who only announces on Maui.

"Now, the other matter that I take some issue with is the fact that this morning in the Advertiser, an editorial appears, and it is emblazoned with the comment, 'Why Blame Anderson,' -- why blame Anderson? Now, I don't think anyone is blaming Anderson for anything. I think our problem is that Mr. Anderson refuses to stand up and take the blame.

"There is a comment in this editorial which says 'The result'... and we're talking about the result of what's happening around here... 'has been mostly a lack of guiding political philosophy in the Senate. A near veto for Republicans and a boost for Anderson when he challenges the Democratic Governor who is up for reelection.' And, of course, all of those things are talking about the coalition that Father Keahi prayed for this morning.

"Now, if the Advertiser is wise enough to see that what's happening around here is a boost for Mr. Anderson, then I would suggest that some statements made by the good Senator Cayetano some time ago where he said that he would not participate as part of the campaign committee for the election of a Republican Governor holds true.

"And that brings me to the last point, and that is that we have a recess coming up, and most of us will be going into the grassroots to have discussions with our constituents, and of course, we will be talking primarily to the constituents of our party. I will be talking to many of our Democratic constituents in my district and others, I am sure, will be talking to Democratic constituents in their districts. And, we shall also be here in these halls from time to time during that coming recess, and I would suggest that if anyone wants to talk about other things that could be happening around this body, this year, that maybe this recess is a good time to talk.

"Thank you, Mr. President."

Senator Yee then rose and stated:

"Mr. President, a point of personal privilege, please.

"In the absence of my good friend, Senator Anderson, I think some comments are proper at this time. I believe the previous speaker should be very proud

that he received a letter from President Reagan soliciting funds. That goes to show you that I think most of his clients are Republicans, and feel that since he's taking their money, it's time to give some back for a worthy cause.

"In regards to Father Keahi's comments, I'm sure he made it with the simpleness of his good faith in our legislative role this year. It's no different whether the coalition is in control or a majority party is in control. We Republicans have been in the minority for the last 35 years. Please let us enjoy a little bit of knowing what it feels like to be in the majority.

"Other comments about Senator Anderson's fund-raising ticket...I think again, it points out what Senator Anderson has been saying all along. If he doesn't have the support of the people, and the polls show that he's not a viable candidate, and if it shows that he can't raise adequate funds, I think Senator Anderson really means that he would not run, if he can satisfy those two conditions. So, I would say that the fund-raiser is not premature.

"I'm involved in assisting Senator Anderson in selling his \$200 tickets, and if any of you would be happy to contribute toward his fund-raiser, I'm here, ready and available with the tickets. So, I would say that I'm happy we have this recess coming along and look forward to some peace and quiet.

"Thank you."

Senator O'Connor then rose and queried:

"Mr. President, I wonder if the previous speaker would yield to a question?"

Senator Yee answered in the affirmative and Senator O'Connor continued:

"Thank you, Mr. President.

"Mr. President, I wonder if the previous speaker could tell us whether or not it's true that during this recess there are going to be major fund-raising events also for Senator Anderson in San Diego County, Orange County, Los Angeles County, and the San Francisco Bay Area?"

Senator Yee then responded:

"I'm sorry, I can't respond to that question, because I don't know."

Senator Ajifu then rose and stated:

"Mr. President, I rise on a point of personal privilege.

"I'd like to...in response to the first

speaker, relate a story about Teddy Roosevelt when he was out campaigning. In one of his campaign rallies there was a heckler in the crowd heckling the President, yelling, 'Mr. President, I'm a Democrat, I'm a Democrat,' and he kept heckling the President, and so finally, the President stopped and asked the man 'Why are you a Democrat?' The man said, 'Well, my father was a Democrat, my grandfather was a Democrat, and I am a Democrat.' And so, Teddy Roosevelt said, 'Tell me, if your father was a donkey and your grandfather was a donkey, what would you be?' The man said, 'I'd be a Republican.'"

Senator Abercrombie then commented:

"I think that the Advertiser editorial comment that there is no guiding policy in the Senate has just been quashed."

The President then stated:

"Very good. I would just like to end all of this, by very briefly answering my colleague from the Seventh District.

"First of all, as far as Reverend Keahi is concerned, I never spoke to him, never talked to him about the coalition. I think he was just wishing everyone well.

"And, with reference to your four-page letter, I feel very insulted that the President of the United States didn't write to one of the leaders of the coalition for solicitation of funds.

"With reference to your third point about the \$200 tickets, I received a very interesting letter from the ex-Governor of Hawaii, the Honorable William Quinn, requesting funds for an exploratory committee to elect a Republican Governor. I must admit I may have to write to the Honorable Governor to inform him that I will be supporting the Democratic nominee for Governor. I want to make that very clear.

"As far as the editorial in the Advertiser is concerned, if I were to follow all of the editorials written about me or the coalition in the Advertiser, I'd get lost in a position of nowhere as it seems they provide ample opportunity to tell their end of the story without ever coming to talk to me about what my side looks like. So we'll leave the whole matter of the guiding post and the guiding philosophy with the Advertiser.

"With reference to the recess, I do want to, on a serious note, say this to you, that I know that some

of the Senators will be going out to their constituencies to talk with the people. Whether I think your constituency is Republican, Democrat, or Independent, I hope, for those of you who choose to go out into the field to talk to your constituents, that you try to include everyone, not just some.

"I want to make that point very clear because the next point I want to make is that it is often very sad for me in the past few years that the purpose of the recess is being used for different reasons. I hear all of my chairmen announcing various committee meetings on bills. I think the purpose of the recess was for having the public come in and have access to bills that are in committee, where they would get some kind of dialogue and some kind of explanation of what is happening. I, for one, have some second thoughts about this recess and I will so inform my chairmen, during this coming week, to keep track of the number of people in our community who will come here and take the time out to have bills explained to them.

"The record in the past few years has been just simply miserable. I would much prefer it if all legislators remained in the Capitol building, rather than being scattered all over the State of Hawaii. As I said, this is the place they'll have to come to, this is the place where the material is available, and this is the place where answers can be found to their questions about government.

"We have ample facilities to inform the public as to what is going on here in the legislature in the form of an information center which is located here in the basement. Now, I want to make it very clear to all of you, if you possibly can, remain here in the Capitol for the next week. I would like to ask every Senator if they would not mind, that they take some kind of count of how many people from the general public come to visit their offices and ask about bills.

"I think the lobbyists' positions are very clear. They know what's in here. They know where to go to get information; and probably, the professional lobbyists will be around the building during the course of this week. I want to emphasize that I think we ought to take a look at the cost involved in keeping the legislature open for that week. It is quite high. We made our first attempt in bill introductions and I think that there are several other steps that we can move on.

"For those of you who have hearings, I would like to suggest to you that you hurry your hearings, get them off as

quickly as you possibly can so that you can allow some time so that your constituents and the people of this state can ask you questions about whatever bill that seems to be on their mind. For all of you, I hope I will be seeing you during the course of the week."

At this point, Senator O'Connor rose and stated:

"Mr. President, just one brief comment. We are all reassured by your heartwarming remarks and we will be here working hard during the recess. I just want to make one comment. I got that copy of the letter from the ex-Governor also, and it starts out by saying: 'Dear Fellow Republican.'"

The President then responded:

"Mine says: 'Dear Honorable Richard "Dickie" Wong, President of the Senate,' with a note which says: 'P.S. I would like to tell you that I like the way that Senator Anderson is holding this coalition together.'"

Senator Soares then rose and stated:

"Mr. President, I would be remiss not to say a few words before we get through building my lieutenant governorship. But, on a very serious note, I think we've all enjoyed these comments under the announcement section in the last few days, but I think it's about time we directed our attention to, very seriously, to the floor of the Senate becoming a floor for debate on legislation and the problems that face our state and our constituents.

"I think we've gotten across the point about whether or not we have a governor candidate here or whether or not he's raising funds and whether or not he's going to say it or not say it, but I think the time has come that we should direct our attention to more serious business here on the floor of the Senate, debating the issues that we have to address ourselves. We've been here for 22 days, time's moving on, and I think we should get down to some real hard facts and some hard business."

Senator Abercrombie then rose and stated:

"As you know, I never play to the crowd, so I probably won't be able to get sustained applause after I make my remarks on personal privilege.

"I too feel that we should be concerned with our legislative business and I do

want to say to someone who may be opposing me for lieutenant governor in the upcoming race, that I do think the issues being debated here are important, and I do think the issue, regardless of our position on the candidacy, is a good thing to have on this floor.

"I would indicate that one of the regrets that I had when I served in the House was that we did not do more debate in public. I don't think that it does any harm for any of us to defend our position whether on this particular issue of my race for lieutenant governor, or any other issue that might take place, and I appreciate the fact that the President has allowed a degree of leeway in this area that promotes, I think, public discussion on this floor. I don't think it has done us any harm, but on the contrary, it's been good, and I will say in conclusion that it perhaps is a boost to the previous speaker's candidacy. As for looking over this letter... I haven't gotten any letters from anybody. I guess it's this \$200, they just figure forget Abercrombie when it comes to that.

"I knew Mr. Quinn very well and his whole family... I'm a little disappointed, but he does indicate here with respect to Senator Anderson as a parent and a grandfather. A grandfather is going to be very important obviously in this next campaign and I'm very pleased to see a couple of grandfathers are considering the race. There is one point that I do agree with ex-Governor Quinn, however. He does indicate in the letter that no contribution is too small, and I support that fully, so if you don't have \$200 and just a small contribution, just send it to me.

"Thank you."

The President then remarked:

"Senator Abercrombie and Senator Soares, I'm happy to learn that both of you are seeking the lieutenant governorship. I was thinking of who I should ask to be my running mate, when I decide to run."

At this time, Senator Holt rose and stated:

"Mr. President, I just want to make a few comments on some of the previous speakers' remarks.

"I think it's not so much that we have belabored the point as much as it is the question of credibility, not only on the part of Senator Anderson, but on yourself. It has been shown that he has announced on Maui. It has been reported that he's having fund-raisers

in California, and he's already selling tickets for a fund-raiser on April 24th, the day after the session ends. I think if the coalition Democrats are going to support a Republican candidate for Governor, come out and say so, and just don't... it's just a big sham, that's all it is.

"Thank you."

The President then replied:

"Senator Holt, in response, I want to make one point very clear to you. I am not now speaking for the other nine members of my coalition group. I've told you personally and the general public and I'm going to tell you one more time, 'I will support the Democratic nominee for Governor of this state.' I cannot make it any clearer. I think personally, you are belaboring the point. I think, Senator Holt, that it's very hypocritical for the seven dissidents here to sit in this body and tell me that they were not going to form a coalition with the Republicans way back as far as November 1980.

"I've never tried to belabor this because I'm trying to keep this thing at the lowest possible level. The coalition is a fact. It is operating the Senate. I don't mind any individual criticizing the coalition, but what I cannot see is this whole degree of hypocrisy that has just taken place for the past couple of weeks, which has just gnawed the hell out of me.

"I cannot see people who tried to do the very same thing come out now and talk about party loyalty, party strength, party everything. I just can't believe it. It's hypocritical.

"I think there's got to be a lesson learned here about integrity and credibility.

"We had to get the people's business going. We could have sat here for another five weeks and not attained anything. The coalition is a result of that delay which we had caused to happen, and we rectified that delay. I've said time and again from this podium that the people will be the final judge of our actions. The results we attain in this session will determine whether a legislator is going to be reelected to office.

"The people are the final judge for our actions. We can criticize each other and we can disagree with each other, but the ultimate judges

for all of us are the people of this state. I happen to agree with Senator Soares, we have to get back to business and get off this trip about whether one of us has aspirations of running for governor. I've said it, and I'm going to repeat it one more time so that everyone in this state understands clearly, 'I will support the Democratic nominee for governor of this state, whomever he is. I'm going to make it clear to my constituents in the Fifth Senatorial District if that is their interest.

"I've gone to several groups of Democrats, people throughout the state, to explain my position in the coalition and what happened. I didn't see anybody else sitting alongside of me saying that's not true. Every opportunity I've had to meet with Democrats, I've done it. I've tried to explain my position, tell them my side of the story, and tried to get my message across.

"I'm hopeful that the coalition will not be discussed anymore in these chambers because I really think that after the recess we have got to get down to the business of the state. We will have disagreements. We will have personality conflicts. It's inevitable in a process such as this, but I want to say it one more time. Please Senators, let's get back to work, and if you have something to contribute, please do so.

"I think I've got to get this off my chest...for those individuals--the seven dissidents--who, by choice, have chosen not to participate in all of the announced caucuses that have been announced by this podium and by the Majority Leader of this body, please cooperate. And for all of the meetings of the committees that you have been assigned to, show up at the meetings, then squawk, but don't sit out there and chastise all of us without having the courtesy of participating.

"Senator Holt, would you care to respond?"

Senator Holt then responded:

"Yes, Senator Wong.

"It seems pretty ironic that last year we were not invited to one caucus. Maybe it's because this is an election year that all Senators are invited to the caucus."

The President then replied:

"Senator Holt, I think if you will look in the Journal, you will find that from this podium, when you people said that you wanted a caucus room and a research room, I offered the Majority facilities

to you. That offer stood. In fact, your patronage positions were kept last year by you.

"I think I've been a fair President. I don't think there's anyone among you who can say I haven't been fair. You may say other things about me, but there's one thing you can't say about the Chair, that I've been unfair."

Senator O'Connor then rose and stated:

"Mr. President, for good reason there is a long standing parliamentary rule that the presiding officer of a body does not debate an issue from the..."

The President then interjected:

"I am not debating an issue. I'm answering a question posed to the Chair."

Senator O'Connor continued:

"Mr. President, when such a situation occurs, the presiding officer relinquishes his position, takes a position on the floor, calls a recess..."

At this time, Senator Uwayne rose and stated:

"Point of order, Mr. President. Parliamentarily, I have a point of order, Mr. President."

The President then stated:

"No, the Chair recognizes the speaker. Proceed, Senator O'Connor."

Senator O'Connor continued:

"Thank you, Mr. President. I do not mean this as any sort of comment except that comment, and I think that it would be well, maybe in the future, if we get into these debates that we all debate from the same position on the floor."

The President then replied:

"You're correct on the parliamentary procedure in that aspect. But a question was posed to the Chair and I think that the Chair has the right to answer that question, no matter how wrong that answer might have been delivered. But, the Chair has the right to answer any question posed to it."

Senator Campbell then rose and stated:

"Mr. President, I rise to respond to some of the remarks that you made.

"Mr. President and members of the Senate, I somewhat resent being called a dissident Democrat. I am not a dissident Democrat. I'm a Democrat without that adjective.

"Mr. President, you stated that none of the seven Democrats attended the caucuses. I've attended all caucuses and I would prefer to have you say that at least the seven Democrats were represented at the caucuses.

"Thank you."

The President then responded:

"I stand corrected. One Democrat."

Senator Kawasaki then rose and stated:

"Mr. President, just to bring more light on this discussion. I must agree with Senator Campbell that he did attend the caucuses; he does attend quite regularly and diligently the committee hearings that have been called by the Senate subcommittee chairmen.

"I think, really, without talking about the coalition, the bottom line is how well we serve the people that elected us. And serving the people well who elected us means attending committee hearings called by the chairmen of Senate subcommittees. And, if you were to judge the individual Senator's regard for the benefit of the people that elected them, then perhaps we had better examine attendance at committee hearings as a means of judging the sincerity with which these people claim they serve the people of this state.

"I think we can also judge them by their lack of attendance at golf courses to show how well they attend to the people's business. And let those standards really determine the bottom line--how well we as individual Senators attend to the people's business, coalition notwithstanding."

Senator Holt then rose and stated:

"Senator Wong, I take exception to the previous remarks, but since he's from my district, I won't belabor it. I speak strictly from an organizational standpoint. There is a minority in this Senate and that is those of us seven Senators.

"Whether you recognize us or not, the issue has to be raised that we're not treated like a minority. All we're asking for is parity and we're not getting it from you.

"Thank you."

The President then replied:

"Senator Holt, I have offered the facilities of the Majority research staff to be made available to you, like every Democratic Senator. As far as I was concerned, I have always answered the question that I don't consider you people to be a minority. I consider you people to be Democrats.

"If you choose to be be that minority, that is your choice, and you people have obviously made your choices and I respect your right to make that choice. The facilities here in the building are open to you people. The research staff is available to do whatever work that needs to be done and I think that's fair.

"I just want to inform the seven people again that that offer is still available. The Majority research staff is available to you on an individual basis or on a collective basis. Our Majority attorneys are available to you on an individual basis or on a collective basis.

"I too don't want to belabor the point. But the point is these services that are due Democrats here in the Senate are available. There have been some changes since the organization of the Senate, obviously. We are in a coalition situation and those changes which were part of the discussions are in existence.

"I'm just trying to live within what was said and what was agreed to as part of the organization of this body. I don't find that discouraging to me. I think I've just tried to be fair and whether you feel that I have been, it's a matter of opinion, and I respect your opinion."

Senator Kawasaki then rose and stated:

"Mr. President, one closing comment.

"I'm not trying to curry favor with you as presiding officer of this body, but just to attest to the fact that I certainly believe that you have been eminently fair as the President of this Senate, and perhaps your defect is the fact that you're too good a guy and this is the reason why people decide to take advantage of you."

The President then replied:

"That's the first time I've heard that in a long time. Thank you very

much, Senator Kawasaki."

ADJOURNMENT

At 12:20 o'clock p.m., on motion by

Senator Kuroda, seconded by Senator Yee and carried, the Senate adjourned and will remain in recess until 11:30 o'clock a.m., on Monday, March 1, 1982.

TWENTY-THIRD DAY

Monday, March 1, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the Vice-President in the Chair.

The Divine Blessing was invoked by the Reverend James Russow, Pastor of Our Savior Lutheran Church, after which the Roll was called showing all Senators present with the exception of Senator Kobayashi who was excused.

The Chair announced that he had read and approved the Journal of the Twenty-Second Day.

The following introductions were then made to the members of the Senate:

Senator Abercrombie introduced a group of distinguished guests from Japan: Mr. Koju Ikegami, president of a major parts supplier for most of the automobile dealers, Sony and Panasonic radios and all the electronic equipment in Japan; Mr. Sho Kato, ceramic artist; Mr. Issei Yamauchi, collage artist; Mr. Seisei Suzuki; and Mr. Masato Kusunoke.

Senator Anderson introduced a group of student government officers from Leilehua, Kalani and Mililani High Schools.

Senator Uwayne then introduced 22 first grade students from Kuhio School, accompanied by their teacher Ms. Margaret Ojima and parents, Mrs. Kato, Mrs. Gasper, Mrs. Ginma and Mrs. Deguchi.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 95 to 99) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 95), transmitting copies of the Report on the State Program for the Unemployed, June 1981, and the Report on the State Displaced Homemaker Program, prepared by the Office of Manpower Planning, Department of Labor and Industrial Relations, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 96), transmitting copies of the Hawaii Foreign-Trade Zone No. 9 15th Annual Report, 1981, prepared by the Department of Planning and

Economic Development, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 97), transmitting copies of the State of Hawaii's "Report to the People" for 1981, reporting on actions and activities of the state government during the past year, prepared by the State Office of Information, was referred to the Committee on Government Operations and Intergovernmental Relations.

A message from the Governor (Gov. Msg. No. 98), transmitting copies of the report on state positions assigned to salary ranges SC-1, SC-2 and SC-3, prepared by the Department of Personnel Services in accordance with Section 77-13, sub-section (f), as amended, HRS, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 99), transmitting copies of a study on legislation regarding public use buildings and facilities that will reasonably accommodate the physically handicapped, prepared by the Planning Branch, Division of Public Works, Department of Accounting and General Services, in response to House Resolution No. 216 (1981), was referred to the Committee on Human Resources.

DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 8 to 10) were read by the Clerk and were disposed of as follows:

A communication from the State Advisory Committee on Radiological Safety (Dept. Com. No. 8), transmitting copies of a report to the 1982 Legislature in response to Senate Resolution No. 218 requesting a review of the state's plans for responding to radiological incidents at the Pearl Harbor Naval Shipyard, dated December 1981, was referred to the Committee on Ecology, Environment and Recreation.

A communication from the Office of the Administrative Director of the Courts, The Judiciary, (Dept. Com. No. 9), transmitting the Judiciary's Legislative Program for the Eleventh Legislature, 1982 Session, was referred to the Committee on Judiciary.

A communication from the Office of the Auditor (Dept. Com. No. 10), transmitting Report No. 82-3, February 1982, entitled: "Examination of Selected

Aspects of the State General Obligation Bond Fund," prepared by the Legislative Auditor of the State of Hawaii, was referred to the Committee on Ways and Means.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 21 to 23) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 21), transmitting House Bill No. 1963-82, H.D. 1, which passed Third Reading in the House of Representatives on February 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 1963-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DONATION OF FOOD," passed First Reading and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 22), transmitting House Bill No. 343, H.D. 1, which passed Third Reading in the House of Representatives on February 19, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 343, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OSTEOPATHY," passed First Reading and was referred to the Committee on Health, then to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 23), transmitting House Bill No. 1521, H.D. 1, which passed Third Reading in the House of Representatives on February 19, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 1521, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAKE-OVER BIDS," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 20 and 21), were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 20), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO ASSIST THE DEPARTMENT OF REGULATORY AGENCIES," was

offered by Senators Cobb, Kuroda, Machida, Soares and Henderson.

By unanimous consent, S.C.R. No. 20 was referred to the Committee on Consumer Protection and Commerce.

A concurrent resolution (S.C.R. No. 21), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF THE LEGISLATIVE REFERENCE BUREAU TO ASSIST THE DEPARTMENT OF REGULATORY AGENCIES," was offered by Senators Cobb, Kuroda, Machida, Soares and Henderson.

By unanimous consent, S.C.R. No. 21 was referred to the Committee on Consumer Protection and Commerce.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 32 to 34) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 32), entitled: "SENATE RESOLUTION URGING THE FEDERAL MARITIME COMMISSION TO STUDY THE APPROPRIATE MEASURES FOR PREVENTING ANY VESSEL SHIPPING GOODS FROM THE CONTINENTAL UNITED STATES TO HAWAII FROM REMOVING, ALTERING, OR TAMPERING WITH ANY THERMOGRAPH FOR THERMOGRAPH CHART INSTALLED ON ITS CONTAINERS OF GOODS SHIPPED AND FURTHER URGING APPROPRIATE LEGISLATIVE OR ADMINISTRATIVE ACTION TO ELIMINATE THIS PRACTICE," was offered by Senator Carpenter.

By unanimous consent, S.R. No. 32 was referred to the Committee on Transportation.

A resolution (S.R. No. 33), entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO ASSIST THE DEPARTMENT OF REGULATORY AGENCIES," was offered by Senators Cobb, Kuroda, Machida, Soares and Henderson.

By unanimous consent, S.R. No. 33 was referred to the Committee on Consumer Protection and Commerce, then to the Committee on Legislative Management.

A resolution (S.R. No. 34), entitled: "SENATE RESOLUTION REQUESTING THE OFFICE OF THE LEGISLATIVE REFERENCE BUREAU TO ASSIST THE DEPARTMENT OF REGULATORY AGENCIES," was offered by Senators Cobb, Kuroda, Machida, Soares, Henderson and Saiki.

By unanimous consent, S.R. No. 34 was referred to the Committee on Consumer Protection and Commerce, then to the Committee on Legislative Management.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 26-82), informing the Senate that Standing Committee Report No. 25-82 has been printed and is ready for distribution.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 27-82) recommending that Senate Bill No. 2197-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.B. No. 2197-82, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 3, 1982.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2197-82.

ORDER OF THE DAY

RE-REFERRAL OF
SENATE BILLS

The President re-referred the following Senate bills:

Senate Bill No. 903 which was introduced on Wednesday, February 18, 1981, to the Committee on Higher Education, then to the Committee on Ways and Means.

Senate Bill No. 2337-82 which was introduced on Friday, February 5, 1982, to the Committee on Human Resources, then to the Committee on Government Operations and Intergovernmental Relations.

The President made the following re-referral of bills that were introduced on Thursday, February 11, 1982:

Senate Bill Referred to:

No. 2437-82 Committee on Agriculture,
then to the Committee on Ways and
Means

No. 2443-82 Committee on Agriculture,
then to the Committee on Ways and
Means

The President made the following re-referral of bills that were introduced on Tuesday, February 16, 1982:

Senate Bill Referred to:

No. 2671-82 Committee on Judiciary

No. 2695-82 Jointly to the Committee
on Agriculture and the Committee
on Consumer Protection and Commerce,
then to the Committee on Ways and
Means

The President then made the following re-referral of bills that were introduced on Wednesday, February 17, 1982:

Senate Bill Referred to:

No. 2857-82 Committee on Ways and
Means

No. 2947-82 Committee on Education

At 11:45 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:46 o'clock a.m.

At this time, Senator Henderson, Chairman of the Committee on Economic Development, requested a waiver of the 48-hour notice of Public Hearing on the following measure:

S.B. No. 2716-82, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII ECONOMIC REVITALIZATION OPPORTUNITIES ACT,"

and the President granted the waiver.

At this time, Senator Cayetano rose on a point of personal privilege and stated:

"Mr. President, it's nice to return to the session after a recess.

"First of all, I'd like to thank Senator Anderson. I read in the newspaper about how a Democrat who happens to be Filipino joined Senator Anderson's campaign for governor. It says, 'Democrat Labez Quits Party to Join Anderson.' Senator Anderson, I want to thank you for this, it's nice to know that you have an affirmative action program for Filipinos. I'm really happy to hear that. It's a bit late, maybe about 50 years, but, you know, better late than never. I'm sure that this affirmative action program on your part will be a milestone in Republican history...probably not as great a milestone as the last one your party had...remember, the great Civil War...but it's welcome, nevertheless.

"Mr. President, there's been a lot of news in the papers during the recess about President Reagan's 'War on Poverty.' For example, I want to read and share with the Senators here some newspaper clippings.

"This one says, 'Medicare-Medicaid Cuts Cited in Reagan Budget' and it says, 'President Reagan will try to squeeze more than \$5.1 billion from Medicare and Medicaid next year by making the elderly pay more of their hospital bills, allowing liens on the homes of Medicaid patients in nursing homes and imposing a host of other economy measures, budget documents show.'

"Another headline here, Saturday, February 27, 1982, The Honolulu Advertiser says, '700 jobs and 100,000 applicants' and this refers to jobs with the post office in the Miami area.

"I think one of President Reagan's main themes in his economic program was that people should try harder to find jobs and I want to let the President know that they're certainly trying hard, at least in Miami.

"Then, there's another headline here that says, 'Reagan Asks New Cuts in Key Social Programs' and these cuts include '\$2.4 billion from food stamps. \$1.2 billion from the main welfare program, Aid to Families with Dependent Children.' and this should interest Senator Abercrombie, '\$1.4 billion, or 23 percent from federal aid for elementary, secondary, and vocational education.'

"Along the same line, here's an article by Sylvia Porter that says, 'Students' benefits under Social Security to be phased out' and the first paragraph reads: 'At least 40,000 to 50,000 high school seniors now counting on going to college in September are in for a severe shock because, as the children of parents who have died, become disabled or retired, they have been collecting Social Security benefits and have expected those benefits to continue and help finance their college education.'...and the President is going to wipe it out.

"And then, in my own committee, the Health Committee, Mr. President, we had a hearing on the 'Agent Orange' issue. I am sure that most of the Senators here are concerned about this or are familiar with it. It was really a tragic matter to see Vietnam veterans come and testify before my committee asking for the state's help in what is basically a federal problem. The gist of the testimony was disappointment by these vets that after having served their

country in Vietnam the Federal Government has turned its back on them.

"Finally, a newspaper article in Friday's issue of The Honolulu Advertiser, February 26, 1982, it's an advertisement actually, Mr. President. It says, 'Quitting business. Cash and carry. Up to 83% off.' etc., etc., etc. 'family furniture, bikes, and entire staff must go.'

"The key part of this that I'd like to share with the Senators here is that right in the middle of the ad it says, 'Reaganomics has defeated us; the cost of money to finance inventory, shipping costs, advertisement costs has all risen dramatically and we are going out of business.'

"Now, that's the bad side of President Reagan's 'War on Poverty.' I guess the good side comes in the tax cuts because there's another article in the Sunday Star-Bulletin - Advertiser, February 28, entitled, 'Who gains most from tax cuts?' And this is related to a study conducted by the Congressional Budget Office, and that study shows and it says, 'About 86 percent of all the federal income tax benefits enacted by Congress last year at President Reagan's request will go to families with incomes of more than \$20,000, while two-thirds of all cuts in benefits will be taken from families with incomes below \$20,000...' It goes on to say, 'The study showed that low-income families would realize very small tax savings from Reagan's tax cuts as enacted, while high-income families would do extremely well.'

"For example, 'A family with income under \$10,000 would average only \$120 a year in tax savings...one with income from \$40,000 to \$80,000 would average \$1,830.' I'm a bit happy about that, Mr. President...I look at that with mixed feelings, actually. Most of us here are above the \$20,000 bracket, except for perhaps Senator Abercrombie who is one of the few full-time legislators left in this body...but this doesn't help my son who makes considerably less than \$20,000. I suppose that he's going to have to live with daddy for a while, until he gets on his feet.

"Then, finally, an article from the Los Angeles Times, Saturday, February 20, 1982, and I might add that the Times is hardly anti-Reagan. But the article reads: 'Tax Credit Sales Could Get the Ax' and it begins like this: 'Corporate welfare. Food stamps for profitable companies. A legislative scandal. Such derisive labels are common in legislative debates over tax breaks to business, of course. But they are coming not only from anti-business Democrats but from some normally pro-business

Republicans.' It goes on to quote a very distinguished and high-ranking member of the Republican Party, Senator Robert Dole.

"This is what Senator Dole says about some of the business tax credit benefits that President Reagan has given to business: 'However desirable many tax theorists find the current safe harbor leasing rules in the abstract, they are indefensible in a year when the federal deficit will reach nearly \$100 billion. I intend to see that this hemorrhage to the treasury is halted.'

"I don't know if Senator Dole is going to make it up by increasing taxes, but the Tuesday, February 23, 1982 headline in the Star-Bulletin reads: 'GOP Leaders Eye 10% Tax Increase.'

"Mr. President, the reason I'm bringing all of this up is because in a few days, if we're not doing it already, this Senate is going to have to make decisions about funding. I'm very, very concerned that there are too many people out in the public and also some members of this Legislature who either do not want to deal with the hard facts of our state's fiscal condition or are not aware of them. I have heard over the weekend and over the recess, time and time again, people, primarily applicants for grants-in-aid, come in and tell me that some legislators or other people have told them that the state has a lot of money; that we have a \$231 million surplus.

"I want to discuss here today on this floor what I believe the true facts are. Mr. President, we do have or we had a \$231 million surplus in July 1981, but the situation at the present time is that the state is presently spending more than it is taking in revenues. This surplus therefore is being eroded.

"I had my staff do an analysis of the six-year plan and let me tell you what we found. You have to make certain assumptions of course whenever you make any kind of analysis, so I will read these assumptions to you.

"First of all, let us assume that revenues will come in as projected by the Council of Revenues, and by law, Mr. President, this is the projection that we must accept. Let us assume further that collective bargaining costs in the outyears will average only 7.5 percent and that 7.5 percent is the average of collective bargaining increases over the last six years.

"And let us assume further that the Legislature will continue to fund

grants-in-aid to the Hemophilia Society, Variety Club, those kinds of organizations. Let us assume for this argument that we will fund them at fiscal '82 levels which is \$6.6 million.

"Assume further that we will adopt a tax credit or a rebate and assume that this will be at least \$50 because politically it will not make any sense to have a rebate of that kind for less than \$50 and administratively it may cost too much to collect a rebate or tax credit of less than \$50. In this matter we have no choice, we are mandated by the Constitution to do so.

"Assume further that by law as we are required to do, where possible, we will pass laws which will conform our state tax laws to the Federal Internal Revenue Code.

"Assume further that there will be funding to organizations such as OHA and the Legal Aid Society at the levels requested.

"Assume further that the state will pick up at least \$20 to \$90 million less in federal funds. Now, we're engaging in a bit of conjecture here but the hard fact of the matter is that no one knows exactly what the figure will be, including the Administration.

"Assume further that the \$20 million that was diverted from the General Fund to the Highway Fund...that in fiscal 1985 that \$20 million will be going back into the General Fund, perhaps leaving the Highway Fund in distress, but, nevertheless, assume that it goes back to the General Fund as is provided by law.

"Assume, Mr. President, finally, that we will fund no inflationary increases for the programs that I mentioned.

"If we make these assumptions and if we appropriate funds only up to the level of the expenditure ceiling for fiscal '83, Mr. President, we will be facing a deficit of \$63.6 million by fiscal '84. If we carry over these costs, these same costs, without providing for inflationary increases and keeping the funding at the fiscal '82 and '83 levels, if we carry over these costs into fiscal '85 the state will then face a deficit of \$134.2 million.

"I say these things with grave concern because we have not taken into account what will happen, for example, to revenues coming in from our sugar industry. We have not taken into account the adoption, if it happens, of the President's New Federalism. Those two concerns will have a major and devastating impact

on the fiscal integrity of our state.

"There is, Mr. President, too much, I think, too much promising, too much reassuring of funding going on in the Legislature. I think that this Senate, especially because the House really has not seen fit to face up to the question, this Senate should now deal with the hard facts because the public is worried and concerned and because I think that if the public understands the true situation that it will respect and honor what we do here.

"The House, Mr. President, is living in a dream world. The House is focusing on the expenditure ceiling. Expenditure ceiling is not an issue. The expenditure ceiling is not an issue because if you don't have revenues to spend up to the expenditure ceiling, the true constraint on spending is the amount of money that you have. The House is focusing on the expenditure ceiling and this kind of thinking, this kind of misinformation, in my view, affects its attitudes on legislation.

"For example, informal discussions with members of the House on the (Senate) President's state lottery have indicated to me that one of the reasons put forth by the House in opposing the state lottery is the fact that we do not at this time need an additional revenue generator. In other words, the argument goes, why do we need a state lottery when we have a state surplus, and I guess it shows you how far the House is looking, which probably is not past this year's election.

"I call on all the Senators, without partisanship, to get together. I think Senator Yee and I are going to get the Policy Committee together to work on this problem and to paint the true picture not only for ourselves, but for the public so that we can really and truly sit down to make sense out of the appropriations that we are going to make in the next few days and the session to come.

"Thank you."

The Chair then remarked: "Thank you, Senator Cayetano, I'm sure many members of the Senate will appreciate your very erudite analysis of the very dismal financial situation we are faced with."

Senator Abercrombie also rose on a point of personal privilege and stated:

"Mr. President, speaking on a point of personal privilege in support of the previous speaker.

"The previous speaker mentioned

the education situation as being particularly affected by federal policies at this time. He also indicated that this was not a partisan issue and I agree with him on both counts.

"Let me very briefly state what this situation is because if we do not recognize and do not deal with it right now in the next few days in this Legislature, in terms of where our policy is going, in particular for this Senate, the Legislature in general, we're going to find ourselves in very dire financial straits, unable, I repeat, unable to fund the necessary programs to see to it that the children in this state receive a proper education.

"It is a non-partisan issue because in the Congress there are Democrats and Republicans who have acted in concert with the bad advice that has come from the Federal Administration of the President to put us in great measure into the circumstances we have today.

"There are arguments made, for example, Mr. President, that inflation is down or is holding...one of the reasons that is cited in the index that is utilized is that the price of housing has come down slightly, perhaps two-tenths of a percent, perhaps as much as four-tenths of a percent. What is left out of that, for anybody who bothers to read the financial journals in the country, is that the cost of housing has gone up by four-tenths of a percent, and that the mortgage rates have gone up by two-tenths of a percent, so that actually it is now more difficult, despite the fact that price of housing is going down, for anybody to make any of these purchases. And when you take into account what this means in the overall consumer price index, what is indicated is that we are getting into a worse situation than we have already.

"That mortgage rate and that rate for the cost of money is going to be transposed into the cost of selling bonds. The state right now is selling bonds out of the treasury.

"One of the elements of the previous speaker's remarks that needs further elucidation is that we are facing a crisis in whether or not we are going to be able to sell bonds in the normal manner, or whether we are going to have to continue to use cash--cash that comes out of the fund that is available for spending in the General Fund for our operating budget.

"We are now operating in a circumstance where we find more than double, more than double the amount of money that must be paid in interest in order to sell

bonds. Yet, we go on in a 'fool's paradise' of continuing to put CIP expenditures forward as if there was no tomorrow in the amount of money that can come forward.

"The interest that must be paid on these bonds must come first, and comes out of the money that's available otherwise for other programs in the General Fund. How will that affect our building situation with respect to schools?

"Then carry it a step further. If, as is proposed by the President, he wants to give to El Salvador in economic and military aid the total in 1982 of \$491 million, one-half billion dollars, which is more than \$50 million more than the entire impact aid appropriation allocation for the entire 50 states, in the State of Hawaii, we are going to find ourselves losing \$3 million right now this year with the prospect of losing \$13 million every year, Mr. President, every single year. And yet there have been discussions in this Legislature, and I might say even at the executive level of the state, that we will simply fund it when it comes to education out of the General Fund.

"The previous speaker has made it very clear that the General Fund is going to be losing money if the present circumstances continue not five years down the line, not ten years down the line, but within the next two years, within the legislative life of the next Legislature to be elected.

"If we are going to lose between \$13 million and if speculation that I am about to put forward takes place, namely, that the Pacific Basin area becomes even more important to the foreign policy future of the United States, it would mean that we would have more military dependents stationed in the State of Hawaii rather than less. So, if you take that into account, and I think you must if you're going to project on a reasonable basis at all what might happen to the state treasury, we're either going to hold or increase this number. We're looking at a hole in the General Fund every year of between \$15 and \$20 million.

"Now, do people who want to simply fund the education system out of the General Fund want to say to the taxpayers, 'Oh, yes, we're going to take \$20 million every year' and write that right in because if they want to do it I want to know now, this year, in this budget, before I move pass the Ways and Means Committee because I do not want to fight for every single child and the pay of every single teacher and to keep every single program going in

the DOE, every single year to the tune of between \$15 and \$20 million before I'm even able to get up to the rate of funding that we have at this moment. This is one of the reasons you're getting an education fee bill coming over to the Ways and Means Committee.

"We're going to have to make fundamental decisions here about what we're going to do about taxes; what kind of relationship we're going to have with the Federal Government and whether or not we'll be able to fund education within the next year, let alone this year. We have to find \$3 million this year and this isn't being discussed.

"There are hundreds of teachers and thousands of school children whose programs will be immediately affected and whose incomes will be decimated, this year, if we do not pass necessary appropriations. And every single penny that comes out of the General Fund to take care of the gap left there by the Federal Government in education impact aid is the penny that has to come from any program that any Senator on this floor wants to see put forward this year in this year's budget.

"So what the previous speaker was saying is not something that could be regarded as an abstraction. It's not something that can be regarded merely as an observation or an overview of an academic subject. It's something which affects the lives and fortune of every single man, woman and child in these islands in this State of Hawaii, this year, right now.

"And so I submit that the admonition the previous speaker made that we deal with these problems forthrightly and in the immediate instance is something that we should all take very much to heart.

"Thank you."

The Chair then responded as follows:

"I trust that all of these discussions will be entered into the Journal, at least the transcripts will be disseminated to each Senator for, perhaps, further study and analysis. I trust that the media and in particular the newspapers would vacate their mercenary posture, their usual posture, and dedicate some space for public reading of some of these words as a public service.

"I trust the newspaper reporters will take that message back to their very wealthy owners."

ADJOURNMENT

At 12:11 o'clock p.m., on motion
by Senator Cobb, seconded by Senator
Anderson and carried, the Senate
adjourned until 11:30 o'clock a.m.,
Tuesday, March 2, 1982.

TWENTY-FOURTH DAY

Tuesday, March 2, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the Vice-President in the Chair.

The Divine Blessing was invoked by the Reverend Dan Chun, Assistant Minister of the First Presbyterian Church of Honolulu, after which the Roll was called showing all Senators present with the exception of Senator Ushijima who was excused.

The President announced that he had read and approved the Journal of the Twenty-Third Day.

At this time, the following introductions were made to the members of the Senate:

Senator Anderson, on behalf of the members of the Senate, introduced a group of 46 senior citizens from the Moanalua Senior Citizens Club.

Senator Toyofuku introduced 12 senior citizens from Kauai, accompanied by two members of the Kauai Office of Elderly Affairs, Ms. Ellie Lloyd and Mr. Kealoha Takahashi.

Senator Young then rose and stated:

"Mr. President, I would like to introduce to the members of the Senate the Seinan Gakuen University Glee Club from Fukuoka, our sister-prefecture in Japan. The Glee Club, accompanied by Professor Haruo Furukawa, is en route home from a two-week concert tour which has taken them to California, Minnesota and New York.

"For the listening pleasure of the Senate, staff and visitors, they have agreed to sing a couple of numbers for us at this time. May I present the Seinan Gakuen Glee Club."

The members of the Glee Club, under the direction of student conductor Toshihiko Ide then sang "Mogamigawa Funa No Uta" and "Kuroda Bushi" for the members of the Senate.

Senator Holt then introduced 23 fifth and sixth graders from Kamehameha School, accompanied by their teacher, Miss Leigh Foster.

HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 24) transmitting House Bill No. 2163-82, which passed Third Reading

in the House of Representatives on March 1, 1982, was read by the Clerk and was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2163-82, entitled: "A BILL FOR AN ACT RELATING TO THE EXECUTIVE DEPARTMENTS," passed First Reading and was referred to the Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 28-82) informing the Senate that Senate Concurrent Resolution Nos. 20 and 21, Senate Resolution Nos. 32 to 34 and Standing Committee Report No. 27-82 have been printed and are ready for distribution.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Ajifu, for the Committee on Government Operations and Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 29-82) recommending that Senate Bill No. 2408-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Ajifu and carried, the report of the Committee was adopted and S.B. No. 2408-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISBURSEMENT OF FINES AND FORFEITURES," passed Second Reading and was referred to the Committee on Ways and Means.

At 11:52 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:53 o'clock a.m.

Senator Kuroda, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 30-82) recommending that Senate Bill No. 2392-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No.

2392-82, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TOURISM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ajifu, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 31-82) recommending that Senate Bill No. 2169-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ajifu, seconded by Senator Kobayashi and carried, the report of the Committee was adopted and S.B. No. 2169-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cayetano, for the majority of the Committee on Health, presented a report (Stand. Com. Rep. No. 32-82) recommending that Senate Bill No. 2978-82 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cayetano, seconded by Senator Carpenter and carried, the report of the majority of the Committee was adopted and S.B. No. 2978-82, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CANCER COMMISSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 33-82) recommending that Senate Bill No. 2201-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 2201-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 34-82) recommending that Senate Bill No. 2429-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 2429-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 35-82) recommending that Senate Bill No. 2486-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 2486-82, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STUDY OF HOUSING NEEDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 36-82) recommending that Senate Bill No. 2492-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 2492-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 37-82) recommending that Senate Bill No. 2495-82 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 2495-82, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HOUSING AUTHORITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 38-82) recommending that Senate Bill No. 2498-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 2498-82, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN

APPROPRIATION FOR A STUDY OF THE COST OF GOVERNMENT REGULATION IN THE LAND DEVELOPMENT PROCESS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 39-82) recommending that Senate Bill No. 2648-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 2648-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 40-82) recommending that Senate Bill No. 2649-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 2649-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS (OHA)," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the majority of the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 41-82) recommending that Senate Bill No. 2652-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Kuroda and carried, the report of the majority of the Committee was adopted and S.B. No. 2652-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS (OHA)," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 42-82) recommending that Senate Bill No. 2982-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Kuroda and carried, the

report of the Committee was adopted and S.B. No. 2982-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ajifu, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 43-82) recommending that Senate Bill No. 2168-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ajifu, seconded by Senator Kobayashi and carried, the report of the Committee was adopted and S.B. No. 2168-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION OF AGRICULTURAL ACTIVITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ajifu, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 44-82) recommending that Senate Bill No. 2187-82 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ajifu, seconded by Senator Kobayashi and carried, the report of the Committee was adopted and S.B. No. 2187-82, entitled: "A BILL FOR AN ACT RELATING TO BRANDS AND AMENDING SECTION 142-41, HAWAII REVISED STATUTES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ajifu, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 45-82) recommending that Senate Bill No. 2942-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ajifu, seconded by Senator Kobayashi and carried, the report of the Committee was adopted and S.B. No. 2942-82, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AQUACULTURE FEEDS PRODUCTION PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ajifu, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 46-82) recommending that Senate Bill No. 2356-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Economic Development.

On motion by Senator Ajifu, seconded by Senator Kobayashi and carried, the report of the Committee was adopted

and S.B. No. 2356-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE WITHIN AGRICULTURAL DISTRICTS," passed Second Reading and was referred to the Committee on Economic Development.

Senator Ajifu, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 47-82) recommending that Senate Bill No. 2449-82 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Ajifu, seconded by Senator Kobayashi and carried, the report of the Committee was adopted and S.B. No. 2449-82, entitled: "A BILL FOR AN ACT RELATING TO THE RIGHT TO FARM," passed Second Reading and was referred to the Committee on Judiciary.

Senator George, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 48-82) recommending that Senate Bill No. 2295-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator George, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2295-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DRIVER EDUCATION AND TRAINING FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator George, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 49-82) recommending that Senate Bill No. 2637-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator George, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2637-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator George, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 50-82) recommending that Senate Bill No. 2681-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator George, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2681-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 51-82) recommending that Senate Bill No. 2716-82, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Economic Development.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the Committee was adopted and S.B. No. 2716-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII ECONOMIC REVITALIZATION OPPORTUNITIES ACT," passed First Reading and was recommitted to the Committee on Economic Development.

Senator George, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 52-82) recommending that Senate Bill No. 2325-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator George, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2325-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NONRESIDENT VEHICLE PERMITS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator George, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 53-82) recommending that Senate Bill No. 2851-82 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator George, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2851-82, entitled: "A BILL FOR AN ACT RELATING TO THE REGISTRATION OF VEHICLES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator George, for the majority of the Committee on Transportation, presented a report (Stand. Com. Rep. No. 54-82) recommending that Senate Bill No. 2571-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator George, seconded by Senator Cayetano and

carried, the report of the majority of the Committee was adopted and S.B. No. 2571-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER'S REVOCATION," passed Second Reading and was referred to the Committee on Judiciary.

Senator George, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 55-82) recommending that Senate Bill No. 2403-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator George, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2403-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII WING, CIVIL AIR PATROL," passed Second Reading and was referred to the Committee on Ways and Means.

Senator George, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 56-82) recommending that Senate Bill No. 2471-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator George, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2471-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE SAFETY RESPONSIBILITY ACT," passed Second Reading and was referred to the Committee on Judiciary.

Senator George, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 57-82) recommending that Senate Bill No. 2848-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator George, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2848-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFF-ROAD VEHICLES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 58-82) recommending that Senate Bill No. 2981-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Holt and carried, the report

of the Committee was adopted and S.B. No. 2981-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 59-82) recommending that Senate Bill No. 1388, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the Committee was adopted and S.B. No. 1388, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX INCENTIVES FOR ENERGY CONSERVATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 60-82) recommending that Senate Bill No. 474 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the Committee was adopted and S.B. No. 474, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 61-82) recommending that Senate Bill No. 1395 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the Committee was adopted and S.B. No. 1395, entitled: "A BILL FOR AN ACT RELATING TO THE LIQUOR TAX," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 62-82) recommending that Senate Bill No. 505 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the Committee was adopted and S.B. No. 505, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Ways

and Means.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 63-82) recommending that Senate Bill No. 974, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the Committee was adopted and S.B. No. 974, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ALTERNATE ENERGY FACILITY," passed Second Reading and was referred to the Committee on Ways and Means.

ADJOURNMENT

At 11:58 o'clock a.m., on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, March 3, 1982.

TWENTY-FIFTH DAY

Wednesday, March 3, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Myoshin Ichinose of the Soto Mission of Hawaii, after which the Roll was called showing all Senators present with the exception of Senator Abercrombie who was excused.

The President announced that he had read and approved the Journal of the Twenty-Fourth Day.

The following introductions were then made to the members of the Senate:

Senator Anderson introduced 25 members of the Kahaluu Senior Citizens Club.

Senator Yamasaki then introduced Mr. Kyoichi Hamada from Kita-Kyushu City, Japan, and Mr. Masa Kamaura, past president of the Fukuoka Kenjin Kai Association of Hawaii.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. No. 100 and 101) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 100), transmitting copies of the 1982 Annual Report to the Governor on Employment and Training Programs, prepared jointly by the State Commission on Manpower and Full Employment and the State Employment and Training Council, pursuant to Section 202, HRS, and P.L. 95-524, respectively, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 101), transmitting copies of the Annual Report (FY 1981) of the Natural Energy Laboratory of Hawaii, as mandated by Section 227-3, HRS, was referred to the Committee on Economic Development.

DEPARTMENTAL COMMUNICATION

A communication from the Office of Collective Bargaining (Dept. Com. No. 11), transmitting copies of the Unit 11 (Firefighters) collective bargaining agreements covering the biennium 1981-83, was read by the Clerk and was referred to the Committee on Human Resources.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 64-82) informing the Senate that Standing Committee Report Nos. 29-82 to 63-82 have been printed and are ready for distribution.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 65-82) recommending that Senate Bill No. 2760-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the Committee was adopted and S.B. No. 2760-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 66-82) recommending that Senate Bill No. 2904-82 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the Committee was adopted and S.B. No. 2904-82, entitled: "A BILL FOR AN ACT RELATING TO A WATER COMMISSION AND FORMULATION OF A STATE WATER CODE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 67-82) recommending that Senate Bill No. 2309-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the Committee was adopted and S.B. No. 2309-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 68-82) recommending that Senate Bill No. 2224-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the Committee was adopted and S.B. No. 2224-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 69-82) recommending that Senate Bill No. 2411-82 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the Committee was adopted and S.B. No. 2411-82, entitled: "A BILL FOR AN ACT RELATING TO ENHANCEMENT OF COMMERCIAL FISHERIES DEVELOPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 70-82) recommending that Senate Bill No. 1054 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the Committee was adopted and S.B. No. 1054, entitled: "A BILL FOR AN ACT RELATING TO THE CAPITAL LOAN PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 71-82) recommending that Senate Bill No. 507 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the Committee was adopted and S.B. No. 507, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 72-82) recommending that Senate Bill No. 553, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the Committee was adopted and S.B. No. 553, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 73-82) recommending that Senate Bill No. 2909-82 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the Committee was adopted and S.B. No. 2909-82, entitled: "A BILL FOR AN ACT RELATING TO THE DEVELOPMENT OF AN INTER-ISLAND ELECTRICAL POWER CABLE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 74-82) recommending that Senate Bill No. 2709-82 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the Committee was adopted and S.B. No. 2709-82, entitled: "A BILL FOR AN ACT RELATING TO THE ENCOURAGEMENT OF FEDERALLY CERTIFIED DEVELOPMENT COMPANIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 75-82) recommending that Senate Bill No. 2948-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the Committee was adopted and S.B. No. 2948-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION," passed Second Reading and was referred to the Committee

on Ways and Means.

Senator Kawasaki, for the Committee on Government Operations and Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 76-82) recommending that Senate Bill No. 2409-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawasaki, seconded by Senator Ajifu and carried, the report of the Committee was adopted and S.B. No. 2409-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 77-82) recommending that Senate Bill No. 151, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the Committee was adopted and S.B. No. 151, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVESTMENT TAX CREDITS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 78-82) recommending that Senate Bill No. 2362-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Uwaine and carried, the report of the Committee was adopted and S.B. No. 2362-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF REGULATORY AGENCIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 79-82) recommending that Senate Bill No. 2137-82 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Uwaine and carried, the report of the Committee was adopted and S.B. No. 2137-82, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed Second Reading and was referred to the Committee

on Ways and Means.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 80-82) recommending that Senate Bill No. 2396-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Uwaine and carried, the report of the Committee was adopted and S.B. No. 2396-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT (MODIFIED)," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 81-82) recommending that Senate Bill No. 2430-82 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Uwaine and carried, the report of the Committee was adopted and S.B. No. 2430-82, entitled: "A BILL FOR AN ACT RELATING TO CREATION OF SPECIAL HANDLING FEES FOR REVIEW OF CORPORATION AND PARTNERSHIP DOCUMENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawasaki, for the Committee on Government Operations and Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 82-82) recommending that Senate Bill No. 2967-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawsaski, seconded by Senator Ajifu and carried, the report of the Committee was adopted and S.B. No. 2967-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC MONEY AND PUBLIC CONTRACTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Soares, for the Committee on Public Utilities, presented a report (Stand. Com. Rep. No. 83-82) recommending that Senate Bill No. 2513-82 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Soares, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 2513-82, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES: FRANCHISE TAX," passed Second Reading and was referred to

the Committee on Ways and Means.

Senator Soares, for the majority of the Committee on Public Utilities, presented a report (Stand. Com. Rep. No. 84-82) recommending that Senate Bill No. 2611-82 pass Second Reading and be referred to the Committee on Human Resources.

On motion by Senator Soares, seconded by Senator Yamasaki and carried, the report of the majority of the Committee was adopted and S.B. No. 2611-82, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed Second Reading and was referred to the Committee on Human Resources.

Senator Soares, for the Committee on Public Utilities, presented a report (Stand. Com. Rep. No. 85-82) recommending that Senate Bill No. 2616-82 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Soares, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 2616-82, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STUDY OF CHAPTER 269, PUBLIC UTILITIES COMMISSION, HAWAII REVISED STATUTES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Soares, for the Committee on Public Utilities, presented a report (Stand. Com. Rep. No. 86-82) recommending that Senate Bill No. 2617-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Soares, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 2617-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THEFT OF UTILITY SERVICES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Cayetano, for the Committee on Health, presented a report (Stand. Com. Rep. No. 87-82) recommending that Senate Bill No. 2382-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Senator Cayetano, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2382-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Senator Cayetano, for the Committee on Health, presented a report (Stand. Com. Rep. No. 88-82) recommending that Senate Bill No. 2919-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cayetano, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2919-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SECURITY FOR SPECIAL PURPOSE REVENUE BONDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cayetano, for the Committee on Health, presented a report (Stand. Com. Rep. No. 89-82) recommending that Senate Bill No. 2950-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cayetano, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2950-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FUNDING OF COUNTY EMERGENCY MEDICAL SERVICES DEFICITS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cayetano, for the Committee on Health, presented a report (Stand. Com. Rep. No. 90-82) recommending that Senate Bill No. 2926-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cayetano, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2926-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RELEASE OF MATCHING STATE FUNDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cayetano, for the Committee on Health, presented a report (Stand. Com. Rep. No. 91-82) recommending that Senate Bill No. 2205-82 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cayetano, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2205-82, entitled: "A BILL FOR AN ACT RELATING TO COUNTY/STATE HOSPITAL SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cayetano, for the Committee on Health, presented a report (Stand. Com. Rep. No. 92-82) recommending that Senate Bill No. 2144-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Senator Cayetano, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2144-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRUGS," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Senator Cayetano, for the Committee on Health, presented a report (Stand. Com. Rep. No. 93-82) recommending that Senate Bill No. 2761-82 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cayetano, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2761-82, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR HEALTH CARE FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cayetano, for the Committee on Health, presented a report (Stand. Com. Rep. No. 94-82) recommending that Senate Bill No. 2470-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cayetano, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2470-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cayetano, for the Committee on Health, presented a report (Stand. Com. Rep. No. 95-82) recommending that Senate Bill No. 2590-82 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cayetano, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2590-82, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A MINI-COMPUTER FOR THE INVESTIGATION AND NARCOTICS CONTROL SECTION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 96-82) recommending that Senate Bill No. 2373-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kobayashi, seconded by Senator George and carried, the report of the Committee was adopted and S.B. No. 2373-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A STATE PARK LIFE-SAVING SERVICES PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 97-82) recommending that Senate Bill No. 2167-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kobayashi, seconded by Senator George and carried, the report of the Committee was adopted and S.B. No. 2167-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 98-82) recommending that Senate Bill No. 2204-82 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kobayashi, seconded by Senator George and carried, the report of the Committee was adopted and S.B. No. 2204-82, entitled: "A BILL FOR AN ACT RELATING TO LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 99-82) recommending that Senate Bill No. 2644-82 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Holt and carried, the report of the Committee was adopted and S.B. No. 2644-82, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII

HOUSING AUTHORITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 100-82) recommending that Senate Bill No. 2457-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Holt and carried, the report of the Committee was adopted and S.B. No. 2457-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDIVIDUAL HOUSING ACCOUNTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 101-82) recommending that Senate Bill No. 2487-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Holt and carried, the report of the Committee was adopted and S.B. No. 2487-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 102-82) recommending that Senate Bill No. 2610-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Holt and carried, the report of the Committee was adopted and S.B. No. 2610-82, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO FUND THE RENTAL ASSISTANCE FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 103-82) recommending that Senate Bill No. 2339-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Holt and carried, the report of the Committee was adopted and S.B. No. 2339-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SALES OF REAL PROPERTY," passed

Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 104-82) recommending that Senate Bill No. 2497-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Holt and carried, the report of the Committee was adopted and S.B. No. 2497-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RENTAL ASSISTANCE FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 105-82) recommending that Senate Bill No. 2549-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Holt and carried, the report of the Committee was adopted and S.B. No. 2549-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A RELOCATION ASSISTANCE PROGRAM FOR SPECIAL NEEDS PERSONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 106-82) recommending that Senate Bill No. 2688-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Young, seconded by Senator Holt and carried, the report of the Committee was adopted and S.B. No. 2688-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTION REGISTRATION FOR THE OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 107-82) recommending that Senate Bill No. 2755-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Holt and carried, the report of the Committee was adopted and S.B. No. 2755-82, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A FEASIBILITY

STUDY RELATING TO HOUSING PROGRAMS OF THE DEPARTMENT OF HAWAIIAN HOME LANDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 108-82) recommending that Senate Bill No. 2202-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Holt and carried, the report of the Committee was adopted and S.B. No. 2202-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EXECUTIVE DEPARTMENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 109-82) recommending that Senate Bill No. 2808-82 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Holt and carried, the report of the Committee was adopted and S.B. No. 2808-82, entitled: "A BILL FOR AN ACT RELATING TO HOUSING BY COUNTIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 110-82) recommending that Senate Bill No. 2340-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Holt and carried, the report of the Committee was adopted and S.B. No. 2340-82, S.D. 1, entitled: "A BILL FOR AN ACT AMENDING THE CONVEYANCE TAX LAW TO PROVIDE FOR COUNTY HOUSING FUNDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 111-82) recommending that Senate Bill No. 2861-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Holt and carried, the report of the Committee was adopted and S.B. No. 2861-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

THE HOUSING LOAN AND MORTGAGE PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 112-82) recommending that Senate Bill No. 2469-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kobayashi, seconded by Senator George and carried, the report of the Committee was adopted and S.B. No. 2469-82, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STUDY OF BEACH EROSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 113-82) recommending that Senate Bill No. 2155-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kobayashi, seconded by Senator George and carried, the report of the Committee was adopted and S.B. No. 2155-82, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE REPAIR AND RESTORATION OF THE WAR MEMORIAL AT KING AND PUNCHBOWL STREETS, HONOLULU," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Saiki, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 114-82) recommending that S.B. No. 906, S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Saiki, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 906, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Saiki, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 115-82) recommending that Senate Bill No. 2347-82 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Saiki, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2347-82, entitled: "A BILL FOR AN ACT RELATING TO TUITION

WAIVERS FOR VETERANS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Saiki, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 116-82) recommending that Senate Bill No. 2751-82 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Saiki, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2751-82, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CONTINUING EDUCATION FOR WOMEN," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Saiki, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 117-82) recommending that Senate Bill No. 2911-82 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Saiki, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2911-82, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CONTINUING EDUCATION AND COMMUNITY SERVICES PROGRAM AT THE UNIVERSITY OF HAWAII AT HILO," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kuroda, for the Committee on Education, presented a report (Stand. Com. Rep. No. 118-82) recommending that Senate Bill No. 2756-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Kuroda, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2756-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE 1984 HAWAII STATEHOOD SILVER JUBILEE," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kuroda, for the Committee on Education, presented a report (Stand. Com. Rep. No. 119-82) recommending that Senate Bill No. 2192-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Kuroda, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2192-82, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO COMPULSORY SCHOOL ATTENDANCE," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kuroda, for the Committee on Education, presented a report (Stand. Com. Rep. No. 120-82) recommending that Senate Bill No. 2757-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2757-82, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE FOR THE EXPENSES OF THE 1984 HAWAII STATEHOOD SILVER JUBILEE COMMITTEE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kuroda, for the Committee on Education, presented a report (Stand. Com. Rep. No. 121-82) recommending that Senate Bill No. 2185-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2185-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FOUNDATION ON CULTURE AND THE ARTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kuroda, for the Committee on Education, presented a report (Stand. Com. Rep. No. 122-82) recommending that Senate Bill No. 2354-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2354-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEES COLLECTED FROM THE USERS OF SCHOOL BUILDINGS, FACILITIES, GROUNDS AND EQUIPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kuroda, for the Committee on Education, presented a report (Stand. Com. Rep. No. 123-82) recommending that Senate Bill No. 2148-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded

by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2148-82, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR STUDENT ACTIVITY SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kuroda, for the Committee on Education, presented a report (Stand. Com. Rep. No. 124-82) recommending that Senate Bill No. 2823-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2823-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS SPECIAL FEES AND CHARGES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kuroda, for the Committee on Education, presented a report (Stand. Com. Rep. No. 125-82) recommending that Senate Bill No. 2824-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2824-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTION OF ADULT EDUCATION SPECIAL FUNDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kuroda, for the Committee on Education, presented a report (Stand. Com. Rep. No. 126-82) recommending that Senate Bill No. 2815-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2815-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTINUING A PROJECT FOR A CAREER OPPORTUNITIES PROGRAM AND MAKING AN APPROPRIATION THEREFOR," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 127-82) recommending that Senate Bill No. 2297-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2297-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 128-82) recommending that Senate Bill No. 2424-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2424-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDITS FOR POLITICAL CONTRIBUTIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 129-82) recommending that Senate Bill No. 2684-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the majority of the Committee was adopted and S.B. No. 2684-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION," passed Second Reading and was referred to the Committee on Ways and Means on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (O'Connor).
Excused, 1 (Abercrombie).

Senator Carpenter, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 130-82) recommending that Senate Bill No. 2683-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the majority of the Committee was adopted and S.B. No. 2683-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EQUAL ACCESS TO JUSTICE," passed Second Reading and was referred to the Committee on Ways and Means on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (O'Connor).
Excused, 1 (Abercrombie).

Senator Carpenter, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 131-82) recommending that Senate Bill No. 2269-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the majority of the Committee was adopted and S.B. No. 2269-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A CRIMINAL JUSTICE TRAINING FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 132-82) recommending that Senate Bill No. 2534-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the majority of the Committee was adopted and S.B. No. 2534-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," passed Second Reading and was referred to the Committee on Ways and Means on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (O'Connor).
Excused, 1 (Abercrombie).

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 133-82) recommending that Senate Bill No. 2190-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2190-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CRIMINAL JUSTICE INFORMATION DATA CENTER," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 134-82) recommending that Senate Bill No. 2754-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee

was adopted and S.B. No. 2754-82, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE VICTIM-WITNESS COUNSELOR PROGRAMS," passed Second Reading and was referred to the Committee on Ways and Means on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (O'Connor).
Excused, 1 (Abercrombie).

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 135-82) recommending that Senate Bill No. 2195-82 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2195-82, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 136-82) recommending that Senate Bill No. 2627-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2627-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ORGANIZED CRIME. CHAPTER 842, HAWAII REVISED STATUTES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 137-82) recommending that Senate Bill No. 2833-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2833-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CRIME COMMISSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 138-82) recommending that Senate Bill No. 2277-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways

and Means.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2277-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WITNESS SECURITY AND PROTECTION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 139-82) recommending that Senate Bill No. 2244-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2244-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECOVERY OF MONEY OWED TO THE STATE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 140-82) recommending that Senate Bill No. 2752-82 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2752-82, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STATEWIDE SEXUAL ASSAULT PREVENTION PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 141-82) recommending that Senate Bill No. 1073 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 1073, entitled: "A BILL FOR AN ACT TO ESTABLISH A PUBLIC GUARDIANSHIP," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 142-82) recommending that Senate Bill No. 2296-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2296-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 143-82) recommending that Senate Bill No. 2294-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2294-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY BUDGET," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Young and Carpenter, for the Committee on Housing and Hawaiian Homes and the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 144-82) recommending that Senate Bill No. 2657-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Carpenter and carried, the joint report of the Committees was adopted and S.B. No. 2657-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KULEANA LAND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 145-82) recommending that Senate Bill No. 2281-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2281-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONSTRUCTION OF SECURE FACILITIES FOR JUVENILES ON THE ISLANDS OF HAWAII AND KAUAI," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 146-82) recommending that Senate Bill No. 2381-82 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2381-82, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 147-82) recommending that Senate Bill No. 2298-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2298-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 148-82) recommending that Senate Bill No. 2869-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2869-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SUPPORT OF CHILDREN," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 149-82) recommending that Senate Bill No. 1127, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Consumer Protection and Commerce.

On motion by Senator Cobb, seconded by Senator Uwayne and carried, the report of the Committee was adopted and S.B. No. 1127, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM CONVERSION," passed First Reading and was recommitted to the Committee on Consumer Protection and Commerce.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 150-82) recommending that Senate Bill No. 2140-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cobb, seconded by Senator Uwayne and carried, the report of the Committee was adopted and S.B. No. 2140-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLAIN LANGUAGE IN CONSUMER TRANSACTIONS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 151-82) recommending that Senate Bill No. 2149-82 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Uwayne and carried, the report of the Committee was adopted and S.B. No. 2149-82, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 152-82) recommending that Senate Bill No. 2324-82 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Uwayne and carried, the report of the Committee was adopted and S.B. No. 2324-82, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 153-82) recommending that Senate Bill No. 2393-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Uwayne and carried, the report of the Committee was adopted and S.B. No. 2393-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEASUREMENT STANDARDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 154-82) recommending that Senate Bill No. 2399-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded

by Senator Uwaine and carried, the report of the Committee was adopted and S.B. No. 2399-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF REGULATORY AGENCIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 155-82) recommending that Senate Bill No. 2920-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Uwaine and carried, the report of the Committee was adopted and S.B. No. 2920-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLICATION OF PROPERTY INSURANCE RATES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 156-82) recommending that Senate Bill No. 2364-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Uwaine and carried, the report of the Committee was adopted and S.B. No. 2364-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESSES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 157-82) recommending that Senate Bill No. 2139-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Uwaine and carried, the report of the Committee was adopted and S.B. No. 2139-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cayetano, for the Committee on Health, presented a report (Stand. Com. Rep. No. 158-82) recommending that Senate Bill No. 2481-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cayetano, seconded by Senator Carpenter and

carried, the report of the Committee was adopted and S.B. No. 2481-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL RECORDS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Cayetano, for the Committee on Health, presented a report (Stand. Com. Rep. No. 159-82) recommending that Senate Bill No. 2517-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cayetano, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2517-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 160-82) recommending that Senate Bill No. 2170-82 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Uwaine, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2170-82, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 161-82) recommending that Senate Bill No. 2180-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Uwaine, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2180-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL ASSISTANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 162-82) recommending that Senate Bill No. 2184-82 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Uwaine, seconded by Senator Cayetano and carried, the report of the Committee was adopted

and S.B. No. 2184-82, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 163-82) recommending that Senate Bill No. 2242-82 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Uwaine, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2242-82, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING," passed Second Reading and was referred to the Committee on Judiciary.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 164-82) recommending that Senate Bill No. 2243-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Uwaine, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2243-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN IN FOSTER CARE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 165-82) recommending that Senate Bill No. 2247-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Uwaine, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2247-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VETERAN'S RIGHTS AND BENEFITS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 166-82) recommending that Senate Bill No. 2401-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Uwaine, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2401-82, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CHILD ABUSE AND NEGLECT," passed Second Reading and was referred to the Committee on Judiciary.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 167-82) recommending that Senate Bill No. 2482-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Uwaine, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2482-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 168-82) recommending that Senate Bill No. 2246-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Uwaine, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2246-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELDERLY ABUSE AND NEGLECT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 169-82) recommending that Senate Bill No. 2523-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Uwaine, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2523-82, S. D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 170-82) recommending that Senate Bill No. 2594-82 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Uwaine, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2594-82, entitled: "A BILL FOR AN ACT RELATING TO HOME CARE SERVICES," passed Second

Reading and was referred to the Committee on Ways and Means.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 171-82) recommending that Senate Bill No. 2887-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Uwaine, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2887-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 172-82) recommending that Senate Bill No. 2889-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Uwaine, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2889-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawasaki, for the Committee on Government Operations and Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 173-82) recommending that Senate Bill No. 2160-82 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawasaki, seconded by Senator Ajifu and carried, the report of the Committee was adopted and S.B. No. 2160-82, entitled: "A BILL FOR AN ACT RELATING TO DELINQUENT MONEYS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawasaki, for the Committee on Government Operations and Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 174-82) recommending that Senate Bill No. 2816-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawasaki, seconded by Senator Ajifu and carried, the report of the Committee was adopted and S.B. No. 2816-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GRANTS, SUBSIDIES, AND PURCHASES OF SERVICE," passed Second Reading

and was referred to the Committee on Ways and Means.

Senator George, for the majority of the Committee on Transportation, presented a report (Stand. Com. Rep. No. 175-82) recommending that Senate Bill No. 313, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator George, seconded by Senator Kawasaki and carried, the report of the majority of the Committee was adopted and S.B. No. 313, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MAKING AN APPROPRIATION FOR AIR TRANSPORTATION FACILITIES AND SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator George, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 176-82) recommending that Senate Bill No. 2147-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator George, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 2147-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 177-82) recommending that Senate Bill No. 880, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator George, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 880, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII NONPROFIT CORPORATION ACT," passed Second Reading and was referred to the Committee on Judiciary.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 178-82) recommending that Senate Bill No. 2142-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Uwaine and carried, the report of the Committee was adopted and S.B. No. 2142-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALARM BUSINESSES," passed Second Reading and was referred to the Committee

on Ways and Means.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 179-82) recommending that Senate Bill No. 2336-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cobb, seconded by Senator Uwayne and carried, the report of the Committee was adopted and S.B. No. 2336-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SELF-SERVICE STORAGE INDUSTRY," passed Second Reading and was referred to the Committee on Judiciary.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 180-82) recommending that Senate Bill No. 2286-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Uwayne and carried, the report of the Committee was adopted and S.B. No. 2286-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL WORKERS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 181-82) recommending that Senate Bill No. 796, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cobb, seconded by Senator Uwayne and carried, the report of the Committee was adopted and S.B. No. 796, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII BUSINESS CORPORATION ACT," passed Second Reading and was referred to the Committee on Judiciary.

Senator Saiki, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 182-82) recommending that Senate Bill No. 2262-82 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Saiki, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2262-82, entitled: "A BILL FOR AN ACT RELATING TO THE STATE HIGHER EDUCATION LOAN FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Saiki, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 183-82) recommending that Senate Bill No. 903, as amended in S.D. 1, pass First Reading and be referred to the Committee on Ways and Means.

On motion by Senator Saiki, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 903, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF REGENTS," passed First Reading and was referred to the Committee on Ways and Means.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 184-82) recommending that Senate Bill No. 2960-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Economic Development.

On motion by Senator Kobayashi, seconded by Senator George and carried, the report of the Committee was adopted and S.B. No. 2960-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Economic Development.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 185-82) recommending that Senate Bill No. 2621-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kobayashi, seconded by Senator George and carried, the report of the Committee was adopted and S.B. No. 2621-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A WASTEWATER TREATMENT WORKS REVOLVING FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 186-82) recommending that Senate Bill No. 2864-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kobayashi, seconded by Senator George and carried, the report of the Committee was adopted and S.B. No. 2864-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST A PROCESSING ENTERPRISE," passed Second Reading and was referred to

the Committee on Ways and Means.

Senator Cayetano, for the Committee on Health, presented a report (Stand. Com. Rep. No. 187-82) recommending that Senate Bill No. 2924-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cayetano, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2924-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A PATIENT'S RIGHT OF SELF-DETERMINATION," passed Second Reading and was referred to the Committee on Judiciary.

Senator Cayetano, for the Committee on Health, presented a report (Stand. Com. Rep. No. 188-82) recommending that Senate Bill No. 2421-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cayetano, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2421-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONS IN NEED OF PROTECTION," passed Second Reading and was referred to the Committee on Judiciary.

Senator Cayetano, for the Committee on Health, presented a report (Stand. Com. Rep. No. 189-82) recommending that Senate Bill No. 2428-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cayetano, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2428-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," passed Second Reading and was referred to the Committee on Judiciary.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 190-82) recommending that Senate Bill No. 2814-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Holt and carried, the report of the Committee was adopted and S.B. No. 2814-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee

on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 191-82) recommending that Senate Bill No. 2866-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Holt and carried, the report of the Committee was adopted and S.B. No. 2866-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 192-82) recommending that Senate Bill No. 2807-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Holt and carried, the report of the Committee was adopted and S.B. No. 2807-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE AND COUNTY HOUSING LOAN PROGRAMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 193-82) recommending that Senate Bill No. 2489-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Holt and carried, the report of the Committee was adopted and S.B. No. 2489-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 194-82) recommending that Senate Bill No. 2661-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Holt and carried, the report of the Committee was adopted and S.B. No. 2661-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ajifu, for the Committee on Agriculture, presented a report

(Stand. Com. Rep. No. 195-82) recommending that Senate Bill No. 2893-82 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ajifu, seconded by Senator Kobayashi and carried, the report of the Committee was adopted and S.B. No. 2893-82, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX LAW," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ajifu, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 196-82) recommending that Senate Bill No. 2510-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ajifu, seconded by Senator Kobayashi and carried, the report of the Committee was adopted and S.B. No. 2510-82, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO CONTINUE MOLOKAI INSTITUTE FOR AGRICULTURE PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ajifu, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 197-82) recommending that Senate Bill No. 2971-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ajifu, seconded by Senator Kobayashi and carried, the report of the Committee was adopted and S.B. No. 2971-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LANDS FOR AGRICULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ajifu, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 198-82) recommending that Senate Bill No. 2289-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ajifu, seconded by Senator Kobayashi and carried, the report of the Committee was adopted and S.B. No. 2289-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 199-82) recommending that Senate Bill

No. 2250-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Holt and carried, the report of the Committee was adopted and S.B. No. 2250-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 200-82) recommending that Senate Bill No. 2701-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Holt and carried, the report of the Committee was adopted and S.B. No. 2701-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING COOPERATIVES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 201-82) recommending that Senate Bill No. 2994-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Holt and carried, the report of the Committee was adopted and S.B. No. 2994-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ajifu, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 202-82) recommending that Senate Bill No. 2892-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ajifu, seconded by Senator Kobayashi and carried, the report of the Committee was adopted and S.B. No. 2892-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUGAR STABILIZATION PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ajifu, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 203-82) recommending that Senate Bill No. 2434-82, as amended in S.D. 1, pass Second Reading

and be referred to the Committee on Ways and Means.

On motion by Senator Ajifu, seconded by Senator Kobayashi and carried, the report of the Committee was adopted and S.B. No. 2434-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 204-82) recommending that Senate Bill No. 2346-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2346-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL FEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cayetano, for the Committee on Health, presented a report (Stand. Com. Rep. No. 205-82), recommending that Senate Bill No. 2143-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Senator Cayetano, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2143-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRUG PRODUCT SELECTION," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 206-82) recommending that Senate Bill No. 2223-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the Committee was adopted and S.B. No. 2223-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONTROL OF PETROLEUM PRODUCTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 207-82) recommending that Senate Bill No. 2555-82, as amended in S.D. 1, pass Second Reading and be referred

to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the majority of the Committee was adopted and S.B. No. 2555-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A STATE OPERATED LOTTERY SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (O'Connor).
Excused, 1 (Abercrombie).

Senator George, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 208-82) recommending that Senate Bill No. 2261-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator George, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 2261-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 209-82) recommending that Senate Bill No. 2369-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Uwaine, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 2369-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 210-82) recommending that Senate Bill No. 2173-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Uwaine, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 2173-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Uwaine, for the Committee on Human Resources, presented a

report (Stand. Com. Rep. No. 211-82) recommending that Senate Bill No. 2268-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Uwaine, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 2268-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 212-82) recommending that Senate Bill No. 2916-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Uwaine, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 2916-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROVIDING STATE EMPLOYEES WITH THE OPTION TO ESTABLISH AN INDIVIDUAL RETIREMENT ACCOUNT WITH CONTRIBUTIONS FROM THE STATE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 213-82) recommending that Senate Bill No. 2888-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Uwaine, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 2888-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 214-82) recommending that Senate Bill No. 2213-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Uwaine, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 2213-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 215-82) recommending that Senate Bill No. 2524-82 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Uwaine, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 2524-82, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 216-82) recommending that Senate Bill No. 2607-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Uwaine, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 2607-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Ajifu and Henderson, for the Committee on Agriculture and the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 217-82) recommending that Senate Bill No. 2690-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ajifu, seconded by Senator Henderson and carried, the joint report of the Committees was adopted and S.B. No. 2690-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COOPERATIVE COUNCIL," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Ajifu and Cobb, for the Committee on Agriculture and the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 218-82) recommending that Senate Bill No. 2697-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ajifu, seconded by Senator Cobb and carried, the joint report of the Committees was adopted and S.B. No. 2697-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER COOPERATIVE ASSOCIATIONS," passed Second Reading and was referred

to the Committee on Ways and Means.

Senators Kobayashi and Henderson, for the Committee on Ecology, Environment and Recreation and the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 219-82) recommending that Senate Bill No. 561, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kobayashi, seconded by Senator Henderson and carried, the joint report of the Committees was adopted and S.B. No. 561, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REMOVAL OF SAND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ajifu, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 220-82) recommending that Senate Bill No. 2951-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ajifu, seconded by Senator Kobayashi and carried, the report of the Committee was adopted and S.B. No. 2951-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF THE AQUACULTURE ADVISORY COUNCIL," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ajifu, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 221-82) recommending that Senate Bill No. 2775-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ajifu, seconded by Senator Kobayashi and carried, the report of the Committee was adopted and S.B. No. 2775-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOIL AND WATER CONSERVATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cayetano, for the Committee on Health, presented a report (Stand. Com. Rep. No. 222-82) recommending that Senate Bill No. 2955-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cayetano, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2955-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL

SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 223-82) recommending that Senate Bill No. 2606-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Uwaine, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 2606-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 224-82) recommending that Senate Bill No. 2522-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Kobayashi, seconded by Senator George and carried, the report of the Committee was adopted and S.B. No. 2522-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALOHA STADIUM," passed Second Reading and was referred to the Committee on Judiciary.

ORDER OF THE DAY

THIRD READING

Senate Bill No. 2197-82:

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, S.B. No. 2197-82, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Kawasaki).
Excused, 1 (Abercrombie).

At 11:38 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:41 o'clock a.m.

At this time, Senator Campbell rose on a point of personal privilege and stated:

"Mr. President, some of us think that yesterday was a historic day for

the State of Hawaii, and certainly for Oahu. The occasion was the dedication of the first commercial wind generator on Oahu. This was a monumental step toward energy independence in Hawaii.

"Now, what should be of considerable interest to this body and to the legislators across the courtyard is the fact that this venture was accomplished through the efforts of individuals and private businesses without government subsidy. With an achievement of this dimension, I'm confident that Hawaii can become the first energy self-sufficient state in the nation. I've been a strong supporter of alternate sources of energy for Hawaii. Our dependence upon imported oil is more of a critical problem for Hawaii than any other state in the union, and I think that point is one with which not many can disagree.

"In concert with our congressional delegation and in cooperation with the Governor, I enlisted the support of a large number of state legislative leaders, senate presidents, speakers of the house from the around the country in trying to get at least ten million barrels of oil stored in Hawaii, to meet any oil crisis similar to the one we faced several years ago. The positive response far exceeded our grandest expectation.

"Mr. President, strong lobbying on the part of our Governor, our congressional delegation, state legislative leaders from around the country and a personal intensive two-month campaign on my part, which included an appeal to well over two thousand state legislators assembled in national conventions, none of this, none of this, moved Washington. In spite of these efforts we were not able to get the Federal Government to live up to its promise to store ten million barrels of oil in Hawaii.

"If for no other reason, this set of circumstances made it quite clear that Hawaii must develop an alternate to our present dependency on imported oil.

"I introduced a resolution last session which requested the state to explore the possibility of converting state and county vehicles to electric, and in pushing this measure I got to know one of the unsung heroes of alternate energy in Hawaii, Dr. Henry Hwang, who is a Professor of Engineering at the University of Hawaii, and one of these days on this floor we will talk about some of the work he's done.

"The proposal to convert state and

county vehicles to electric is more feasible today than it was one year ago when I introduced the resolution. The main problem of electric energy resource for electric cars has been solved and that's the wind generator and, I might add, it is cost-effective.

"Now, because Hawaii has the cleanest air of any state in the union and because of the continued use of large numbers of gasoline engines that pollute Hawaii's clean air, I call upon this session of the Legislature to move expeditiously in requesting the state to convert state and county vehicles to electric. And this move could set the stage for Hawaii becoming the first state in the union where electric automobile dealerships are common.

"Thank you, Mr. President."

Senator Kawasaki also rose on a point of personal privilege to state as follows:

"Mr. President, I'd like to express my delight in reading in the evening paper some very wise words of concern expressed by the chairman of our Ways and Means Committee, Senator Yamasaki, and also the chairman of the Finance Committee in the House, Representative Tony Kunimura.

"I'm glad that what they're saying, in essence, words I've been expressing for many years, expressing our concern for the financial plight of the state and that we've got to perhaps take a little more conservative posture if we are to protect the interest of the non-government employee segment of our population and non-lobbyist represented segment of our population.

"I find that I'm no longer the lonely voice in the Senate here and the ogre to the many people who make demands upon us...some of which demands are of very dubious merit.

"I note also with delight that the newspapers are devoting more than their usual amount of space for wise words uttered here, and I am referring particularly to the words of caution expressed by Senators Cayetano and Abercrombie. I trust that all of these uttered words will not fall on deaf ears around here and I trust the words of wisdom expressed in print will not have been received by seeing eyes, but unperceptive brains in the Legislature. I hope that there would be some meaningful results of all of these discussions both in print and audibly uttered, around here we'll make something of it."

Senator Kuroda then rose on a point

of personal privilege and stated:

"Mr. President, I would like to make reference to a bill that has passed second reading and referred to Ways and Means.

"In the interest of saving time we did move the bills forward for consideration in the next committee. However, I think it's important to note and I'd like to have it recorded in the Journal that the Senators representing the area are completely against the proposal mentioned in Senate Bill 313 on the selection of Poamoho as the site for the general aviation field. However, we continue to be party to continued discussion.

"Thank you."

The Chair so noted Senator Kuroda's remarks and added: "I've been also informed by Senators Young, Mizuguchi and Cayetano of their objections."

Senator Kawasaki again rose on a point of personal privilege and stated:

"Mr. President, yesterday before the start of the session, the Clerk of the Senate suggested that we take these second reading bills in one blanket coverage. I suggested to him that because there may be some who may want to record a 'no' vote on these individual bills and because there are so many bills, that perhaps this is not the wisest procedure.

"As I listened to some of the comments made today I realize that perhaps our habit of just having second reading bills introduced on our desks and then immediately moving for its passage to the next committee is not the wisest procedure. I would suggest that we should adopt as a Senate rule, or by practice, if nothing else, a hold-over of one day on second reading bills so each member of the Senate could read at their leisure, at least overnight, the contents of some of these second reading bills, then we vote for it to proceed to the next committee. This would preclude many people just having to vote 'aye' in blanket fashion the bills that they may object to strenuously and then certainly they

could record a 'no' vote even on second reading and be consistent as to what position they take on each and every bill."

The Chair responded: "Senator Kawasaki, the Chair will take that suggestion into consideration. We will discuss it further."

Senator Uwaine then rose to ask as follows:

"Mr. President on a point of parliamentary inquiry, I'd like to find out the Chair's definition of personal privilege. Is it such a broad point and privilege that anything can be said on this floor?"

The Chair answered: "Yes, Senator Uwaine, I think the Chair is taking the most liberal interpretation of the point of personal privilege, that is, if a senator or a member of this body feels that he is aggrieved by forces in the Senate, out of the Senate, or at home, that he would have a fair opportunity to express his disagreement."

Senator Cobb then rose to state:

"Mr. President, not a home grievance but a point in parliamentary privilege. With respect to the remarks by the Vice-President of the Senate, if we were to adopt a one-day waiting period, it would have to be in concert with the House, otherwise, both of the internal deadlines as well as the entire session schedule could be thrown out of whack. And while I appreciate the concern, many of us do have an opportunity to read the bills as committee members, but something as proposed, while I think it has merit is something that should be agreed to by both houses."

The Chair remarked: "To not prolong this discussion, I believe we ought to have some discussion and dialogue in caucus on the points raised by the Vice-President."

ADJOURNMENT

At 11:58 o'clock a.m., on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, March 4, 1982.

TWENTY-SIXTH DAY

Thursday, March 4, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Dr. Edmond Walker of the Hawaii Baptist Convention, after which the Roll was called showing all Senators present with the exception of Senators Abercrombie and Kawasaki who were excused.

The Chair announced that he had read and approved the Journal of the Twenty-Fifth Day.

At this time, the following introductions were made to the members of the Senate:

Senator Toyofuku introduced 28 seniors from Waimea High School, accompanied by their teacher, Mrs. Frances Moriguchi and her husband, Col. Ray Moriguchi.

Senator Kuroda then introduced five students from the Hawaiian Mission Academy, after which he introduced his wife's cousin from Hiroshima, Mrs. Seiko Nii, who is with the Insurance Division of the Japanese Postal Service.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 25 to 38) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 25), transmitting House Bill No. 2022-82, which passed Third Reading in the House of Representatives on March 3, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2022-82, entitled: "A BILL FOR AN ACT RELATING TO DEFERRED ACCEPTANCE OF NOLO CONTENDERE PLEAS," passed First Reading and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 26), transmitting House Bill No. 2026-82, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2026-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SHOWS," passed First Reading and was referred to the Committee on Consumer Protection

and Commerce.

A communication from the House (Hse. Com. No. 27), transmitting House Bill No. 2027-82, which passed Third Reading in the House of Representatives on March 3, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2027-82, entitled: "A BILL FOR AN ACT RELATING TO PEDDLING CAKE," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 28), transmitting House Bill No. 2028-82, which passed Third Reading in the House of Representatives on March 3, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2028-82, entitled: "A BILL FOR AN ACT RELATING TO HOTELS," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 29), transmitting House Bill No. 2031-82, which passed Third Reading in the House of Representatives on March 3, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2031-82, entitled: "A BILL FOR AN ACT RELATING TO COUNTY LICENSES," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 30), transmitting House Bill No. 2148-82, which passed Third Reading in the House of Representatives on March 3, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2148-82, entitled: "A BILL FOR AN ACT AMENDING CHAPTER 142, HAWAII REVISED STATUTES, RELATING TO ANIMALS, BRANDS, AND FINES," passed First Reading and was referred to the Committee on Agriculture.

A communication from the House (Hse. Com. No. 31), transmitting

House Bill No. 2150-82, which passed Third Reading in the House of Representatives on March 3, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2150-82, entitled: "A BILL FOR AN ACT AMENDING SECTION 142-12, HAWAII REVISED STATUTES, RELATING TO PENALTIES," passed First Reading and was referred to the Committee on Agriculture.

A communication from the House (Hse. Com. No. 32), transmitting House Bill No. 2173-82, which passed Third Reading in the House of Representatives on March 3, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2173-82, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed First Reading and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 33), transmitting House Bill No. 2192-82, which passed Third Reading in the House of Representatives on March 3, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2192-82, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 34), transmitting House Bill No. 2193-82, which passed Third Reading in the House of Representatives on March 3, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2193-82, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 35), transmitting House Bill No. 2198-82, which passed Third Reading in the House of Representatives on March 3, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2198-82, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DENTAL EXAMINERS," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 36), transmitting House Bill No. 2334-82, which passed Third Reading in the House of Representatives on March 3, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2334-82, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATORY PRICING IN SUPPLYING LIQUOR," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 37), transmitting House Bill No. 2430-82, which passed Third Reading in the House of Representatives on March 3, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2430-82, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 38), transmitting House Concurrent Resolution No. 95, which was adopted by the House of Representatives on March 3, 1982 was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.C.R. No. 95, entitled: "HOUSE CONCURRENT RESOLUTION HONORING THE DEDICATED VOLUNTEER AND PROFESSIONALS OF THE SEXUAL ABUSE TREATMENT CENTER," was adopted.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 22 and 23) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 22), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE RELEASE OF PIER 40 BY THE UNITED STATES GOVERNMENT TO THE STATE OF HAWAII AND ITS USE AS A CENTRAL MARSHALLING FACILITY FOR AN AGRICULTURAL COOPERATIVE," was offered by Senators Ajifu, Cobb, Uwayne, Kuroda, Young, Cayetano, Abercrombie and Campbell.

By unanimous consent, S.C.R. No. 22 was referred jointly to the Committee on Agriculture and the Committee on Transportation.

A concurrent resolution (S.C.R. No. 23), entitled: "SENATE CONCURRENT RESOLUTION URGING A CONCERTED NATIONAL EFFORT TO CONTROL AND ERADICATE THE MEDITERRANEAN FRUIT FLY," was offered by Senators Ajifu, Kuroda, Young, Cayetano and Campbell.

By unanimous consent, S.C.R. No. 23 was referred to the Committee on Agriculture.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 35 to 37) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 35), entitled: "SENATE RESOLUTION REQUESTING THE RELEASE OF PIER 40 BY THE UNITED STATES GOVERNMENT TO THE STATE OF HAWAII AND ITS USE AS A CENTRAL MARSHALLING FACILITY FOR AN AGRICULTURAL COOPERATIVE," was offered by Senators Ajifu, Cobb, Uwaine, Kuroda, Young, Abercrombie, Cayetano and Campbell.

By unanimous consent, S.R. No. 35 was referred jointly to the Committee on Agriculture and the Committee on Transportation.

A resolution (S.R. No. 36), entitled: "SENATE RESOLUTION URGING A CONCERTED NATIONAL EFFORT TO CONTROL AND ERADICATE THE MEDITERRANEAN FRUIT FLY," was offered by Senators Ajifu, Kuroda, Young, Cayetano and Campbell.

By unanimous consent, S.R. No. 36 was referred to the Committee on Agriculture.

A resolution (S.R. No. 37), entitled: "SENATE RESOLUTION REQUESTING A STATE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT STUDY OF THE FEASIBILITY OF A PRIVATE SECTOR FLOATING DRYDOCK SHIP REPAIR FACILITY," was offered by Senators Henderson, Anderson, Cayetano, Saiki, Holt, Carpenter, Kuroda, Ajifu, Uwaine, Yee, Soares, George and Campbell.

By unanimous consent, S.R. No. 37 was referred to the Committee on Economic Development.

STANDING COMMITTEE REPORT

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 225-82) informing the Senate that Standing Committee Report Nos. 65-82 to 224-82 have been printed and are ready for distribution.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

ADJOURNMENT

At 11:46 o'clock a.m., on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, March 4, 1982.

TWENTY-SEVENTH DAY

Friday, March 5, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Father Fred Nies, Associate Pastor of Our Lady of Peace Cathedral, after which the Roll was called showing all Senators present with the exception of Senator Abercrombie who was excused.

The President announced that he had read and approved the Journal of the Twenty-Sixth Day.

The following introductions were then made to the members of the Senate:

Senator Anderson introduced 40 members of the Aiea Lani Senior Citizens Club.

Senator Toyofuku introduced a group of 15 student leaders from the high schools on Kauai who were accompanied by their advisors: Mrs. Janice Nitta of Waimea High School, Mrs. Jane Awa of Kauai High School, and Mrs. and Mrs. Allan Yamada of Kapaa High School.

Senator Holt, on behalf of the Senators from the Fifth Senatorial District, introduced 51 fourth grade students from Kalihi Uka School and their teachers, Mrs. Wendy Nakanishi and Mrs. Alice Takata.

Senator Kuroda, on behalf of Senator Abercrombie, then introduced Mr. Ronald Nakamura, principal of Ala Wai Elementary School; Miss Hyun Ju Park and Miss Dawn Izawa, who represented Miss Lisa Lee, fifth and sixth grade students, respectively, of Ala Wai Elementary School. Senator Kuroda added that the principal and students are being recognized by the Senate for their participation and efforts in "Music in Our Schools Week." Senators Uwaine, Kobayashi and Kuroda presented each of them with Senate Certificates.

At 11:40 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:43 o'clock a.m.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 39 to 49) were read by the Clerk and were disposed

of as follows:

A communication from the House (Hse. Com. No. 39), transmitting House Bill No. 161, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 161, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WEIGHT OF BREAD," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 40), transmitting House Bill No. 2161-82, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2161-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE TRADE, VOCATIONAL AND TECHNICAL SCHOOLS," passed First Reading and was referred to the Committee on Education.

A communication from the House (Hse. Com. No. 41), transmitting House Bill No. 2190-82, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2190-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MOTOR VEHICLE ACCIDENT REPARATIONS ACT," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 42), transmitting House Bill No. 2197-82, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2197-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DENTAL EXAMINERS," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House

(Hse. Com. No. 43), transmitting House Bill No. 2270-82, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2270-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MOTOR VEHICLE ACCIDENT REPARATIONS ACT," passed first Reading and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 44), transmitting House Bill No. 2333-82, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2333-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATIVE REFERENCE BUREAU," passed First Reading and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 45), transmitting House Bill No. 2405-82, which passed Third Reading in the House of Representatives on March 4, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2405-82, entitled: "A BILL FOR AN ACT RELATING TO DISCLOSURE OF FINANCE COSTS," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 46), transmitting House Bill No. 2445-82, which passed Third Reading in the House of Representatives on March 4, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2445-82, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT (MODIFIED)," passed First Reading and was referred to the Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 47), transmitting House Bill No. 2446-82, which passed Third Reading in the House of Representatives on March 4, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2446-82, entitled: "A BILL FOR AN ACT RELATING TO BEAUTY

CULTURE," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 48), transmitting House Bill No. 2447-82, which passed Third Reading in the House of Representatives on March 4, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2447-82, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DISPENSING OPTICIANS," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 49), transmitting House Bill No. 2550-82, which passed Third Reading in the House of Representatives on March 4, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2550-82, entitled: "A BILL FOR AN ACT RELATING TO SAVINGS AND LOAN ASSOCIATIONS," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

SENATE RESOLUTION

A resolution (S.R. No. 38), entitled: "SENATE RESOLUTION REQUESTING THAT THE DEPARTMENT OF THE NAVY AND RIMPAC TERMINATE THE USE OF KAHOLA'OLA AS A BOMBING TARGET," was offered by Senators Kobayashi, Young, Saiki and Campbell, and was read by the Clerk.

By unanimous consent, S.R. No. 38 was referred to the Committee on Ecology, Environment and Recreation.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 226-82) informing the Senate that Senate Concurrent Resolution Nos. 22 and 23 and Senate Resolution Nos. 35 to 37 have been printed and are ready for distribution.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 227-82) recommending that Senate Bill No. 2720-82, as amended in S.D. 1, pass First Reading and be recommitted

to the Committee on Economic Development.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the Committee was adopted and S.B. No. 2720-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PLANNING ACT," passed First Reading and was recommitted to the Committee on Economic Development.

ORDER OF THE DAY

RE-REFERRAL OF SENATE BILLS

The President re-referred the following Senate Bills:

Senate Bill No. 1434 which was introduced on Wednesday, February 18, 1981, to the Committee on Ways and Means.

Senate Bill No. 2493-82 which was introduced on Friday, February 12, 1982, to the Committee on Housing and Hawaiian Homes.

At 11:47 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:49 o'clock a.m.

At this time, the Chair announced as follows:

"The Chair would like to remind the chairmen of the respective committees who have been assigned the Functional Plans to be in touch with the chairman of the Economic Development Committee in order to meet the timetable for the movement of the Functional Plan resolutions. The Chair would like to request that those resolutions move out of committee as soon as possible."

ADJOURNMENT

At 11:51 o'clock a.m., on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, March 8, 1982.

TWENTY-EIGHTH DAY

Monday, March 8, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Miss Nancy Lewis of the First Church of Christ Scientist of Honolulu, after which the Roll was called showing all Senators present with the exception of Senators Ajifu and Yamasaki who were excused.

The Chair announced that he had read and approved the Journal of the Twenty-Seventh Day.

DEPARTMENTAL COMMUNICATION

A communication from the Office of Children and Youth (Dept. Com. No. 12), transmitting copies of a report entitled: "Inventory of Out-of-Home Placement Resources in Hawaii," was read by the Clerk and was referred to the Committee on Human Resources.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 50 to 53) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 50), transmitting House Bill No. 1944-82, which passed Third Reading in the House of Representatives on March 5, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 1944-82, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CODE OF MILITARY JUSTICE," passed First Reading and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 51), transmitting House Bill No. 2154-82, H.D. 1, which passed Third Reading in the House of Representatives on March 5, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2154-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMPULSORY SCHOOL ATTENDANCE," passed First Reading and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 52), transmitting House Bill

No. 2220-82, H.D. 1, which passed Third Reading in the House of Representatives on March 5, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2220-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REGULATION OF EMPLOYMENT AGENCIES," passed First Reading and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 53), transmitting House Bill No. 2319-82, H.D. 1, which passed Third Reading in the House of Representatives on March 5, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2319-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed First Reading and was referred to the Committee on Judiciary.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 24), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE REPORT ON THE FINAL COMPENSATION PLAN AND THE COST THEREOF," was offered by Senator Uwaine, and was read by the Clerk.

By unanimous consent, S.C.R. No. 24 was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 228-82) informing the Senate that Senate Resolution No. 38 and Standing Committee Report No. 227-82 have been printed and are ready for distribution.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Kawasaki, for the Committee on Government Operations and Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 229-82) recommending that Senate Bill No. 2322-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawasaki, seconded

by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 2322-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VEHICLE NUMBER PLATES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 10, 1982.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2322-82, S.D. 1.

Senator Anderson, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 230-82) recommending that Senate Bill No. 1390, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 230-82 and S.B. No. 1390, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SEIZURE OF UNLICENSED DOGS," was deferred until Wednesday, March 10, 1982.

Senator Anderson, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 231-82) recommending that Senate Bill No. 2196-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Anderson, seconded by Senator Abercrombie and carried, the report of the majority of the Committee was adopted and S.B. No. 2196-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL OBLIGATION BONDS OF THE STATE OF HAWAII," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 10, 1982 on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Abercrombie and Kawasaki). Excused, 2 (Ajifu and Yamasaki).

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. 2196-82, S.D. 1.

Senator Anderson, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 232-82) recommending that Senate Bill No. 2198-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Anderson, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2198-82, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COMPENSATION CLAIMS ADJUSTMENTS," passed Second Reading and was placed

on the calendar for Third Reading on Wednesday, March 10, 1982.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2198-82.

Senator Anderson, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 233-82) recommending that House Bill No. 798, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 798, H.D. 1, S.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTEREST ON UNDER-PAYMENTS AND OVERPAYMENTS."

Senator Anderson, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 234-82) recommending that House Bill No. 804, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. 804, S.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INHERITANCE, ESTATE TAXES."

Senator Anderson, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 235-82) recommending that House Bill No. 1100, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 235-82 and H.B. No. 1100, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEE FOR CIVIL IDENTIFICATION CERTIFICATE," was deferred until Wednesday, March 10, 1982.

Senator Kobayashi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 236-82) recommending that Senate Bill No. 2288-82, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kobayashi, seconded by Senator Henderson and carried, the report of the Committee was adopted and S.B. No. 2288-82, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF AGRICULTURE," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 10, 1982.

In accordance with Article III, Section 15, of the Constitution of the State of

Hawaii, the 48-hour notice was given on S.B. No. 2288-82.

ORDER OF THE DAY

RE-REFERRAL OF SENATE BILL

The President re-referred the following Senate Bill:

Senate Bill No. 647 which was introduced on Friday, February 13, 1981, to the Committee on Ways and Means.

At 11:43 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:48 o'clock a.m.

At this time, Senator Campbell rose and addressed the members of the Senate as follows:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, there are rumors circulating around the Capitol that negotiations are going on between the Senate and the House on the pay bill which involves the Governor's salary, his cabinet and judges, and the University President, and probably, some others.

"Mr. President, if these negotiations are in fact going on, I call upon you, as the presiding officer of this body, to call these negotiations to a halt because they violate the sunshine law and procedures set up by this Legislature to allow the legislators and the public, input in the legislative process.

"Now, this process, if I understand it correctly, should go something like this: the subject matter committee or committees, the Senate floor, and the Conference Committee if there is any disagreement with the House, and not the other way around.

"So, Mr. President, I think if these negotiations are really going on, we are flirting with the same sunshine law problem that plagued this body during the last session. Now, this is not an attempt, Mr. President, to put anybody on the spot. It is a very constructive inquiry. I'd like to ask you, as presiding officer, if you know of any negotiations which might substantiate the rumors to which I've referred."

The President then replied:

"If I may respond, Senator Campbell, there are no negotiations going on between

the House and the Senate on any pay bill at all.

"There was discussion prior to last week dealing with the pay bill over in the House. It is my understanding that the House has now taken a position, that since certain deadlines which were set by the House were not met, there is no bill under discussion at the present time.

"Now, to clarify my remarks, as of Friday, there has been no discussion between the House and the Senate on the matter of pay raises for any branch of government."

Senator Campbell then queried:

"Mr. President, prior to Friday, were there discussions or negotiations between anybody in the Senate and the House?"

The President responded:

"There were discussions, on the mechanics, but no negotiations. Just discussions, preliminarily, to discuss whether or not one body or the other body would be able to position a bill for discussion. I must point out to you that the Senate had been waiting for a House vehicle to arrive. That vehicle has not arrived, and has not moved laterally within the House.

"I'm told this by the news media and not by the Speaker himself. But, I think the Speaker's comment regarding this matter is pretty well for the record, that he will not have any movement on the House bill."

At this time, Senator Uwaine rose and stated:

"Mr. President, I would like to make a request that the Chief Clerk of the Senate send a portion of the Journal in relation to Senator Campbell's very wise remarks, as far as the statement ...though his personal privilege remarks are treading on thin ice...of secrecy and behind-closed-door deals, to the Speaker of the House, so that he may gain some wisdom from Senator Campbell's remarks about public openness and the right of the public to know as far as what's going on with the pay bill.

"And, as an ad-lib to that, I would like the Clerk to also put in a short note to the effect that the Senate stands ready to negotiate or to open discussions, so that the public and the press can be in attendance and be privy to what exactly is being talked about and discussed

as far as the executive branch salary increase is concerned.

"If the Clerk would just kindly send a copy of Senator Campbell's remarks to the Speaker of the House, I would appreciate it.

"Thank you."

The President then stated:

"I would like to add that from here on in, any discussion of the pay bill at this time is moot. There is really no bill here before the Senate and I'm told that there is no bill before the House. Therefore, I think we ought to get on with the business of the state. Should things occur, which they often do, then this body might reconsider and take a second look at our position, I think that everyone in this august body can appreciate these things do happen and we accept them as a part of the process here in the Legislature."

Senator Abercrombie then rose and stated:

"On a point of personal privilege, Mr. President, I'm a little disappointed that there is so much concern about the executive pay bill when I am much more interested in my own pay at the moment, and I wish that those members who are concerned about people being paid would pay equal attention in discussions or negotiations, formal or informal, to move the bill which will put the question of whether we can be paid every two weeks on the ballot so that I'm not going to get paid the kind of money that cuts off my cash flow so that I'm practically made into a person who is unable to pay his bills. And, I can tell you for a fact, that I don't care what anybody does in here or over in the House until I get taken care of and I'm not going to worry about somebody in another branch of government."

Senator Cobb then rose and stated:

"Mr. President, I feel compelled to respond on the matter of personal privilege that was raised.

"Frequently, I meet with members of the House, including my House counter-

part, to discuss various bills--not make decisions on them, but merely try to divide up the work load. I don't consider that a violation of the sunshine law, but merely a matter of accommodating their concerns and ours in a most efficient manner.

"We attempt to divide up the work load and let everybody know that so that he'll be working on one area of legislation and I'll be working on another, or he might be working on utilities and I might be on banking bills. This is a matter of division of labor to achieve efficiency. It's not a substantive discussion of the bill's merits nor are there any decisions made relative to the bills.

"I think any decision that is made behind closed doors would violate the sunshine law and that's why we refrain from it. But, more importantly, in my committee and I think this is true in a majority of the committees in the Senate, a decision is not made until a public hearing. If we make a decision prior to having input from the public and other interested parties, we're proceeding really on a basis of closed minds, and I don't see that many closed minds in this body.

"Thank you, Mr. President."

Senator Abercrombie then rose and stated:

"Mr. President, after this morning's festivities, you might like to know that if you go to the Pali Lanes in Kailua, you will be able to engage in a game called 'Monte Carlo.'

"Every Saturday at 7:00 p.m., you may strike it rich in a super-jackpot and you can make reservations for it. And all this time I thought we had to pass a lottery bill to have gambling in Hawaii."

ADJOURNMENT

At 11:59 o'clock a.m., on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate adjourned until 10:30 o'clock a.m., on Tuesday, March 11, 1982.

TWENTY-NINTH DAY

Tuesday, March 9, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 10:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Ronald Ching, Pastor of Kaimuki Evangelical Church, after which the Roll was called showing all Senators present with the exception of Senators Abercrombie, Ajifu, Anderson, Henderson and Yamasaki who were excused.

The President announced that he had read and approved the Journal of the Twenty-Eighth Day.

At this time, Senator Mizuguchi, on behalf of the Senators from the Fourth Senatorial District, introduced to the members of the Senate a group (45) of students from Pearl City High School and their teacher Ms. Linda Kumasaki.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 102 and 103) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 102), transmitting copies of the Action Plan for the Kaka'ako Community Development District, January 1982, prepared by the Hawaii Community Development Authority, was referred to the Committee on Housing and Hawaiian Homes.

A message from the Governor (Gov. Msg. No. 103), transmitting copies of the State of Hawaii Capital Improvements Program Status Report, 1981 Construction Summary, dated December 31, 1981, prepared by the Department of Planning and Economic Development, was referred to the Committee on Ways and Means.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 54 to 56) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 54), transmitting House Bill No. 2017-82, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Yee and carried, H.B.

No. 2017-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REGULATION OF EMPLOYMENT AGENCIES," passed First Reading and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 55), transmitting House Bill No. 2172-82 which passed Third Reading in the House of Representatives on March 8, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Yee and carried, H.B. No. 2172-82, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE DISPOSAL," passed First Reading and was referred to the Committee on Ecology, Environment and Recreation.

A communication from the House (Hse. Com. No. 56), transmitting House Bill No. 2222-82, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Yee and carried, H.B. No. 2222-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANGUILLIFORMES," passed First Reading and was referred to the Committee on Agriculture.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 39 and 40) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 39), entitled: "SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO MONITOR FEDERAL FINANCIAL AID CUTBACKS AND TO ASSESS IMPACT ON STATE FINANCIAL AID PROGRAMS," was offered by Senators Saiki, George, Kobayashi, Soares, Ushijima, Uwaine, Cobb, Cayetano and Abercrombie.

By unanimous consent, S.R. No. 39 was referred to the Committee on Higher Education.

A resolution (S.R. No. 40), entitled: "SENATE RESOLUTION REQUESTING THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII TO ASSESS THE CURRENT STUDENT TUITION STRUCTURE," was offered by Senators Saiki, Cayetano, Henderson, Cobb, Young, George, Kobayashi, Campbell, Ajifu, Kuroda and Soares.

By unanimous consent, S.R. No. 40 was referred to the Committee on Higher

Education.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 237-82) informing the Senate that Senate Concurrent Resolution No. 24 and Standing Committee Report Nos. 229-82 to 236-82 have been printed and are ready for distribution.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Saiki, for the majority of the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 238-82) recommending that Senate Bill No. 2970-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Saiki, seconded by Senator Cobb and carried, the report of the majority of the Committee was adopted and S.B. No. 2970-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 11, 1982.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2970-82, S.D. 1.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 239-82) recommending that Senate Bill No. 2642-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2642-82, entitled: "A BILL FOR AN ACT RELATING TO THE JUVENILE JUSTICE INTERAGENCY BOARD," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 11, 1982.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2642-82.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 240-82) recommending that Senate Bill No. 2182-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2182-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BIRTH CERTIFICATES," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 11, 1982.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2182-82, S.D. 1.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 241-82) recommending that Senate Bill No. 2189-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2189-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 11, 1982.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2189-82, S.D. 1.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 242-82) recommending that Senate Bill No. 2475-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2475-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NAMES," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 11, 1982.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2475-82, S.D. 1.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 243-82) recommending that Senate Bill No. 2624-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2624-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GRAND JURY COUNSEL," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 11, 1982.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2624-82, S.D. 1.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 244-82) recommending that Senate Bill No. 2366-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2366-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING REPORT," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 11, 1982.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2366-82, S.D. 1.

Senator Carpenter, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 245-82) recommending that Senate Bill No. 2248-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the majority of the Committee was adopted and S.B. No. 2248-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PATERNITY STATUTE OF LIMITATIONS," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 11, 1982.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2248-82, S.D. 1.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 246-82) recommending that Senate Bill No. 2572-82, as

amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2572-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 11, 1982.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2572-82, S.D. 1.

Senator Carpenter, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 247-82) recommending that Senate Bill No. 2867-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the majority of the Committee was adopted and S.B. No. 2867-82, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE II, SECTION 7, OF THE HAWAII CONSTITUTION, TO CHANGE THE RESIGNATION REQUIREMENTS FOR AN ELECTED PUBLIC OFFICER DESIRING TO RUN FOR ANOTHER PUBLIC OFFICE," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 11, 1982.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2867-82.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 248-82) recommending that Senate Bill No. 2245-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2245-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECIPROCAL ENFORCEMENT OF SUPPORT," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 11, 1982.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice

was given on S.B. No. 2245-82, S.D. 1.

Senator Saiki, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 249-82) recommending that Senate Bill No. 2728-82, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Higher Education.

On motion by Senator Saiki, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2728-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed First Reading and was recommitted to the Committee on Higher Education.

At this time, Senator Cayetano rose on a point of personal privilege and stated:

"Mr. President, I have been complaining about this in private for years and I'm going on to my eighth year in the Legislature now...I'm going to do it publicly this time.

"Mr. President, we're meeting this morning at 10:30 because there is some shindig between the House, the Senate and the Governor at the Waialae Golf Course. Do you suppose, Mr. President, that in deference to those of us who don't play golf...I know that since we can't hit each other here it's therapeutic for some people to go and hit the white ball on the golf course, but the fact remains that some of us are still working and there remains much work to be done.

"The chairman of the Ways and Means Committee is still stuck in committee hearing. This has cut into at least an hour of his morning hearing...he's there with two other Senators, I believe.

"Would it be too much to ask the sponsors of this event if next year they could consider holding it during the recess or perhaps consider holding it on Saturday or Sunday? Would you have whoever is our social chairman pass it on to the people who are involved, please."

Senator Kuroda responded as follows:

"Mr. President, I am not the social chairman, but I'd like to react to the comments made by Senator Cayetano.

"I think his point is well-taken. I think perhaps this event could be scheduled at another time, but I think it's also important to understand that this does give Senators an opportunity to meet with Representatives in a situation other than the formal setting.

"I realize that yesterday Senator Campbell spoke on the floor to complain about private negotiations going on between and among legislators and bringing it out to the public.

"I think that it's very important to understand that the Waialae Country Club membership has invited the legislators to participate in this annual affair at a time that is most convenient to their membership. The members are willing to give this time for the legislators to participate, but we will take on advisement the suggestion made by Senator Cayetano, a non-golfer, that perhaps the Waialae Country Club would extend the invitation on a weekend.

"Mr. President, in your behalf, I would like to make that request of the Waialae Country Club."

Senator Campbell also responded and said: "Mr. President, I would hope that this planned event this afternoon is not designed to discuss legislative business."

Senator Carpenter then remarked: "Mr. President, I also concur in that hope because I will not be there and I want to make 'damn' sure it isn't."

Senator Cobb added: "Mr. President, as a non-golfer I would like to add my request to that of Senator Cayetano's."

ADJOURNMENT

At 10:51 o'clock a.m., on motion by Senator Cobb, seconded by Senator Yee and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, March 10, 1982.

THIRTIETH DAY

Wednesday, March 10, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Ronald Kobata of the Honpa Hongwanji Hawaii Kyodan, after which the Roll was called showing all Senators present with the exception of Senators Ajifu and Yamasaki who were excused.

At this time, the following introductions were made to the members of the Senate:

Senator Yee, on behalf of the Senators from the Sixth District, introduced 33 eighth grade students from Washington Intermediate School, accompanied by their teacher, Mr. Ellis Goto.

Senator Anderson, on behalf of the Senate, introduced 27 members of the Laimi Senior Citizens Club.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 57 to 60) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 57), transmitting House Bill No. 2170-82, which passed Third Reading in the House of Representatives on March 9, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2170-82, entitled: "A BILL FOR AN ACT RELATING TO SMOKING IN PUBLIC PLACES," passed First Reading and was referred to the Committee on Health.

A communication from the House (Hse. Com. No. 58), transmitting House Bill No. 2175-82, which passed Third Reading in the House of Representatives on March 9, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2175-82, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed First Reading and was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 59), transmitting House Bill No. 2204-82, which passed Third Reading in the House of Representatives on March 9, 1982, was placed on file.

On motion by Senator Cobb, seconded

by Senator Anderson and carried, H.B. No. 2204-82, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 60), transmitting House Bill No. 2565-82, which passed Third Reading in the House of Representatives on March 9, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2565-82, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL COOP ASSOCIATION," passed First Reading and was referred to the Committee on Agriculture.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 25 to 33) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 25), entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR THE ESTABLISHMENT OF A UNITED STATES AGRICULTURAL COOPERATIVE SERVICE BRANCH OFFICE IN HAWAII," was offered by Senators Ajifu, George, Uwayne, Campbell, Toyofuku, Henderson, Holt, Machida, and Mizuguchi.

By unanimous consent, S.C.R. No. 25 was referred to the Committee on Agriculture.

A concurrent resolution (S.C.R. No. 26), entitled: "SENATE CONCURRENT RESOLUTION URGING A CONCERTED STATEWIDE EFFORT TO PROMOTE AND DEVELOP PUBLIC GARDENING PROJECTS, ESPECIALLY FOR SENIOR CITIZENS," was offered by Senators Ajifu, George, Uwayne, Toyofuku, Henderson, Machida and Holt.

By unanimous consent, S.C.R. No. 26 was referred to the Committee on Agriculture.

A concurrent resolution (S.C.R. No. 27), entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE DEVELOPMENT OF AND REQUESTING A STUDY ON PRIVATE DEVELOPMENT OF AGRICULTURAL PARKS," was offered by Senators Ajifu, Henderson, Carpenter, George, Holt, Ushijima, Campbell, Uwayne and Machida.

By unanimous consent, S.C.R. No. 27 was referred to the Committee on Agriculture.

A concurrent resolution (S.C.R. No. 28), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW OF STATE AND COUNTY LAND USE AND ZONING LAWS AND RULES WHICH IMPEDE THE DEVELOPMENT OF AGRICULTURE," was offered by Senators Ajifu, Henderson, Carpenter, Holt, George, Uwayne, Toyofuku, Machida and Campbell.

By unanimous consent, S.C.R. No. 28 was referred to the Committee on Agriculture.

A concurrent resolution (S.C.R. No. 29), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING EQUITY FOR 12-MONTH EDUCATIONAL OFFICERS IN THE PUBLIC SCHOOLS," was offered by Senator Abercrombie.

By unanimous consent, S.C.R. No. 29 was referred to the Committee on Education.

A concurrent resolution (S.C.R. No. 30), entitled: "SENATE CONCURRENT RESOLUTION URGING THE HAWAII SUPREME COURT TO ALLOW THE BROADCASTING OF COURT SENTENCING FOR CRIMINAL CASES," was offered by Senators Cayetano, Carpenter and O'Connor.

By unanimous consent, S.C.R. No. 30 was referred to the Committee on Judiciary.

A concurrent resolution (S.C.R. No. 31), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE IMPACT OF ALLOWING SHARES OF A PROFESSIONAL CORPORATION TO BE TRANSFERRED INTO A REVOCABLE LIVING TRUST," was offered by Senators Machida and Yamasaki.

By unanimous consent, S.C.R. No. 31 was referred to the Committee on Ways and Means.

A concurrent resolution (S.C.R. No. 32), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CONFERENCE OF PERSONNEL DIRECTORS TO ADOPT UNIFORM RULES FOR THE ADMINISTRATION OF THE CIVIL SERVICE SYSTEM, PUBLIC EMPLOYEES COMPENSATION LAW, AND CLASSIFICATION SYSTEM," was offered by Senators Machida and Yamasaki.

By unanimous consent, S.C.R. No. 32 was referred to the Committee on Human Resources.

A concurrent resolution (S.C.R. No.

33), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING IMMEDIATE ACTION ON THE COMPENSATION PLANS OF SECRETARIAL CLASSES WITHIN THE CIVIL SERVICE," was offered by Senators Machida and Yamasaki.

By unanimous consent, S.C.R. No. 33 was referred to the Committee on Human Resources.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 41 to 49) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 41), entitled: "SENATE RESOLUTION REQUESTING EQUITY FOR 12-MONTH EDUCATIONAL OFFICERS IN THE PUBLIC SCHOOLS," was offered by Senator Abercrombie.

By unanimous consent, S.R. No. 41 was referred to the Committee on Education.

A resolution (S.R. No. 42), entitled: "SENATE RESOLUTION EXPRESSING SUPPORT FOR THE ESTABLISHMENT OF A UNITED STATES AGRICULTURAL COOPERATIVE SERVICE BRANCH OFFICE IN HAWAII," was offered by Senators Ajifu, George, Uwayne, Yamasaki, Campbell, Toyofuku, Henderson, Holt, Machida and Mizuguchi.

By unanimous consent, S.R. No. 42 was referred to the Committee on Agriculture.

A resolution (S.R. No. 43), entitled: "SENATE RESOLUTION URGING A CONCERTED STATEWIDE EFFORT TO PROMOTE AND DEVELOP PUBLIC GARDENING PROJECTS, ESPECIALLY FOR SENIOR CITIZENS," was offered by Senators Ajifu, Anderson, George, Uwayne, Machida, Campbell, Toyofuku, Henderson and Yamasaki.

By unanimous consent, S.R. No. 43 was referred to the Committee on Agriculture.

A resolution (S.R. No. 44), entitled: "SENATE RESOLUTION ENCOURAGING THE DEVELOPMENT OF AND REQUESTING A STUDY ON PRIVATE DEVELOPMENT OF AGRICULTURAL PARKS," was offered by Senators Ajifu, Henderson, Carpenter, Anderson, George, Holt, Ushijima, Campbell, Uwayne, Machida and Yamasaki.

By unanimous consent, S.R. No. 44 was referred to the Committee on Agriculture.

A resolution (S.R. No. 45), entitled: "SENATE RESOLUTION REQUESTING

A REVIEW OF STATE AND COUNTY LAND USE AND ZONING LAWS AND RULES WHICH IMPEDE THE DEVELOPMENT OF AGRICULTURE," was offered by Senators Ajifu, Henderson, Carpenter, Holt, George, Uwaine, Machida, Yamasaki and Campbell.

By unanimous consent, S.R. No. 45 was referred to the Committee on Agriculture.

A resolution (S.R. No. 46), entitled: "SENATE RESOLUTION URGING THE HAWAII SUPREME COURT TO ALLOW THE BROADCASTING OF COURT SENTENCING FOR CRIMINAL CASES," was offered by Senators Cayetano, Carpenter and O'Connor.

By unanimous consent, S.R. No. 46 was referred to the Committee on Judiciary.

A resolution (S.R. No. 47), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE IMPACT OF ALLOWING SHARES OF A PROFESSIONAL CORPORATION TO BE TRANSFERRED INTO A REVOCABLE LIVING TRUST," was offered by Senators Machida and Yamasaki.

By unanimous consent, S.R. No. 47 was referred to the Committee on Ways and Means.

A resolution (S.R. No. 48), entitled: "SENATE RESOLUTION REQUESTING THE CONFERENCE OF PERSONNEL DIRECTORS TO ADOPT UNIFORM RULES FOR THE ADMINISTRATION OF THE CIVIL SERVICE SYSTEM, PUBLIC EMPLOYEES COMPENSATION LAW, AND CLASSIFICATION SYSTEM," was offered by Senators Machida and Yamasaki.

By unanimous consent, S.R. No. 48 was referred to the Committee on Human Resources.

A resolution (S.R. No. 49), entitled: "SENATE RESOLUTION REQUESTING IMMEDIATE ACTION ON THE COMPENSATION PLANS OF SECRETARIAL CLASSES WITHIN THE CIVIL SERVICE," was offered by Senators Machida and Yamasaki.

By unanimous consent, S.R. No. 49 was referred to the Committee on Human Resources.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 250-82) informing the Senate that Senate Resolution Nos. 39 and 40 and Standing Committee Report Nos. 238-82 to 249-82 have been printed and are ready for distribution.

On motion by Senator Young, seconded

by Senator George and carried, the report of the Committee was adopted.

Senator Kuroda, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 251-82) recommending that Senate Concurrent Resolution No. 10, as amended in S.D. 1, be referred to the Committee on Economic Development.

At 11:43 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:45 o'clock a.m.

On motion by Senator Kuroda, seconded by Senator Soares and carried, the report of the Committee was adopted and S.C.R. No. 10, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE TOURISM PLAN," was referred to the Committee on Economic Development.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 252-82) recommending that Senate Bill No. 2520-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2520-82, entitled: "A BILL FOR AN ACT RELATING TO NOTARIES PUBLIC," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 12, 1982.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2520-82.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 253-82) recommending that Senate Bill No. 2993-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2993-82, entitled: "A BILL FOR AN ACT RELATING TO FATHER DAMIEN DEVEUSTER DAY," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 12, 1982.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2993-82.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 254-82) recommending that Senate Bill No. 2507-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2507-82, entitled: "A BILL FOR AN ACT RELATING TO PERSONS IN NEED OF PROTECTION," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 12, 1982.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2507-82.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 255-82) recommending that Senate Bill No. 2307-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2307-82, entitled: "A BILL FOR AN ACT RELATING TO ALLOWANCES FOR LEGISLATORS," passed second Reading and was placed on the calendar for Third Reading on Friday, March 12, 1982.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2307-82.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 256-82) recommending that S.B. No. 2304-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2304-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LOBBYING," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 12, 1982.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2304-82, S.D. 1.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 257-82) recommending that Senate Bill No. 2947-82, as amended in S.D. 1, pass Second Reading and

be placed on the calendar for Third Reading.

On motion by Senator Abercrombie, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 2947-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FILIPINO 75TH ANNIVERSARY COMMISSION," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 12, 1982.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2947-82, S.D. 1.

Senator Soares, for the Committee on Public Utilities, presented a report (Stand. Com. Rep. No. 258-82) recommending that Senate Bill No. 2615-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Soares, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.B. No. 2615-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE THEFT OF UTILITY SERVICES," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 12, 1982.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2615-82, S.D. 1.

Senator Soares, for the Committee on Public Utilities, presented a report (Stand. Com. Rep. No. 259-82) recommending that Senate Bill No. 2228-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Soares, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.B. No. 2228-82, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 12, 1982.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2228-82.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 260-82) recommending that Senate Bill No. 2232-82, as amended in S.D. 1, pass Second Reading and be recommitted

to the Committee on Consumer Protection and Commerce.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.B. No. 2232-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," passed Second Reading and was recommitted to the Committee on Consumer Protection and Commerce.

ORDER OF THE DAY

THIRD READING

Senate Bill No. 2322-82, S.D. 1:

By unanimous consent, action on S.B. No. 2322-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VEHICLE LICENSE PLATES," was deferred until Thursday, March 11, 1982.

Standing Committee Report No. 230-82 (S.B. No. 1390-82, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 230-82 and S.B. No. 1390-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SEIZURE OF UNLICENSED DOGS," was deferred until Thursday, March 11, 1982.

Senate Bill No. 2196-82, S.D. 1:

By unanimous consent, action on S.B. No. 2196-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL OBLIGATION BONDS OF THE STATE OF HAWAII," was deferred until Thursday, March 11, 1982.

Senate Bill No. 2198-82:

By unanimous consent, action on S.B. No. 2198-82, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COMPENSATION CLAIMS ADJUSTMENTS," was deferred until Thursday, March 11, 1982.

Standing Committee Report No. 233-82 (H.B. No. 798, H.D. 1, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 233-82 and H.B. No. 798, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTEREST

ON UNDERPAYMENTS AND OVERPAYMENTS," was deferred until Thursday, March 11, 1982.

Standing Committee Report No. 234-82 (H.B. No. 804, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 234-82 and H.B. No. 804, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INHERITANCE, ESTATE TAXES," was deferred until Thursday, March 11, 1982.

Standing Committee Report No. 235-82 (H.B. No. 1100, H.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 235-82 and H.B. No. 1100, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEE FOR CIVIL IDENTIFICATION CERTIFICATE," was deferred until Thursday, March 11, 1982.

Senate Bill No. 2288-82:

By unanimous consent, action on S.B. No. 2288-82, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF AGRICULTURE," was deferred until Thursday, March 11, 1982.

RE-REFERRAL OF SENATE BILL

The President re-referred the following Senate Bill:

Senate Bill No. 2759-82, which was introduced on Tuesday, February 16, 1982, to the Committee on Ways and Means.

At 11:47 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:47 o'clock a.m.

ADJOURNMENT

At 11:49 o'clock a.m., on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m. on Thursday, March 11, 1982.

THIRTY-FIRST DAY

Thursday, March 11, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session 1982, convened at 11:30 o'clock a.m., with the Vice-President in the Chair.

The Divine Blessing was invoked by the Reverend Joseph Sanders, Pastor of the Nuuanu Baptist Church, after which the Roll was called showing all Senators present with the exception of Senator Yamasaki who was excused.

The Chair announced that he had read and approved the Journal of the Thirtieth Day.

At this time, Senator Anderson introduced to the members of the Senate a group (40) from the Puu Waioapiopio Senior Citizens Club of Waikiki.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 104 to 177) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 104), submitting for consideration and confirmation to the Advisory Committee on Flowers and Foliage, the nomination of Howard Y. Takishita, term to expire December 31, 1985, was referred to the Committee on Agriculture.

A message from the Governor (Gov. Msg. No. 105), submitting for consideration and confirmation to the Board of Acupuncture, the nomination of John K. Char, D.D.S., term to expire December 31, 1985, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 106), submitting for consideration and confirmation to the CATV Advisory Committee, the nomination of Milton Hironaka, term to expire December 31, 1985, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 107), submitting for consideration and confirmation to the Board of Chiropractic Examiners, the nomination of Francisco V. Mariano, term to expire December 31, 1985, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 108), submitting for consideration and confirmation to the Board of Cosmetology, the nomination of Warren J. Makalii, term to expire December 31, 1985, was

referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 109), submitting for consideration and confirmation to the Board of Electricians and Plumbers, the nomination of Nicholas W. Teves, Jr., term to expire December 31, 1985, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 110), submitting for consideration and confirmation to the Elevator Mechanics Licensing Board, the nominations of Edward Turner and Francis Y. Yamashiro, terms to expire December 31, 1985, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 111), submitting for consideration and confirmation to the Board of Registration of Professional Engineers, Architects, Land Surveyors and Landscape Architects, the nominations of William B.C. Hee and Kenneth C.W. Kwock, terms to expire December 31, 1985, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 112), submitting for consideration and confirmation to the Board of Medical Examiners, the nominations of George Goto, M.D., and Kenneth N. Sumimoto, terms to expire December 31, 1985, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 113), submitting for consideration and confirmation to the Motor Vehicle Repair Industry Board, the nomination of Randall D. Souza, term to expire December 31, 1985, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 114), submitting for consideration and confirmation to the Board of Examiners of Nursing Home Administrators, the nominations of Dorothy Hoe, term to expire December 31, 1984, and Elroy Chong, term to expire December 31, 1983, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 115), submitting for consideration and confirmation to the Board of Examiners of Nursing Home Administrators, the nomination of Earl H. Baxendale, term to expire December 31, 1985, was referred to the Committee on Consumer

Protection and Commerce.

A message from the Governor (Gov. Msg. No. 116), submitting for consideration and confirmation to the Board of Examiners in Optometry, the nomination of Carolee Stamper, term to expire December 31, 1985, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 117), submitting for consideration and confirmation to the Board of Osteopathic Examiners, the nomination of Douglas H. Kaya, Jr., term to expire December 31, 1985, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 118), submitting for consideration and confirmation to the Board of Pharmacy, the nomination of William G. Joor, Jr., term to expire December 31, 1985, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 119), submitting for consideration and confirmation to the Board of Pilot Commissioners the nominations of Finn Anonsen and Kent H. Bowman, terms to expire December 31, 1985, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 120), submitting for consideration and confirmation to the Board of Private Detectives and Guards, the nomination of Joseph Cravalho, term to expire December 31, 1985, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 121), submitting for consideration and confirmation to the Board of Certification for Practicing Psychologists, the nominations of Jayne G. Garside, Ph.D., and Leighton Oshima, terms to expire December 31, 1985, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 122), submitting for consideration and confirmation to the Real Estate Commission, the nominations of Toru Kawakami and Gregg T. Yamanaka, terms to expire December 31, 1985, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 123), submitting for consideration and confirmation to the Environmental Council, the nomination of Jack Kellner, term to expire December 31, 1985, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 124), submitting for consideration and confirmation to the Environmental Quality Commission, the nomination of Miles A. Kinley, term to expire December 31, 1985, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 125), submitting for consideration and confirmation to the Animal Species Advisory Commission, the nomination of Spencer R. Malecha, Ph.D., term to expire December 31, 1985, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 126), submitting for consideration and confirmation to the Aquatic Life and Wildlife Advisory Committee, City and County of Honolulu, the nominations of Ivan H. Morita and Donald K. Andrews, terms to expire December 31, 1985, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 127), submitting for consideration and confirmation to the Aquatic Life and Wildlife Advisory Committee, County of Hawaii, the nomination of Bruce Heidenfeldt, term to expire December 31, 1985, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 128), submitting for consideration and confirmation to the Aquatic Life and Wildlife Advisory Committee, County of Maui, the nomination of Wallace H. Fujii, term to expire December 31, 1985, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 129), submitting for consideration and confirmation to the Hawaii Historic Places Review Board, the nominations of William Kikuchi, Ph.D., Herbert M. Mark, Richard Paglinawan, Betty Ann Rocha and Bernhard Hormann, Ph.D., terms to expire January 1, 1986, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 130), submitting for consideration and confirmation to the Natural Area Reserves System Commission, the nomination of Augustine S. Furumoto, term to expire December 31, 1985, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 131), submitting for consideration and confirmation to the Board of Certification

of Operating Personnel in Wastewater Treatment Plants, the nominations of John J.N. Springer and Brian L. Gray, terms to expire December 31, 1985, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 132), submitting for consideration and confirmation to the Board of Directors, Aloha Tower Development Corporation, the nominations of Donald M. Kuyper, term to expire December 31, 1982, Thomas Trask, term to expire December 31, 1984, and Aaron Levine, term to expire December 31, 1983, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 133), submitting for consideration and confirmation to the Board of Planning and Economic Development, the nomination of Raymond T. Sasaki, Jr., term to expire December 31, 1985, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 134), submitting for consideration and confirmation to the Commission on Population and the Hawaiian Future, the nomination of Hitoshi Mogi, term to expire December 31, 1985, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 135), submitting for consideration and confirmation to the State Foundation on Culture and the Arts, the nominations of M. Naomi Morita and Robert K. Fujita, terms to expire December 31, 1985, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 136), submitting for consideration and confirmation to the King Kamehameha Celebration Commission, the nominations of Howard H. Crowell, Vernon K. White and Mary Lani Rawlins, terms to expire December 31, 1985, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 137), submitting for consideration and confirmation to the Library Advisory Commission, City and County of Honolulu, the nomination of Patricia W. Buckman, term to expire December 31, 1985, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 138), submitting for consideration and confirmation to the Library Advisory Commission, County of Hawaii, the nominations of Daisy U. Smith and Diana Mae Miyaji, terms to expire December 31, 1985, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 139), submitting for consideration and confirmation to the Library Advisory Commission, County of Kauai, the nominations of Eleanor L.D. Tamura, Margaret R. O'Leary, Lena K. Palama and Kathleen A. Koerte, terms to expire December 31, 1985, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 140), submitting for consideration and confirmation to the Board of Public Broadcasting, the nomination of Ann B. Simpson, term to expire December 31, 1982, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 141), submitting for consideration and confirmation to the Board of Health, the nomination of Andrew P. Sackett, M.D., term to expire December 31, 1985, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 142), submitting for consideration and confirmation to the State Planning Council on Developmental Disabilities, the nomination of Kathleen Campbell, term to expire December 31, 1985, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 143), submitting for consideration and confirmation to the Advisory Commission on Drug Abuse and Controlled Substances, the nominations of Chester Segawa and Russell D. Hicks, M.D., terms to expire December 31, 1985, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 144), submitting for consideration and confirmation to the State Emergency Medical Services Advisory Committee, the nominations of Merle D. Crow and Shirley K. Takahashi, terms to expire December 31, 1985, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 145), submitting for consideration and confirmation to the Commission on the Handicapped the nomination of Christian Peter Larsen, term to expire December 31, 1985, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 146), submitting for consideration and confirmation to the Statewide Health Coordinating Council, the nominations of Verna M.K. Keyes and Barbara Dart, terms to expire December 31, 1984, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 147), submitting for consideration and confirmation to the Statewide Health Coordinating Council, the nomination of Reiko Iga, term to expire December 31, 1985, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 148), submitting for consideration and confirmation to the East Honolulu Subarea Health Planning Council, the nomination of Ronald Nagano, term to expire December 31, 1983, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 149), submitting for consideration and confirmation to the East Honolulu Subarea Health Planning Council, the nominations of Claudia Ann Shay and Leonard P. Paresa, Sr., terms to expire December 31, 1985, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 150), submitting for consideration and confirmation to the Central Oahu Subarea Health Planning Council, the nominations of Reginald S. Lee and Donna Kishi, terms to expire December 31, 1985, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 151), submitting for consideration and confirmation to the Waianae Coast Subarea Health Planning Council, the nominations of Tommy Tomimbang and James E. Roscher, terms to expire December 31, 1985, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 152), submitting for consideration and confirmation to the Windward Oahu Subarea Health Planning Council, the nominations of Carl T. Hamada and Kapua K. Sproat, terms to expire December 31, 1985, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 153), submitting for consideration and confirmation to the Hawaii County Subarea Health Planning Council, the nomination of Hannah K. Springer, term to expire December 31, 1985, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 154), submitting for consideration and confirmation to the Kauai County Subarea Health Planning Council, the nomination of Virginia A. Rapozo, term to expire December 31, 1985, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 155), submitting for consideration and confirmation to the County Hospital

Management Advisory Committee, City and County of Honolulu Hospital System, the nomination of Allen B. Oblow, term to expire December 31, 1985, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 156), submitting for consideration and confirmation to the County Hospital Management Advisory Committee, Hawaii County Hospital System, the nomination of Renee M. Bitle, term to expire December 31, 1985, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 157), submitting for consideration and confirmation to the County Hospital Management Advisory Committee, Maui County Hospital System, the nomination of Ruth I. Johnson, term to expire December 31, 1985, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 158), submitting for consideration and confirmation to the County Hospital Management Advisory Committee, Kauai County Hospital System, the nomination of Norman Akita, term to expire December 31, 1985, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 159), submitting for consideration and confirmation to the Board of Regents, University of Hawaii, the nomination of Robert M. Fujimoto, term to expire December 31, 1985, was referred to the Committee on Higher Education.

A message from the Governor (Gov. Msg. No. 160), submitting for consideration and confirmation to the Advisory Council for Children and Youth, the nomination of Walter Nunokawa, Ph.D., term to expire December 31, 1985, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 161), submitting for consideration and confirmation to the Advisory Council for Children and Youth, the nomination of Conrad Hokama, term to expire December 31, 1982, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 162), submitting for consideration and confirmation to the Civil Service Commission, the nomination of Julie-Ellen K. Simmons and Takumi Akama, terms to expire December 31, 1985, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 163), submitting for consideration and confirmation to the Board of Trustees of the Deferred Compensation Plan, the following nominations:

Herbert M. Dias, term to expire
October 27, 1985;

Valri Lei Kunimoto, term to expire
October 27, 1982;

Ronald N. Hirano, term to expire
October 27, 1985;

Mitsuyoshi Fukuda, term to expire
October 27, 1984; and

Robert E. Cooling, term to expire
October 27, 1983,

was referred to the Committee on Human
Resources.

A message from the Governor (Gov.
Msg. No. 164), submitting for consideration
and confirmation to the Advisory Commission
on Manpower and Full Employment,
the nominations of Virgie Chattergy,
Ed.D., Gerri Watanabe, Sandra L.
Hammond and Henry V. Rosario, terms
to expire June 30, 1985, was referred
to the Committee on Human Resources.

A message from the Governor (Gov.
Msg. No. 165), submitting for consideration
and confirmation to the Board of Vocational
Rehabilitation the nomination of Daisy
Mae Slagle, term to expire December
31, 1985, was referred to the Committee
on Human Resources.

A message from the Governor (Gov.
Msg. No. 166), submitting for consideration
and confirmation to the Hawaii Housing
Authority, the nominations of Wayne
T. Takahashi and Lawrence N.C.
Ing, terms to expire December 31, 1985,
was referred to the Committee on Housing
and Hawaiian Homes.

A message from the Governor (Gov.
Msg. No. 167), submitting for consideration
and confirmation to the Factory-Built
Housing Advisory Board, the nominations
of Maurice H. Yamasato and Jose L.
Encarnacion, terms to expire December
31, 1985, was referred to the Committee
on Housing and Hawaiian Homes.

A message from the Governor (Gov.
Msg. No. 168), submitting for consideration
and confirmation to the Hawaii Community
Development Authority, the nomination
of George Nitta, term to expire December
31, 1985, was referred to the Committee
on Housing and Hawaiian Homes.

A message from the Governor (Gov.
Msg. No. 169), submitting for consideration
and confirmation to the Juvenile Justice
Interagency Board, the nomination
of Eli Nahulu, term to expire December
31, 1985, was referred to the Committee
on Judiciary.

A message from the Governor (Gov.
Msg. No. 170), submitting for consideration
and confirmation to the Commission
on the Status of Women, the nominations
of Cobey Black, Althea Momi Kamau,
Sharon Y. Moriawaki, Ph.D., Kevin
Mulligan, Lyn A. Hemmings and Vivian
Rae Hanson, terms to expire December
31, 1985, was referred to the Committee
on Judiciary.

A message from the Governor (Gov.
Msg. No. 171), submitting for consideration
and confirmation to the Board of Registration,
Kauai and Niihau, the nomination of
Joan H. Yamamoto, term to expire
December 31, 1985, was referred to
the Committee on Judiciary.

A message from the Governor (Gov.
Msg. No. 172), submitting for consideration
and confirmation to the Commission
to Promote Uniform Legislation, the
nomination of John A. Chanin, term
to expire December 31, 1985, was referred
to the Committee on Judiciary.

A message from the Governor (Gov.
Msg. No. 173), submitting for consideration
and confirmation to the State Highway
Safety Council, the nominations of Betty
Mae Ching and Joseph Dart, III, terms
to expire December 31, 1985, was referred
to the Committee on Transportation.

A message from the Governor (Gov.
Msg. No. 174), submitting for consideration
and confirmation to the Medical Advisory
Board, the nomination of James F.
Pierce, M.D., term to expire December
31, 1985, was referred to the Committee
on Transportation.

A message from the Governor (Gov.
Msg. No. 175), submitting for consideration
and confirmation to the Board of Taxation
Review, First Taxation District, the
nomination of Charles J. Leland, term
to expire December 31, 1985, was referred
to the Committee on Ways and Means.

A message from the Governor (Gov.
Msg. No. 176), submitting for consideration
and confirmation to the Board of Taxation
Review, Third Taxation District,
the nomination of Hugo Coutandin,
term to expire December 31, 1985, was
referred to the Committee on Ways
and Means.

A message from the Governor (Gov.
Msg. No. 177), submitting for consideration
and consent as Chief Judge of the Intermediate
Court of Appeals, the nomination of
James S. Burns, for a term of ten years,
in accordance with the provisions of
Article VI, Section 3, of the Hawaii
State Constitution, was referred to
the Committee on Judiciary.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 61 to 68) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 61), transmitting House Bill No. 2045-82, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2045-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLAR ENERGY DEVICES," passed First Reading and was referred jointly to the Committee on Economic Development and the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 62), transmitting House Bill No. 2098-82, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2098-82, H.D. 1, entitled: "A BILL FOR AN ACT TO AMEND SECTION 707-741, HAWAII REVISED STATUTES, CREATING TWO CLASSES OF INCEST," passed First Reading and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 63), transmitting House Bill No. 2246-82, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2246-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VISITATION AND SUPPORT," passed First Reading and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 64), transmitting House Bill No. 2295-82, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2295-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII REGULATORY LICENSING REFORM ACT," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 65), transmitting House Bill No. 2561-82, H.D. 1, which passed

Third Reading in the House of Representatives on March 10, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2561-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MANAGEMENT OF STATE FUNDS," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 66), transmitting House Bill No. 2562-82, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2562-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEPOSITS OF PUBLIC FUNDS," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 67), transmitting House Bill No. 2839-82, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2839-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TAX REVIEW COMMISSION," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 68), transmitting House Concurrent Resolution No. 101 which was adopted by the House of Representatives on March 10, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.C.R. No. 101, entitled: "HOUSE CONCURRENT RESOLUTION HONORING AND COMMENDING LECH WALESIA FOR HIS INSPIRING LEADERSHIP OF THE POLISH LABOR UNION 'SOLIDARITY'.'," was adopted.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 261-82) informing the Senate that the following have been printed and distributed to the members of the Senate:

Wednesday, March 10, 1982: Senate Concurrent Resolution Nos. 25 to 33, Senate Resolution Nos. 41 to 49; and Standing Committee Report Nos. 251-82 to 260-82; and

Thursday, March 11, 1982; Governor's

Message Nos. 104 to 177 and Standing Committee Report Nos. 262-82 to 267-82.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Anderson, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 262-82) recommending that Senate Bill No. 2255-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Anderson, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2255-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 15, 1982.

Senator Anderson, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 263-82) recommending that Senate Bill No. 2256-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Anderson, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2256-82, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 15, 1982.

Senator Anderson, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 264-82) recommending that Senate Bill No. 2257-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Anderson, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2257-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INHERITANCE TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 15, 1982.

Senator Anderson, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 265-82) recommending that Senate Bill No. 2258-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Anderson, seconded by Senator Abercrombie

and carried, the report of the Committee was adopted and S.B. No. 2258-82, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 15, 1982.

Senator Ajifu, for the Committee on Government Operations and Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 266-82) recommending that Senate Bill No. 2321-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ajifu, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 2321-82, S.D. 1, entitled: "A BILL FOR AN ACT AMENDING SECTION 46-6, HAWAII REVISED STATUTES, RELATING TO PARKS AND PLAYGROUNDS FOR SUBDIVISIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 15, 1982.

Senator Abercrombie, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 267-82) recommending that Senate Bill No. 1434, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Ways and Means.

On motion by Senator Abercrombie, seconded by Senator Campbell and carried, the report of the majority of the Committee was adopted and S.B. No. 1434, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed First Reading and was recommitted to the Committee on Ways and Means.

ORDER OF THE DAY

THIRD READING

MATTERS DEFERRED FROM MARCH 10, 1982

Senate Bill No. 2322-82, S.D. 1:

By unanimous consent, action on S.B. No. 2322-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VEHICLE NUMBER PLATES," was deferred until Friday, March 12, 1982.

Standing Committee Report No. 230-82 (S.B. No. 1390, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 230-82 and S.B. No. 1390, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SEIZURE OF UNLICENSED DOGS," was deferred

until Friday, March 12, 1982.

Senate Bill No. 2196-82, S.D. 1:

By unanimous consent, action on S.B. No. 2196-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL OBLIGATION BONDS OF THE STATE OF HAWAII," was deferred until Friday, March 12, 1982.

Senate Bill No. 2198-82:

By unanimous consent, action on S.B. No. 2198-82, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COMPENSATION CLAIMS ADJUSTMENTS," was deferred until Friday, March 12, 1982.

Standing Committee Report No. 233-82 (H.B. No. 798, H.D. 1, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 233-82 and H.B. No. 798, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTEREST ON UNDERPAYMENTS AND OVERPAYMENTS," was deferred to Friday, March 12, 1982.

Standing Committee Report No. 234-82 (H.B. No. 804, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 234-82 and H.B. No. 804, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INHERITANCE, ESTATE TAXES," was deferred until Friday, March 12, 1982.

Standing Committee Report No. 235-82 (H.B. No. 1100, H.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 235-82 and H.B. No. 1100, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEE FOR CIVIL IDENTIFICATION CERTIFICATE," was deferred until Friday, March 12, 1982.

Senate Bill No. 2288-82:

By unanimous consent, action on S.B. No. 2288-82, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF AGRICULTURE," was deferred until Friday, March 12, 1982.

MATTERS DEFERRED FROM MARCH 9, 1982

Senate Bill No. 2970-82, S.D. 1:

By unanimous consent, action on S.B. No. 2970-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred until Friday, March 12, 1982.

Senate Bill No. 2642-82:

By unanimous consent, action on S.B. No. 2642-82, entitled: "A BILL FOR AN ACT RELATING TO THE JUVENILE JUSTICE INTERAGENCY BOARD," was deferred until Friday, March 12, 1982.

Senate Bill No. 2182-82, S.D. 1:

By unanimous consent, action on S.B. No. 2182-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BIRTH CERTIFICATES," was deferred until Friday, March 12, 1982.

Senate Bill No. 2189-82, S.D. 1:

By unanimous consent, action on S.B. No. 2189-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL," was deferred until Friday, March 12, 1982.

Senate Bill No. 2475-82, S.D. 1:

By unanimous consent, action on S.B. No. 2475-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NAMES," was deferred until Friday, March 12, 1982.

Senate Bill No. 2624-82, S.D. 1:

By unanimous consent, action on S.B. No. 2624-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GRAND JURY COUNSEL," was deferred until Friday, March 12, 1982.

Senate Bill No. 2366-82, S.D. 1:

By unanimous consent, action on S.B. No. 2366-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING REPORT," was deferred until Friday, March 12, 1982.

Senate Bill No. 2248-82, S.D. 1:

By unanimous consent, action on S.B. No. 2248-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PATERNITY STATUTE OF LIMITATIONS," was deferred until Friday, March 12, 1982.

Senate Bill No. 2572-82, S.D. 1:

By unanimous consent, action on S.B. No. 2572-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE," was deferred until Friday, March 12, 1982.

Senate Bill No. 2867-82:

By unanimous consent, action on S.B. No. 2867-82, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE II, SECTION 7, OF THE HAWAII CONSTITUTION, TO CHANGE THE RESIGNATION REQUIREMENTS FOR AN ELECTED PUBLIC OFFICER DESIRING TO RUN FOR ANOTHER PUBLIC OFFICE," was deferred until Friday, March 12, 1982.

Senate Bill No. 2245-82, S.D. 1:

By unanimous consent, action on S.B. No. 2245-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECIPROCAL ENFORCEMENT OF SUPPORT," was deferred until Friday, March 12, 1982.

RE-REFERRAL OF HOUSE BILL

The President re-referred House Bill No. 2445-82 which was received on Thursday, March 4, 1982, to the Committee on Ways and Means.

At this time, Senator Anderson rose on a point of personal privilege and stated:

"Mr. President, I don't wish to belabor this but I think I owe Senator Uwayne an apology. Brought to my attention a few minutes ago is an article that was written in this morning's... this afternoon's paper which says, 'Senate GOP coalition leader D.G. Andy Anderson told reporters that the leadership of the Senate forced...' the word 'forced' ... 'Uwayne to keep the bill alive...' in talking about the executive pay raise. I didn't use the word 'forced' and I am sorry if there is any embarrassment to this.

"Talking to reporters a few minutes ago when it was brought to my attention, the word 'prevailed' was the one that came up from everybody remembering so I would ask the reporter who wrote this to get a washcloth and some soap for his ears.

"I am sorry, Senator."

Senator Wong also rose on a point of personal privilege and stated:

"Mr. President, I rise on a point of personal privilege to follow up on Senator Anderson.

"I want to make the record clear that the leadership in the Senate and in particular the President's office did not force Senator Uwayne to move the bill out laterally to Ways and Means.

"I would like for the record to state, Mr. President, that Senator Uwayne came to me with some concern about the need for further discussions on the pay bill, such discussions being on an open basis. Therefore, he thought it was necessary to keep a vehicle alive. In that spirit and that context he decided to waive the referral of the executive pay bill to the Ways and Means Committee for further discussion.

"Thank you."

Senator O'Connor then stated:

"Mr. President, I'm sure the reporters in that story were referring to Senator Cayetano's remarks the other day about golf because as you know in golf you regularly use a 'foursome.'"

Senator Anderson further remarked as follows:

"Mr. President, the briefings that I've had thus far from Senator Uwayne have been very comprehensive and very thorough. I think keeping the bill alive for the purpose of discussing it is a very positive one. And I might add, in case the reporters or whoever is following this, it's not just a question of 15% or 20% or 30%. Senator Uwayne's approach to this, from what I've been briefed on... it's an entire freezing... county/state; it's talking about the philosophy of whether the Governor should be the highest paid or not; the linkage that exists between HPERB and circuit courts. In other words, the 'whole ball of wax' and not just the amount of dollars that somebody may get. I think it's a responsible approach and I'm sorry that the Speaker, evidently, feels it shouldn't be in conference.

"I don't know, after my 20 years of experience where we decide these bills... it's always been in conference in my years of experience. I hope the Senate puts together a very responsible package and moves it to the House. If the Speaker doesn't want to have it negotiated in public, then I'm sorry."

Senator Abercrombie added his remarks as follows:

"Mr. President, on a point of personal privilege, let's not lose our perspective. I thought I reminded everybody the other day what comes first. What comes first is our pay package that is now over in the House and when that comes over here and we're able to put it on the ballot so that we can get a proper pay schedule ourselves, then we can begin to worry about it.

"I would suggest that all the people who are interested in the pay bill, whether it has to do with a 'ball of wax' or whether it has to do with an increase in salaries and so on, that they get on their little lobby horses and go over to the House and make sure that Senator Abercrombie is duly satisfied, at which time our minds will clear amazingly quickly."

The Chair then responded as follows:

"Speaking about Senator Uwaine's

independence, I think it's much to the credit of this body that there are members in this body who can never be forced into anything. I think it reflects credit on the independence of this body."

ADJOURNMENT

At 11:58 o'clock a.m., on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, March 12, 1982.

THIRTY-SECOND DAY

Friday, March 12, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Robert Hannon, Associate Pastor of St. Elizabeth's Catholic Church, after which the Roll was called showing all Senators present with the exception of Senators Mizuguchi, O'Connor, Toyofuku and Ushijima who were excused.

The Chair announced that he had read and approved the Journal of the Thirty-First Day.

At this time, the following introductions were made to the members of the Senate:

Senator Anderson, on behalf of the Senate, introduced a group of 40 senior citizens from the Wahiawa Rainbow Club.

Senator Kawasaki, on behalf of the Senate, introduced 90 students from Radford High School, accompanied by their teacher Mr. Mel Ginoza and his assistant, Mr. Chuck Norwood.

Senator Holt, on behalf of the Senate, introduced a group of 100 third grade students from Kalihi-Kai Elementary School, accompanied by their teachers, Mrs. Yamaguchi, Mrs. Hirohata-Goto, Mrs. Miyoi, Mrs. Chung and Miss Tonda, and their instructor Mrs. Amimoto.

At this time, Senator Kobayashi rose and addressed the members of the Senate as follows:

"Mr. President, I'd like to introduce Mr. Ralph Oshiro, who is Hawaii's 1982 Teacher of the Year, who is accompanied today by his wife Bessie.

"Mr. Oshiro is presently Band Director at the Robert Louis Stevenson School and he is presently Director of the Hawaii Music Association, Director of the Honolulu Chamber Music Series, and a member of the Oahu Band Directors Association and the American School Band Directors Association.

"Mr. Oshiro was chosen from among seven district winners in the state and will represent Hawaii in the 1983 National Teacher of the Year competition."

At 11:47 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:49 o'clock a.m.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 178), transmitting for consideration and consent to the Circuit Court of the Second Circuit, the nomination of Arthur T. Ueoka, Judge, for a term of ten years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, was read by the Clerk and was referred to the Committee on Judiciary.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 69 to 73) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 69), transmitting House Bill No. 1964-82, which passed Third Reading in the House of Representatives on March 11, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 1964-82, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS," passed First Reading and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 70), transmitting House Bill No. 2125-82, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2125-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLAIN LANGUAGE IN CONSUMER TRANSACTIONS," passed First Reading and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 71), transmitting House Bill No. 2380-82, which passed Third Reading in the House of Representatives on March 11, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2380-82, entitled: "A BILL FOR AN ACT RELATING TO ELDERLY HOUSING," passed First Reading and was referred to the Committee on Housing and Hawaiian Homes.

A communication from the House (Hse. Com. No. 72), transmitting House Bill No. 2444-82, which passed Third Reading in the House of Representatives on March 11, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2444-82, entitled: "A BILL FOR AN ACT RELATING TO DEATH," passed First Reading and was referred to the Committee on Health.

A communication from the House (Hse. Com. No. 73), transmitting House Bill No. 2507-82, which passed Third Reading in the House of Representatives on March 11, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2507-82, entitled: "A BILL FOR AN ACT RELATING TO TRIALS," passed First Reading and was referred to the Committee on Judiciary.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 34), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT TO CONDUCT A STUDY TO DETERMINE THE FEASIBILITY OF MOLOKAI BECOMING A SEPARATE COUNTY," was offered by Senators Yamasaki, Machida, Kuroda, Young, Cayetano, Anderson, Yee, Henderson, Campbell, Abercrombie, Kobayashi, Cobb, Carpenter, Wong, Uwayne and Soares, and was read by the Clerk.

By unanimous consent, S.C.R. No. 34 was referred to the Committee on Government Operations and Intergovernmental Relations.

SENATE RESOLUTION

A resolution (S.R. No. 50), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT TO CONDUCT A STUDY TO DETERMINE THE FEASIBILITY OF MOLOKAI BECOMING A SEPARATE COUNTY," was offered by Senators Yamasaki, Machida, Kuroda, Young, Anderson, Yee, Henderson, Abercrombie, Kobayashi, Cobb, Carpenter, Wong, Soares and Uwayne, was read by the Clerk.

By unanimous consent, S.R. No. 50 was referred to the Committee on Government Operations and Intergovernmental Relations.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 268-82) informing the Senate that Senate Concurrent Resolu-

tion No. 34, Senate Resolution No. 50, Governor's Message No. 178 and Standing Committee Report Nos. 269-82 to 318-82 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senators Ajifu and Cobb, for the Committee on Agriculture and the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 269-82) recommending that Senate Bill No. 2871-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ajifu, seconded by Senator Cobb and carried, the joint report of the Committees was adopted and S.B. No. 2871-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL COOPERATIVES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 15, 1982.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 270-82) recommending that Senate Bill No. 57, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, Stand. Com. Rep. No. 270-82 and S.B. No. 57, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," were recommitted to the Committee on Ways and Means.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 271-82) recommending that Senate Bill No. 2187-82 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 271-82 and S.B. No. 2187-82, entitled: "A BILL FOR AN ACT RELATING TO BRANDS AND AMENDING SECTION 142-41, HAWAII REVISED STATUTES," was deferred until Monday, March 15, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 272-82) recommending that Senate Bill No. 2311-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.B. No. 2311-82, entitled: "A BILL FOR AN ACT RELATING TO SECURITIES FOR STATE FUNDS," passed Second Reading and was placed on the calendar for Third

Third Reading on Monday, March 15, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 273-82) recommending that Senate Bill No. 2312-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.B. No. 2312-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVESTMENT OF STATE FUNDS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 15, 1982.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 274-82) recommending that Senate Bill No. 2456-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the majority of the Committee was adopted and S.B. No. 2456-82, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 15, 1982.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 275-82) recommending that Senate Bill No. 2891-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, the report of the majority of the Committee was adopted and S.B. No. 2891-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO USE TAX OVERPAYMENTS BY GENERAL MOTORS DEALERSHIPS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 15, 1982.

Senator Kawasaki, for the Committee on Government Operations and Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 276-82) recommending that Senate Bill No. 2452-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawasaki, seconded by Senator Ajifu and carried, the report of

the Committee was adopted and S.B. No. 2452-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EARTHQUAKES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 15, 1982.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 277-82) recommending that Senate Bill No. 2527-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2527-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 15, 1982.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 278-82) recommending that Senate Bill No. 2895-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2895-82, entitled: "A BILL FOR AN ACT RELATING TO SICK LEAVE EXCEPTIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 15, 1982.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 279-82) recommending that Senate Bill No. 2643-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2643-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 15, 1982.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 280-82) recommending that Senate Bill No. 2600-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2600-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING IN PUBLIC EMPLOYMENT," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 15, 1982.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 281-82) recommending that Senate Bill No. 2530-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2530-82, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 15, 1982.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 282-82) recommending that Senate Bill No. 2249-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2249-82, entitled: "A BILL FOR AN ACT RELATING TO VISITATION AND SUPPORT," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 15, 1982.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 283-82) recommending that Senate Bill No. 103 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 103, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 15, 1982.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 284-82) recommending that Senate Bill No. 2183-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2183-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-

TERM CARE FACILITIES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 15, 1982.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 285-82) recommending that Senate Bill No. 2350-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Abercrombie, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 2350-82, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 15, 1982.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 286-82) recommending that Senate Bill No. 2825-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Abercrombie, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 2825-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE PREVENTION IN PUBLIC SCHOOLS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 15, 1982.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 287-82) recommending that Senate Bill No. 2214-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the Committee was adopted and S.B. No. 2214-82, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 15, 1982.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 288-82) recommending that Senate Bill No. 2217-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the Committee was adopted and S.B. No. 2217-82, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC

RESOURCES AND WILDLIFE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 15, 1982.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 289-82) recommending that Senate Bill No. 2218-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the Committee was adopted and S.B. No. 2218-82, entitled: "A BILL FOR AN ACT RELATING TO THE ENFORCEMENT PROGRAM OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 15, 1982.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 290-82) recommending that Senate Bill No. 2260-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the Committee was adopted and S.B. No. 2260-82, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF QUALIFIED STATE APPRAISERS AS WELL AS INDEPENDENT APPRAISERS TO DETERMINE THE VALUE OF REMNANTS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 15, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 291-82) recommending that Senate Bill No. 2233-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Uwaine and carried, the report of the Committee was adopted and S.B. No. 2233-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 15, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 292-82) recommending that Senate Bill No. 2646-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded

by Senator Uwaine and carried, the report of the Committee was adopted and S.B. No. 2646-82, entitled: "A BILL FOR AN ACT RELATING TO PATIENTS' COMPENSATION FUND," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 15, 1982.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 293-82) recommending that Senate Bill No. 2211-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kobayashi, seconded by Senator George and carried, the report of the Committee was adopted and S.B. No. 2211-82, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE DISPOSAL," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 15, 1982.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 294-82) recommending that Senate Bill No. 2958-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kobayashi, seconded by Senator George and carried, the report of the Committee was adopted and S.B. No. 2958-82, entitled: "A BILL FOR AN ACT RELATING TO FISHING," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 15, 1982.

Senator George, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 295-82) recommending that Senate Bill No. 2765-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator George, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 2765-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 15, 1982.

Senator George, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 296-82) recommending that Senate Bill No. 2333-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator George, seconded

Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 2333-82, entitled: "A BILL FOR AN ACT RELATING TO THE TOWING OF ABANDONED VEHICLES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 15, 1982.

Senator George, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 297-82) recommending that Senate Bill No. 2326-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator George, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 2326-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SAFETY RESPONSIBILITY ACT," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 15, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 298-82) recommending that Senate Bill No. 642 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.B. No. 642, entitled: "A BILL FOR AN ACT RELATING TO INHERITANCE AND ESTATE TAXES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 15, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 299-82) recommending that Senate Bill No. 732, as amended in S.D. 1, be recommitted to the Committee on Ways and Means.

By unanimous consent, Stand. Com. Rep. No. 299-82 and S.B. No. 732, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," were recommitted to the Committee on Ways and Means.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 300-82) recommending that Senate Bill No. 2201-82, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 300-82 and S.B. No. 2201-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED,"

was deferred until Monday, March 15, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 301-82) recommending that Senate Bill No. 2202-82, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 301-82 and S.B. No. 2202-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EXECUTIVE DEPARTMENTS," was deferred until Monday, March 15, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 302-82) recommending that Senate Bill No. 2205-82 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 302-82 and S.B. No. 2205-82, entitled: "A BILL FOR AN ACT RELATING TO COUNTY/STATE HOSPITAL SYSTEM," was deferred until Monday, March 15, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 303-82) recommending that Senate Bill No. 2246-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 303-82 and S.B. No. 2246-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELDERLY ABUSE AND NEGLECT," was deferred until Monday, March 15, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 304-82) recommending that Senate Bill No. 2319-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.B. No. 2319-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR LICENSE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 15, 1982.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 305-82) recommending that Senate Bill No. 2514-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, the report of the majority of the Committee was adopted and S.B. No. 2514-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX LAW," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 15, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 306-82) recommending that Senate Bill No. 2523-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 306-82 and S.B. No. 2523-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," was deferred until Monday, March 15, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 307-82) recommending that Senate Bill No. 2548-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.B. No. 2548-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX OF SERVICES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 15, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 308-82) recommending that Senate Bill No. 2627-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 308-82 and S.B. No. 2627-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ORGANIZED CRIME. CHAPTER 842, HAWAII REVISED STATUTES," was deferred until Monday, March 15, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 309-82) recommending that Senate Bill No. 2799-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.B. No. 2799-82, entitled: "A BILL FOR AN ACT RELATING TO THE INHERITANCE TAX," passed Second Reading and was placed on the calendar

for Third Reading on Monday, March 15, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 310-82) recommending that Senate Bill No. 2866-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 310-82 and S.B. No. 2866-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY," was deferred until Monday, March 15, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 311-82) recommending that Senate Bill No. 2903-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.B. No. 2903-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 15, 1982.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 312-82) recommending that Senate Bill No. 2983-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, the report of the majority of the Committee was adopted and S.B. No. 2983-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TAX REVIEW COMMISSION," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 15, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 313-82) recommending that Senate Bill No. 1308, S.D. 1, as amended in S.D. 2, pass Second Reading and be recommitted to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.B. No. 1308, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," passed Second Reading and was recommitted

to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 314-82) recommending that House Bill No. 2319-82, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 2319-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 15, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 315-82) recommending that Senate Bill No. 2280-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2280-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CULTIVATION OF A DETRIMENTAL DRUG," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 15, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 316-82) recommending that Senate Bill No. 2376-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2376-82, entitled: "A BILL FOR AN ACT RELATING TO TIME LIMITATIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 15, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 317-82) recommending that Senate Bill No. 2401-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 317-82 and S.B. No. 2401-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE AND NEGLECT," was deferred until Monday, March 15, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 318-82) recommending that Senate Bill No. 2668-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third

Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2668-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BAILABLE OFFENSES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 15, 1982.

At 11:52 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:59 o'clock a.m.

ORDER OF THE DAY

THIRD READING

MATTERS DEFERRED FROM MARCH 10, 1982

Senate Bill No. 2520-82:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 2520-82, entitled: "A BILL FOR AN ACT RELATING TO NOTARIES PUBLIC," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Mizuguchi, O'Connor, Toyofuku and Ushijima).

Senate Bill No. 2993-82:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 2993-82, entitled: "A BILL FOR AN ACT RELATING TO FATHER DAMIEN DEVEUSTER DAY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Mizuguchi, O'Connor, Toyofuku and Ushijima).

Senate Bill No. 2507-82:

Senator Carpenter moved that S.B. No. 2507-82, having been read throughout, pass Third Reading, seconded by Senator Cayetano.

At this time, Senator Kawasaki rose and spoke for the bill stating:

"Mr. President, I just want to commend the Chairman of the Senate Judiciary Committee for sponsoring this bill...which is badly needed...which provides that no private agency providing services

for incapacitated people be named their guardian as the law right now allows. I think this is important to avoid any possible conflicts between an organization providing services and acting as guardian for an incapacitated person. This is a good bill and I hope it passes unanimously because I understand that there might be some concerns in the House based primarily on erroneous or duress information that is about to be provided to its committees."

The motion was put by the Chair and carried, and S.B. No. 2507-82, entitled: "A BILL FOR AN ACT RELATING TO PERSONS IN NEED OF PROTECTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Mizuguchi, O'Connor, Toyofuku and Ushijima).

Senate Bill No. 2307-82:

Senator Carpenter requested that S.B. No. 2307-82, entitled: "A BILL FOR AN ACT RELATING TO ALLOWANCES FOR LEGISLATORS," be recommitted to the Committee on Judiciary, and the President, noting that there was no objection, so ordered.

Senate Bill No. 2304-82, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 2304-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LOBBYING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Mizuguchi, O'Connor, Toyofuku and Ushijima).

Senate Bill No. 2947-82, S.D. 1:

Senator Abercrombie moved that S.B. No. 2947-82, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kuroda.

At this time, Senator Cayetano rose and stated:

"Mr. President, first, I'd like to dispel all rumors that I am the author of this bill, and second, I'd like to ask the Chair for a conflict ruling."

The President then replied:

"It's on the borderline, but I'll rule no conflict."

The motion was put by the Chair and

carried, and S.B. No. 2947-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FILIPINO 75TH ANNIVERSARY COMMISSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Mizuguchi, O'Connor, Toyofuku and Ushijima).

Senate Bill No. 2615-82, S.D. 1:

By unanimous consent, action on S.B. No. 2615-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THEFT OF UTILITY SERVICES," was deferred until Monday, March 15, 1982.

Senate Bill No. 2228-82:

On motion by Senator Soares, seconded by Senator Yamasaki and carried, S.B. No. 2228-82, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Mizuguchi, O'Connor, Toyofuku and Ushijima).

MATTERS DEFERRED FROM MARCH 11, 1982

Senate Bill No. 2322-82, S.D. 1:

On motion by Senator Kawasaki, seconded by Senator Ajifu and carried, S.B. No. 2322-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VEHICLE NUMBER PLATES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Mizuguchi, O'Connor, Toyofuku and Ushijima).

Standing Committee Report No. 230-82 (S.B. No. 1390, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 230-82 and S.B. No. 1390, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SEIZURE OF UNLICENSED DOGS," was deferred until Monday, March 15, 1982.

Senate Bill No. 2196-82, S.D. 1:

By unanimous consent, action on S.B. No. 2196-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL OBLIGATION BONDS OF

THE STATE OF HAWAII," was deferred until Monday, March 15, 1982.

Senate Bill No. 2198-82:

By unanimous consent, action on S.B. No. 2198-82, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COMPENSATION CLAIMS ADJUSTMENTS," was deferred until Monday, March 15, 1982.

Standing Committee Report No. 233-82 (H.B. No. 798, H.D. 1, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 233-82 and H.B. No. 798, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTEREST ON UNDERPAYMENTS AND OVERPAYMENTS," was deferred until Monday, March 15, 1982.

Standing Committee Report No. 234-82 (H.B. No. 804, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 234-82 and H.B. No. 804, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INHERITANCE, ESTATE TAXES," was deferred until Monday, March 15, 1982.

Standing Committee Report No. 235-82 (H.B. No. 1100, H.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 235-82 and H.B. No. 1100, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEE FOR CIVIL IDENTIFICATION CERTIFICATE," was deferred until Monday, March 15, 1982.

Senate Bill No. 2288-82:

On motion by Senator Ajifu, seconded by Senator Kobayashi and carried, S.B. No. 2288-82, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF AGRICULTURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Mizuguchi, O'Connor, Toyofuku and Ushijima).

THIRD READING

Senate Bill No. 2970-82, S.D. 1:

On motion by Senator Saiki, seconded by Senator Cobb and carried, S.B. No. 2970-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused,

4 (Mizuguchi, O'Connor, Toyofuku and Ushijima).

Senate Bill No. 2642-82:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 2642-82, entitled: "A BILL FOR AN ACT RELATING TO THE JUVENILE JUSTICE INTERAGENCY BOARD," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Mizuguchi, O'Connor, Toyofuku and Ushijima).

Senate Bill No. 2182-82, S.D. 1:

Senator Carpenter requested that S.B. No. 2182-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BIRTH CERTIFICATES," be recommitted to the Committee on Judiciary, and the President, noting that there was no objection, so ordered.

Senate Bill No. 2189-82, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 2189-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Mizuguchi, O'Connor, Toyofuku and Ushijima).

Senate Bill No. 2475-82, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 2475-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NAMES," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Mizuguchi, O'Connor, Toyofuku and Ushijima).

Senate Bill No. 2624-82, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 2624-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GRAND JURY COUNSEL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Mizuguchi, O'Connor, Toyofuku

and Ushijima).

Senate Bill No. 2366-82, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 2366-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING REPORT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Mizuguchi, O'Connor, Toyofuku and Ushijima).

Senate Bill No. 2248-82, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cobb and carried, S.B. No. 2248-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PATERNITY STATUTE OF LIMITATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 15. Noes, 6 (Anderson, Cayetano, Henderson, Soares, Yee and Wong). Excused, 4 (Mizuguchi, O'Connor, Toyofuku and Ushijima).

Senate Bill No. 2572-82, S.D. 1:

By unanimous consent, action on S.B. No. 2572-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE," was deferred until Monday, March 15, 1982.

Senate Bill No. 2867-82:

Senator Carpenter moved that S.B. No. 2867-82, having been read throughout, pass Third Reading, seconded by Senator Cayetano.

At this time, Senator Abercrombie rose and queried:

"Mr. President, could the Chairman explain the effect of this bill? I was at the caucus yesterday and at the end was completely befuddled."

The President asked if Senator Carpenter would yield to a question and Senator Carpenter answered in the affirmative stating:

"Mr. President, I had the privilege of not being at the caucus so I was not befuddled. The bill essentially conforms to the intent of the Constitution by attempting to clarify that language which, in the Constitution at the present time appears to be somewhat fuzzy."

"The intention of the Constitutional Convention, when it inserted that provision, was to require that individuals who were in

between offices, shall we say, attempting to run for another county and/or state office should resign from their present office in order to seek the other office. This language conforms to that concept.

"Thank you."

Senator Cobb then rose and stated:

"Mr. President, I'm going to be voting for this because it's merely a technical change to what I think is already an unconstitutional amendment made by the last Constitutional Convention.

"A similar law to this has been challenged successfully in the Federal Court level of the District of Columbia. I think after everyone has had a chance to see how this particular amendment in our own Constitution discourages people from running for another office, there'll be second thoughts about it and then, perhaps in the future, a ballot issue repealing this measure would stand an equal chance of passage."

Senator Carpenter then rose and stated:

"A point of information, Mr. President; one of the considerations in discussing this bill was to change the word 'unless' to 'when.' I agree with Senator Cobb that precluding the availability of all possible candidates for any office at any time is denying the public the choice to which all electors are entitled.

"Thank you."

Senator Cobb then stated:

"Just by way of addendum to the remarks of the Judiciary Chairman, Mr. President, I note there's no resignation requirement for a federal office, but there is for a state or county office. Sooner or later, that's bound to be challenged in court and I think successfully so.

"Perhaps, if we don't change the word 'when' this time around, we'll get around to it in a future session and I'd like to see the matter go before the voters for a final decision. Either way, this matter is going to be voted upon by the voters in the next election."

The motion was put by the Chair and carried, and S.B. No. 2867-82, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE II, SECTION 7, OF THE HAWAII CONSTITUTION, TO CHANGE THE RESIGNATION REQUIREMENTS FOR AN ELECTED PUBLIC OFFICER DESIRING TO RUN FOR ANOTHER PUBLIC OFFICE," having been read throughout, passed Third Reading on the following showing of Ayes

and Noes:

Ayes, 21. Noes, none. Excused, 4 (Mizuguchi, O'Connor, Toyofuku and Ushijima).

Senate Bill No. 2245-82, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 2245-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECIPROCAL ENFORCEMENT OF SUPPORT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Mizuguchi, O'Connor, Toyofuku and Ushijima).

At this time, Senator Holt rose and addressed the Senate as follows:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, yesterday afternoon I arrived home and walked into the kitchen of my house, where my eleven year old nephew was sitting down reading something, and he turned to me and said, 'Uncle Milton, are you a gambler?'

"Mr. President, my nephew wasn't reading the Star Bulletin or the Advertiser, he was reading this... 'Public Gaming,' which was delivered to me in the mail yesterday. Mr. President, I don't subscribe to this magazine, nor did I request someone to send it to me. This is a sample copy, a January 1982 issue, which not only advocates state lotteries, but casino gambling, horse racing and other types of gambling activity which to date, is still illegal in the State of Hawaii.

"Mr. President, I'm upset for a couple of reasons. I'm upset because this magazine is being distributed in the manner that innocent young children, like my nephew, can have access to this pro-gambling material. Second, I'm upset because I don't know who's responsible for the distribution and for this behind-the-scenes lobbying effort.

"Mr. President, there was no cover letter attached to this magazine. I'm asking you, Mr. President, as the presiding officer of this body, to help me find out who sent this magazine to my house. I would like to say publicly to this person, be it a legislator, lobbyist, or private citizen, come out of the closet and into the open where I can see you. I would also like to inform this person that I want him to know that contrary to popular belief, I do have an office on the second floor of this building, room 223, and my

phone number is listed in the state directory. Whoever you are, if you really want to discuss the proposed state lottery, now you know where to reach me.

"Thank you."

The President then replied:

"Senator Holt, if I might respond just very quickly. One, I don't know who sent you the magazine. Two, the Chair has been in contact with no group at all in this community to go for or against the lottery system, and three, I suggest to you that you write directly to the company that sent the magazine and I think you will get an answer.

"I think you will find that no member of the Senate was responsible for sending this material to influence you on an issue being discussed before the Legislature.

"I hope that helps to satisfy your curiosity. As far as the Chair is concerned, I do want to find out where the magazine came from. I understand from the testimony at the Ways and Means Committee hearing this morning that a group has volunteered to support the lottery. Maybe they know. Perhaps after the session is over, maybe we could discuss the matter with Senator Yamasaki.

"But, as far as the Chair is concerned, this is not part of my campaign to have the lottery bill passed. I would hope that any measure before this body will be passed on its merits, after the people have deliberated and reached their conclusion."

Senator Holt then responded:

"Mr. President, I just want to make sure that you understand that I'm not making any accusations at all. All I'm asking for is some assistance as to who is behind this.

"Thank you."

The President then replied:

"You will have the full cooperation of my office in seeking an answer to your inquiry."

At this time Senator Kawasaki rose and stated:

"Mr. President, may I suggest to the Senator from the Fifth District not be unduly concerned. You ought to see some of the anonymous mail that I receive."

Senator Holt then stated:

"But those are usually wrapped in brown paper."

The President then replied:

"If they are received in a brown paper, I'm not getting my share."

Senator Cobb then rose and stated:

"Mr. President, I just want to point out that it's not always in brown paper, sometimes it's in shocking pink."

The President made the following announcement:

"The Chair would like to make one request of the Senators. Coming up is the week for crossover. The deadline for decking of all bills is Monday,

midnight. I would like to ask that the Senators, during the course of the weekend, be available, come in and check with their respective committee chairmen on signing of committee reports on actions that have been taken."

At 12:16 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:17 o'clock p.m.

ADJOURNMENT

At 12:18 o'clock p.m., on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate adjourned until 11:00 o'clock a.m. on Monday, March 15, 1982.

THIRTY-THIRD DAY

Monday, March 15, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Herbert Schaan, Pastor of Good Shepherd Lutheran Church, after which the Roll was called showing all Senators present with the exception of Senator Anderson who was excused.

The President announced that he had read and approved the Journal of the Thirty-Second Day.

The following introductions were then made to the members of the Senate:

Senator Saiki, on behalf of Senator Anderson, introduced a group of student government leaders representing St. Louis High School, St. Francis High School, St. Andrew's Priory School and Mid-Pacific Institute.

Senator Yee then introduced the following and stated:

"Mr. President, before I introduce the gentlemen on the Senate floor in uniform, I'd like to make a brief statement concerning their presence.

"Mr. President, for many, many years the Coast Guard has done a tremendous service to the people of the State of Hawaii and throughout the years we know of their tremendous services in search and rescue for boaters, whether they be sailboat or powerboat people...referred to as 'stink potters.' But they're out there regardless of the type of weather. Whether the weather is good or bad the rescue ships are out there with their helicopters as well as their boats.

"Not too long ago, the Coast Guard lost three of their men and a woman on a rescue mission, and only this past weekend we read in the papers that they were able to again rescue three boats in distress.

"I thought it would be fitting and proper at this time that we recognize this branch of the federal service that has done a great deal for us in the State of Hawaii. I know that their work is not only in Hawaii but that it stretches from Alaska, Guam, American Samoa, Philippines, and all the way to Southeast Asia as far as Singapore.

"We in the Senate have adopted a

certificate in honor of the Coast Guard. This morning I would like to introduce Admiral Bernie Thompson, Commandant of the 14th Coast Guard District, Chief of Staff, Captain Al Tingley, and Lt. Mark Seirs, Public Relations Officer.

"In addition to the certificate to Admiral Thompson, I have a T-shirt with the boat named 'Wicked Wahine.' I'd like to say that my boat on the way back from Niihau on a fishing trip was in distress and the Coast Guard came and towed my boat into port. I want to thank the cutter 'Point Harris' for that rescue mission."

At 11:38 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:48 o'clock a.m.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 179) requesting the Senate's immediate consideration of Senate Bill No. 2950-82, regarding the appropriations necessary to fund the deficits in the current fiscal year for the emergency medical service contracts of the counties of Hawaii, Maui, and Kauai, was read by the Clerk and was referred to the Committee on Ways and Means.

DEPARTMENTAL COMMUNICATION

A communication from the State Law Enforcement and Juvenile Delinquency Planning Agency (Dept. Com. No. 13), transmitting copies of a report on the activities of the Juvenile Justice Interagency Board (October 1980 to February 1982), prepared by the State Law Enforcement Planning Agency, Office of the Attorney General, March 1982, was read by the Clerk and was referred to the Committee on Judiciary.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 74 to 93) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 74), transmitting House Bill No. 1515, H.D. 2, which passed Third Reading in the House of Representatives on March 12, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Yee and carried, H.B. No.

1515, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DUTIES OF SAFE DEPOSIT COMPANIES, TRUST COMPANIES, BANKS, ETC.," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 75), transmitting House Bill No. 2039-82, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Yee and carried, H.B. No. 2039-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLAR WATER HEATING SYSTEMS INSTALLATIONS," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 76), transmitting House Bill No. 2092-82, H.D. 2, which passed Third Reading in the House of Representatives on March 12, 1982, by not less than two-thirds vote of all the members to which the House is entitled, was placed on file.

On motion by Senator Cobb, seconded by Senator Yee and carried, H.B. No. 2092-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SAFETY RESPONSIBILITY ACT," passed First Reading and was referred to the Committee on Transportation.

A communication from the House (Hse. Com. No. 77), transmitting House Bill No. 2105-82, which passed Third Reading in the House of Representatives on March 12, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Yee and carried, H.B. No. 2105-82, entitled: "A BILL FOR AN ACT RELATING TO THE TOWING OF ABANDONED VEHICLES," passed First Reading and was referred to the Committee on Transportation.

A communication from the House (Hse. Com. No. 78), transmitting House Bill No. 2149-82, which passed Third Reading in the House of Representatives on March 12, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Yee and carried, H.B. No. 2149-82, entitled: "A BILL FOR AN ACT RELATING TO BRANDS AND AMENDING SECTION 142-41, HAWAII REVISED STATUTES," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 79), transmitting House

Bill No. 2168-82, H.D. 2, which passed Third Reading in the House of Representatives on March 12, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Yee and carried, H.B. No. 2168-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ITINERANT VENDORS OF MEDICINES, DRUGS, AND DEVICES," passed First Reading and was referred to the Committee on Health.

A communication from the House (Hse. Com. No. 80), transmitting House Bill No. 2191-82, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1982, by not less than two-thirds vote of all the members to which the House is entitled, was placed on file.

On motion by Senator Cobb, seconded by Senator Yee and carried, H.B. No. 2191-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLICITATION OF FUNDS FROM THE PUBLIC," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 81), transmitting House Bill No. 2196-82, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Yee and carried, H.B. No. 2196-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONTRACTORS LICENSE LAW," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 82), transmitting House Bill No. 2313-82, H.D. 2, which passed Third Reading in the House of Representatives on March 12, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Yee and carried, H.B. No. 2313-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DRIVER EDUCATION AND TRAINING FUND," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 83), transmitting House Bill No. 2406-82, H.D. 2, which passed Third Reading in the House of Representatives on March 12, 1982, by not less than two-thirds vote of all the members to which the House is entitled, was placed on file.

On motion by Senator Cobb, seconded by Senator Yee and carried, H.B. No. 2406-82, H.D. 2, entitled: "A BILL

FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed First Reading and was referred to the Committee on Government Operations and Intergovernmental Relations.

A communication from the House (Hse. Com. No. 84), transmitting House Bill No. 2489-82, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Yee and carried, H.B. No. 2489-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICIANS," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 85), transmitting House Bill No. 2826-82, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Yee and carried, H.B. No. 2826-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WAIMANO TRAINING SCHOOL AND HOSPITAL," passed First Reading and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 86), transmitting House Concurrent Resolution No. 109, which was adopted by the House of Representatives on March 12, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Yee and carried, H.C.R. No. 109, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING 'NATIONAL AGRICULTURE DAY' AND URGING THE GOVERNOR OF HAWAII TO DECLARE MARCH 18, 1982 AS 'HAWAII AGRICULTURE DAY'," was adopted.

A communication from the House (Hse. Com. No. 87), transmitting House Bill No. 2165-82, which passed Third Reading in the House of Representatives on March 12, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Yee and carried, H.B. No. 2165-82, entitled: "A BILL FOR AN ACT RELATING TO LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 88), transmitting House Bill No. 2166-82, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1982, was placed on file.

On motion by Senator Cobb, seconded

by Senator Yee and carried, H.B. No. 2166-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY/STATE HOSPITAL SYSTEM," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 89), transmitting House Bill No. 2194-82, which passed Third Reading in the House of Representatives on March 12, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Yee and carried, H.B. No. 2194-82, entitled: "A BILL FOR AN ACT RELATING TO BOARDS AND COMMISSIONS," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 90), transmitting House Bill No. 2207-82, which passed Third Reading in the House of Representatives on March 12, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Yee and carried, H.B. No. 2207-82, entitled: "A BILL FOR AN ACT RELATING TO TAX INCENTIVES FOR SOLAR ENERGY DEVICES," passed First Reading and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 91), transmitting House Bill No. 2240-82, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Yee and carried, H.B. No. 2240-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN IN FOSTER CARE," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 92), transmitting House Bill No. 2679-82, which passed Third Reading in the House of Representatives on March 12, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Yee and carried, H.B. No. 2679-82, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COUNSEL AND OTHER SERVICES FOR INDIGENT DEFENDANTS IN CRIMINAL AND RELATED CASES," passed First Reading and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 93), transmitting House

Bill No. 2684-82, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Yee and carried, H.B. No. 2684-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY," passed First Reading and was referred to the Committee on Ways and Means.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 35 and 36) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 35), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION TO REVIEW ITS RESOURCE REQUIREMENTS TO ACCOMMODATE THE USE OF SCHOOL FACILITIES BY THE COMMUNITY," was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 35 was referred to the Committee on Education.

A concurrent resolution (S.C.R. No. 36), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE LONG TERM CARE FOR THE ELDERLY REPORT," was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 36 was referred to the Committee on Human Resources.

SENATE RESOLUTION

A resolution (S.R. No. 51), entitled: "SENATE RESOLUTION REVIEW OF ACTION TAKEN BY THE HAWAII HOUSING AUTHORITY ON LAND EXCHANGE," was offered by Senator Wong and was read by the Clerk.

By unanimous consent, S.R. No. 51 was referred to the Committee on Housing and Hawaiian Homes.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 319-82) informing the Senate that Senate Concurrent Resolution Nos. 35 and 36, Senate Resolution No. 51, and Standing Committee Report Nos. 320-82 to 362-82 have been printed and distributed to all members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 320-82) recommending that Senate Bill No. 2138-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Uwaine and carried, the report of the Committee was adopted and S.B. No. 2138-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 321-82) recommending that Senate Bill No. 2178-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Uwaine and carried, the report of the Committee was adopted and S.B. No. 2178-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INDUSTRIAL LOAN COMPANY GUARANTY ACT," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 322-82) recommending that Senate Bill No. 2235-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Uwaine and carried, the report of the Committee was adopted and S.B. No. 2235-82, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL ENGINEERS, ARCHITECTS, SURVEYORS, LANDSCAPE ARCHITECTS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senators Ajifu and Cobb for the Committee on Agriculture and the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 323-82) recommending that Senate Bill No. 2696-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ajifu, seconded by Senator Cobb and carried, the joint report of the Committees was adopted and S.B. No. 2696-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER COOPERATIVE ASSOCIATIONS,"

passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Soares, for the Committee on Public Utilities, presented a report (Stand. Com. Rep. No. 324-82) recommending that Senate Bill No. 2509-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Soares, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 2509-82, S.D. 1, entitled: "A BILL FOR AN ACT TO AMEND THE HAWAII WATER CARRIER LAW," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 325-82) recommending that Senate Bill No. 2377-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2377-82, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PENAL CODE," passed Second Reading and was placed on calendar for Third Reading on Wednesday, March 17, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 326-82) recommending that Senate Bill No. 2565-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2565-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NUISANCE ABATEMENT," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 327-82) recommending that Senate Bill No. 2566-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2566-82, S.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO APPEALS BY THE STATE IN CRIMINAL CASES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator George, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 328-82) recommending that Senate Bill No. 2181-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator George, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2181-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DRIVER IMPROVEMENT PROGRAM," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator George, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 329-82) recommending that Senate Bill No. 2334-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator George, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 2334-82, entitled: "A BILL FOR AN ACT PROVIDING PENALTIES FOR VIOLATIONS OF CHAPTER 290 RELATING TO ABANDONED VEHICLES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 330-82) recommending that Senate Bill No. 2146-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2146-82, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI OF THE HAWAII CONSTITUTION RELATING TO THE APPOINTMENT OF JUSTICES AND JUDGES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 331-82) recommending that Senate Bill No. 2575-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2575-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL DISCLOSURES BY JUDGES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 332-82) recommending that Senate Bill No. 2831-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2831-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANNULMENT, DIVORCE, AND SEPARATION," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 333-82) recommending that Senate Bill No. 68 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 68, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 334-82) recommending that House Bill No. 786 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and H.B. No. 786, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 335-82) recommending that Senate Bill No. 2602-82 pass Second Reading and be placed on the calendar for Third

Reading.

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2602-82, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Uwaine, for the majority of the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 336-82) recommending that Senate Bill No. 2890-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Uwaine, seconded by Senator Cayetano and carried, the report of the majority of the Committee was adopted and S.B. No. 2890-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 337-82) recommending that Senate Bill No. 2913-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2913-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Uwaine, for the majority of the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 338-82) recommending that Senate Bill No. 2528-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Uwaine, seconded by Senator Cayetano and carried, the report of the majority of the Committee was adopted and S.B. No. 2528-82, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 339-82) recommending that Senate Bill No. 2879-82, as amended in S.D.

1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2879-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTEREST ON CREDIT CARDS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 340-82) recommending that Senate Bill No. 2477-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2477-82, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REPAIRS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 341-82) recommending that Senate Bill No. 2418-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2418-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICIANS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 342-82) recommending that Senate Bill No. 2398-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2398-82, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DISPENSING OPTICIANS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 343-82) recommending that Senate

Bill No. 2397-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2397-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BEAUTY CULTURE," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 344-82) recommending that Senate Bill No. 2237-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2237-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DENTAL EXAMINERS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 345-82) recommending that Senate Bill No. 2234-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2234-82, entitled: "A BILL FOR AN ACT RELATING TO BOARDS AND COMMISSIONS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 346-82) recommending that Senate Bill No. 2231-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2231-82, entitled: "A BILL FOR AN ACT RELATING TO SOLICITATION OF FUNDS FROM THE PUBLIC," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep.

No. 347-82) recommending that Senate Bill No. 2878-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2878-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BRANCH BANKS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 348-82) recommending that Senate Bill No. 2382-82, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 348-82 and S.B. No. 2382-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY," was deferred until Wednesday, March 17, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 349-82) recommending that Senate Bill No. 2144-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 349-82 and S.B. No. 2144-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DRUGS," was deferred until Wednesday, March 17, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 350-82) recommending that Senate Bill No. 2872-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2872-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII BANK ACT OF 1931," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 351-82) recommending that Senate Bill No. 2353-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Abercrombie, seconded by Senator Kuroda and carried,

the report of the Committee was adopted and S.B. No. 2353-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JOB SHARING PILOT PROJECT IN THE PUBLIC LIBRARY SYSTEM," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Kawasaki, for the Committee on Government Operations and Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 352-82) recommending that Senate Bill No. 2858-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawasaki, seconded by Senator Ajifu and carried, the report of the Committee was adopted and S.B. No. 2858-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CLARIFICATION OF THE DEFINITION OF STANDARD BAR," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Ajifu, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 353-82) recommending that Senate Bill No. 2435-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ajifu, seconded by Senator Kobayashi and carried, the report of the Committee was adopted and S.B. No. 2435-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 354-82) recommending that Senate Bill No. 2908-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the Committee was adopted and S.B. No. 2908-82, entitled: "A BILL FOR AN ACT RELATING TO COMMISSION ON THE YEAR 2000," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Henderson, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 355-82) recommending that Senate Bill No. 2914-82 pass Second Reading and be placed on the calendar for Third

Reading.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the majority of the Committee was adopted and S.B. No. 2914-82, entitled: "A BILL FOR AN ACT RELATING TO STATE POPULATION AND PLANNING," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 356-82) recommending that Senate Bill No. 2531-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2531-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYER-EMPLOYEE RELATIONSHIPS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 357-82) recommending that Senate Bill No. 2593-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2593-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY DISABILITY INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 358-82) recommending that Senate Bill No. 2236-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Uwaine and carried, the report of the Committee was adopted and S.B. No. 2236-82, entitled: "A BILL FOR AN ACT RELATING TO THE CONTRACTORS LICENSE LAW," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 359-82) recommending that Senate

Bill No. 2143-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 359-83 and S.B. No. 2143-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DRUG PRODUCT SELECTION," was deferred until Wednesday, March 17, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 360-82) recommending that Senate Bill No. 2232-82, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 360-82 and S.B. No. 2232-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," was deferred until Wednesday, March 17, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 361-82) recommending that Senate Bill No. 2152-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Uwaine and carried, the report of the Committee was adopted and S.B. No. 2152-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 362-82) recommending that Senate Bill No. 2313-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Uwaine and carried, the report of the Committee was adopted and S.B. No. 2313-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SAVINGS AND LOAN ASSOCIATIONS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

ORDER OF THE DAY

THIRD READING

MATTERS DEFERRED FROM MARCH 11, 1982

Senate Bill No. 2255-82, S.D. 1:

By unanimous consent, action on

S.B. No. 2255-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Tuesday, March 16, 1982.

Senate Bill No. 2256-82:

By unanimous consent, action on S.B. No. 2256-82, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Tuesday, March 16, 1982.

Senate Bill No. 2257-82, S.D. 1:

By unanimous consent, action on S.B. No. 2257-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INHERITANCE TAXATION," was deferred until Tuesday, March 16, 1982.

Senate Bill No. 2258-82:

By unanimous consent, action on S.B. No. 2258-82, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," was deferred until Tuesday, March 16, 1982.

Senate Bill No. 2321-82, S.D. 1:

By unanimous consent, action on S.B. No. 2321-82, S.D. 1, entitled: "A BILL FOR AN ACT AMENDING SECTION 46-6, HAWAII REVISED STATUTES, RELATING TO PARKS AND PLAYGROUNDS FOR SUBDIVISIONS," was deferred until Tuesday, March 16, 1982.

MATTERS DEFERRED
FROM MARCH 12, 1982

Senate Bill No. 2871-82, S.D. 1:

By unanimous consent, action on S.B. No. 2871-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL COOPERATIVES," was deferred until Tuesday, March 16, 1982.

Standing Committee Report No. 271-82 (S.B. No. 2187-82):

By unanimous consent, action on Stand. Com. Rep. No. 271-82 and S.B. No. 2187-82, entitled: "A BILL FOR AN ACT RELATING TO BRANDS AND AMENDING SECTION 142-41, HAWAII REVISED STATUTES," was deferred until Tuesday, March 16, 1982.

Senate Bill No. 2311-82:

By unanimous consent, action on S.B. No. 2311-82, entitled: "A BILL FOR AN ACT RELATING TO SECURITIES FOR STATE FUNDS," was deferred until Tuesday, March 16, 1982.

Senate Bill No. 2312-82, S.D. 1:

By unanimous consent, action on S.B. No. 2312-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVESTMENT OF STATE FUNDS," was deferred until Tuesday, March 16, 1982.

Senate Bill No. 2456-82:

By unanimous consent, action on S.B. No. 2456-82, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," was deferred until Tuesday, March 16, 1982.

Senate Bill No. 2891-82, S.D. 1:

By unanimous consent, action on S.B. No. 2891-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO USE TAX OVERPAYMENTS BY GENERAL MOTORS DEALERSHIPS," was deferred until Tuesday, March 16, 1982.

Senate Bill No. 2452-82, S.D. 1:

By unanimous consent, action on S.B. No. 2452-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EARTHQUAKES," was deferred until Tuesday, March 16, 1982.

Senate Bill No. 2527-82, S.D. 1:

By unanimous consent, action on S.B. No. 2527-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," was deferred until Tuesday, March 16, 1982.

Senate Bill No. 2895-82:

By unanimous consent, action on S.B. No. 2895-82, entitled: "A BILL FOR AN ACT RELATING TO SICK LEAVE EXCEPTIONS," was deferred until Tuesday, March 16, 1982.

Senate Bill No. 2643-82, S.D. 1:

By unanimous consent, action on S.B. No. 2643-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," was deferred until Tuesday, March 16, 1982.

Senate Bill No. 2600-82, S.D. 1:

By unanimous consent, action on S.B. No. 2600-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING IN PUBLIC EMPLOYMENT," was deferred until Tuesday, March 16, 1982.

Senate Bill No. 2530-82:

By unanimous consent, action on S.B. No. 2530-82, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," was deferred until Tuesday, March 16, 1982.

Senate Bill No. 2249-82:

By unanimous consent, action on S.B. No. 2249-82, entitled: "A BILL FOR AN ACT RELATING TO VISITATION AND SUPPORT," was deferred until Tuesday, March 16, 1982.

Senate Bill No. 103:

By unanimous consent, action on S.B. No. 103, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," was deferred until Tuesday, March 16, 1982.

Senate Bill No. 2183-82, S.D. 1:

By unanimous consent, action on S.B. No. 2183-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE FACILITIES," was deferred until Tuesday, March 16, 1982.

Senate Bill No. 2350-82:

By unanimous consent, action on S.B. No. 2350-82, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS," was deferred until Tuesday, March 16, 1982.

Senate Bill No. 2825-82, S.D. 1:

By unanimous consent, action on S.B. No. 2825-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE PREVENTION IN PUBLIC SCHOOLS," was deferred until Tuesday, March 16, 1982.

Senate Bill No. 2214-82:

By unanimous consent, action on S.B. No. 2214-82, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," was deferred until Tuesday, March 16, 1982.

Senate Bill No. 2217-82:

By unanimous consent, action on S.B. No. 2217-82, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES AND WILDLIFE," was deferred until Tuesday, March 16, 1982.

Senate Bill No. 2218-82:

By unanimous consent, action on S.B. No. 2218-82, entitled: "A BILL FOR AN ACT RELATING TO THE ENFORCEMENT PROGRAM OF THE DEPARTMENT

OF LAND AND NATURAL RESOURCES," was deferred until Tuesday, March 16, 1982.

Senate Bill No. 2260-82:

By unanimous consent, action on S.B. No. 2260-82, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF QUALIFIED STATE APPRAISERS AS WELL AS INDEPENDENT APPRAISERS TO DETERMINE THE VALUE OF REMNANTS," was deferred until Tuesday, March 16, 1982.

Senate Bill No. 2233-82, S.D. 1:

By unanimous consent, action on S.B. No. 2233-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS," was deferred until Tuesday, March 16, 1982.

Senate Bill No. 2646-82:

By unanimous consent, action on S.B. No. 2646-82, entitled: "A BILL FOR AN ACT RELATING TO PATIENTS' COMPENSATION FUND," was deferred until Tuesday, March 16, 1982.

Senate Bill No. 2211-82:

By unanimous consent, action on S.B. No. 2211-82, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE DISPOSAL," was deferred until Tuesday, March 16, 1982.

Senate Bill No. 2958-82:

By unanimous consent, action on S.B. No. 2958-82, entitled: "A BILL FOR AN ACT RELATING TO FISHING," was deferred until Tuesday, March 16, 1982.

Senate Bill No. 2765-82, S.D. 1:

By unanimous consent, action on S.B. No. 2765-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," was deferred until Tuesday, March 16, 1982.

Senate Bill No. 2333-82:

By unanimous consent, action on S.B. No. 2333-82, entitled: "A BILL FOR AN ACT RELATING TO THE TOWING OF ABANDONED VEHICLES," was deferred until Tuesday, March 16, 1982.

Senate Bill No. 2326-82, S.D. 1:

By unanimous consent, action on S.B. No. 2326-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SAFETY RESPONSIBILITY ACT," was deferred until Tuesday,

March 16, 1982.

Senate Bill No. 642:

By unanimous consent, action on S.B. No. 642, entitled: "A BILL FOR AN ACT RELATING TO INHERITANCE AND ESTATE TAXES," was deferred until Tuesday, March 16, 1982.

Standing Committee Report No. 300-82 (S.B. No. 2201-82, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 300-82 and S.B. No. 2201-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," was deferred until Tuesday, March 16, 1982.

Standing Committee Report No. 301-82 (S.B. No. 2202-82, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 301-82 and S.B. No. 2202-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EXECUTIVE DEPARTMENTS," was deferred until Tuesday, March 16, 1982.

Standing Committee Report No. 302-82 (S.B. No. 2205-82):

By unanimous consent, action on Stand. Com. Rep. No. 302-82 and S.B. No. 2205-82, entitled: "A BILL FOR AN ACT RELATING TO COUNTY/STATE HOSPITAL SYSTEM," was deferred until Tuesday, March 16, 1982.

Standing Committee Report No. 303-82 (S.B. No. 2246-82, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 303-82 and S.B. No. 2246-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELDERLY ABUSE AND NEGLECT," was deferred until Tuesday, March 16, 1982.

Senate Bill No. 2319-82, S.D. 1:

By unanimous consent, action on S.B. No. 2319-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR LICENSE," was deferred until Tuesday, March 16, 1982.

Senate Bill No. 2514-82, S.D. 1:

By unanimous consent, action on S.B. No. 2514-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX LAW," was deferred until Tuesday, March 16, 1982.

Standing Committee Report No. 306-82 (S.B. No. 2523-82, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 306-82 and S.B. No. 2523-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," was deferred until Tuesday, March 16, 1982.

Senate Bill No. 2548-82, S.D. 1:

By unanimous consent, action on S.B. No. 2548-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX OF SERVICES," was deferred until Tuesday, March 16, 1982.

Standing Committee Report No. 308-82 (S.B. No. 2627-82, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 308-82 and S.B. No. 2627-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ORGANIZED CRIME," was deferred until Tuesday, March 16, 1982.

Senate Bill No. 2799-82:

By unanimous consent, action on S.B. No. 2799-82, entitled: "A BILL FOR AN ACT RELATING TO THE INHERITANCE TAX," was deferred until Tuesday, March 16, 1982.

Standing Committee Report No. 310-82 (S.B. No. 2866-82, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 310-82 and S.B. No. 2866-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY," was deferred until Tuesday, March 16, 1982.

Senate Bill No. 2903-82, S.D. 1:

By unanimous consent, action on S.B. No. 2903-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX," was deferred until Tuesday, March 16, 1982.

Senate Bill No. 2983-82, S.D. 1:

By unanimous consent, action on S.B. No. 2983-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TAX REVIEW COMMISSION," was deferred until Tuesday, March 16, 1982.

House Bill No. 2319-82, H.D. 1:

By unanimous consent, action on H.B. No. 2319-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," was deferred until Tuesday, March 16, 1982.

Senate Bill No. 2280-82, S.D. 1:

By unanimous consent, action on S.B. No. 2280-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CULTIVATION OF A DETRIMENTAL DRUG," was deferred until Tuesday, March 16, 1982.

Senate Bill No. 2376-82:

By unanimous consent, action on S.B. No. 2376-82, entitled: "A BILL FOR AN ACT RELATING TO TIME LIMITATIONS," was deferred until Tuesday, March 16, 1982.

Standing Committee Report No. 317-82 (S.B. No. 2401-82, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 317-82 and S.B. No. 2401-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE AND NEGLECT," was deferred until Tuesday, March 16, 1982.

Senate Bill No. 2668-82, S.D. 1:

By unanimous consent, action on S.B. No. 2668-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BAILABLE OFFENSES," was deferred until Tuesday, March 16, 1982.

Senate Bill No. 2615-82, S.D. 1:

By unanimous consent, action on S.B. No. 2615-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THEFT OF UTILITY SERVICES," was deferred until Tuesday, March 16, 1982.

Standing Committee Report No. 230-82 (S.B. No. 1390, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 230-82 and S.B. No. 1390, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SEIZURE OF UNLICENSED DOGS," was deferred until Tuesday, March 16, 1982.

Senate Bill No. 2196-82, S.D. 1:

By unanimous consent, action on S.B. No. 2196-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL OBLIGATION BONDS OF THE STATE OF HAWAII," was deferred until Tuesday, March 16, 1982.

Senate Bill No. 2198-82:

By unanimous consent, action on S.B. No. 2198-82, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COMPENSATION CLAIMS ADJUSTMENTS," was deferred until Tuesday, March 16, 1982.

Standing Committee Report No. 233-82 (H.B. No. 798, H.D. 1, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 233-82 and H.B. No. 798, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTEREST ON UNDERPAYMENTS AND OVERPAYMENTS," was deferred until Tuesday, March 16, 1982.

Standing Committee Report No. 234-82 (H.B. No. 804, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 234-82 and H.B. No. 804, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INHERITANCE, ESTATE TAXES," was deferred until Tuesday, March 16, 1982.

Standing Committee Report No. 235-82 (H.B. No. 1100, H.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 235-82 and H.B. No. 1100, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEE FOR CIVIL IDENTIFICATION CERTIFICATE," was deferred until Tuesday, March 16, 1982.

Senate Bill No. 2572-82, S.D. 1:

By unanimous consent, action on S.B. No. 2572-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE," was deferred until Tuesday, March 16, 1982.

RE-REFERRAL OF HOUSE BILLS

The President re-referred the following House Bills:

House Bill No. 2163-82 which was received on Monday, March 1, 1982, to the Committee on Ways and Means.

House Bill No. 2246-82 which was received on Wednesday, March 10, 1982, to the Committee on Human Resources.

At 11:58 o'clock a.m., on motion by Senator Cobb, seconded by Senator Yee and carried, the Senate stood in recess until 2:00 o'clock p.m., this afternoon.

AFTERNOON SESSION

The Senate reconvened at 2:30 o'clock p.m., with all Senators present with the exception of Senators Anderson, Mizuguchi, O'Connor, Toyofuku and Ushijima who were excused.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 180) submitting for consideration and confirmation to the Public Utilities Commission, the nomination of Albert Q.Y. Tom, term to expire December 31, 1987, was read by the Clerk and was referred to the Committee on Public Utilities.

At 2:35 o'clock p.m., on motion by Senator Cobb, seconded by Senator Yee and carried, the Senate stood in recess for the purpose of receiving Standing Committee Reports.

STANDING COMMITTEE REPORTS

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 363-82) recommending that Senate Bill No. 2239-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Uwayne and carried, the report of the Committee was adopted and S.B. No. 2239-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LANDLORD-TENANT CODE," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 364-82) recommending that Senate Bill No. 2238-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Uwayne and carried, the report of the Committee was adopted and S.B. No. 2238-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DENTAL EXAMINERS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 365-82) recommending that Senate Bill No. 2638-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Uwayne and carried, the report of the Committee was adopted and S.B. No. 2638-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SALES AND TRANSFER OF REAL PROPERTY SITUATED IN HAZARDOUS AREAS," passed Second Reading and was placed on the calendar for Third Reading

on Wednesday, March 17, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 366-82) recommending that Senate Bill No. 594, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Uwayne and carried, the report of the Committee was adopted and S.B. No. 594, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CEMETERIES AND MORTUARIES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 367-82) recommending that Senate Bill No. 2386-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Uwayne and carried, the report of the Committee was adopted and S.B. No. 2386-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SECURITIES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 368-82) recommending that Senate Bill No. 2389-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the Committee was adopted and S.B. No. 2389-82, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 369-82) recommending that Senate Bill No. 2356-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 369-82 and S.B. No. 2356-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LAND USE WITHIN AGRICULTURAL DISTRICTS," was deferred until Wednesday, March 17, 1982.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 370-82) recommending that Senate Bill No. 2907-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the Committee was adopted and S.B. No. 2907-82, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN RESEARCH CENTER FOR FUTURE STUDY," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 371-82) recommending that Senate Bill No. 2906-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the Committee was adopted and S.B. No. 2906-82, entitled: "A BILL FOR AN ACT RELATING TO QUALITY GROWTH POLICY," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Henderson, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 372-82) recommending that Senate Bill No. 2720-82, S.D. 1, as amended in S.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the majority of the Committee was adopted and S.B. No. 2720-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PLANNING ACT," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Kuroda, for the majority of the Committee on Tourism, presented a report (Stand. Com. Rep. No. 373-82) recommending that Senate Bill No. 2710-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kuroda, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.B. No. 2710-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOTELS," passed

Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Cayetano, for the Committee on Health, presented a report (Stand. Com. Rep. No. 374-82) recommending that Senate Bill No. 2206-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2206-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROPHYLAXIS FOR THE PREVENTION OF BLINDNESS IN THE NEWBORN," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Cayetano, for the Committee on Health, presented a report (Stand. Com. Rep. No. 375-82) recommending that Senate Bill No. 2518-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2518-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH PLANNING," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Cayetano, for the Committee on Health, presented a report (Stand. Com. Rep. No. 376-82) recommending that Senate Bill No. 2923-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2923-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABOLISHMENT OF THE PREMARITAL RUBELLA AND SYPHILIS TEST," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Cayetano, for the Committee on Health, presented a report (Stand. Com. Rep. No. 377-82) recommending that Senate Bill No. 2636-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano,

seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2636-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMED CONSENT," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Cayetano, for the Committee on Health, presented a report (Stand. Com. Rep. No. 378-82) recommending that Senate Bill No. 2682-82, S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 2682-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 379-82) recommending that Senate Bill No. 2973-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the Committee was adopted and S.B. No. 2973-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 380-82) recommending that Senate Bill No. 2915-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the Committee was adopted and S.B. No. 2915-82, entitled: "A BILL FOR AN ACT RELATING TO MARINE AFFAIRS COORDINATOR," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senators George and Uwaine, for the majority of the Committee on Transportation and the Committee

on Human Resources, presented a report (Stand. Com. Rep. No. 381-82), recommending that Senate Bill No. 2145-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator George, seconded by Senator Uwaine and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2145-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RIDESHARING," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 382-82) recommending that Senate Bill No. 2379-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2379-82, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 383-82) recommending that Senate Bill No. 2688-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 383-82 and S.B. No. 2688-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTION REGISTRATION FOR THE OFFICE OF HAWAIIAN AFFAIRS," was deferred until Wednesday, March 17, 1982.

Senator Carpenter, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 384-82) recommending that Senate Bill No. 2271-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cobb and carried, the report of the majority of the Committee was adopted and S.B. No. 2271-82, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 385-82) recommending

that Senate Bill No. 2659-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2659-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO QUIETING TITLE," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 386-82) recommending that Senate Bill No. 2550-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2550-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 387-82) recommending that Senate Bill No. 2147-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 387-82 and S.B. No. 2147-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," was deferred until Wednesday, March 17, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 388-82) recommending that Senate Bill No. 2419-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2419-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FURLOUGHS FOR PRISONERS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 389-82) recommending that Senate Bill No. 2924-82, S.D.

1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 389-82 and S.B. No. 2924-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A PATIENT'S RIGHT OF SELF-DETERMINATION," was deferred until Wednesday, March 17, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 390-82) recommending that Senate Bill No. 2774-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2774-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING AND PAROLE," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 391-82) recommending that Senate Bill No. 2174-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2174-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Carpenter, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 392-82) recommending that Senate Bill No. 2471-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 392-82 and S.B. No. 2471-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE SAFETY RESPONSIBILITY ACT," was deferred until Wednesday, March 17, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 393-82) recommending that Senate Bill No. 2279-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter,

seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2279-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO USE OF FIREARMS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 394-82) recommending that Senate Bill No. 2674-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2674-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAINING, EDUCATION, TRAINING AND WORK PROGRAMS FOR COMMITTED PERSONS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Carpenter, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 395-82) recommending that Senate Bill No. 2412-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cobb and carried, the report of the majority of the Committee was adopted and S.B. No. 2412-82, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF CONVICTED DEFENDANTS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 396-82) recommending that Senate Bill No. 2449-82, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 396-82 and S.B. No. 2449-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RIGHT TO FARM," was deferred until Wednesday, March 17, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 397-82) recommending that Senate Bill No. 2522-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 397-82 and S.B. No. 2522-82, S.D. 2, entitled: "A

BILL FOR AN ACT RELATING TO ALOHA STADIUM," was deferred until Wednesday, March 17, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 398-82) recommending that Senate Bill No. 2345-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2345-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 399-82) recommending that Senate Bill No. 2573-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2573-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ARRESTS GENERALLY," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Carpenter, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 400-82) recommending that Senate Bill No. 2463-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the majority of the Committee was adopted and S.B. No. 2463-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TORT ACTIONS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 401-82) recommending that Senate Bill No. 2756-82, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 401-82 and S.B. No. 2756-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE 1984 HAWAII STATEHOOD SILVER

JUBILEE," was deferred until Wednesday, March 17, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 402-82) recommending that Senate Bill No. 2467-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2467-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS AND AMMUNITION," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 403-82) recommending that Senate Bill No. 2506-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2506-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNAUTHORIZED USE OF LAW ENFORCEMENT SYMBOLS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 404-82) recommending that Senate Bill No. 2505-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2505-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROHIBITED MOTOR AND OTHER VEHICLE EQUIPMENT," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 405-82) recommending that Senate Bill No. 2343-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kobayashi, seconded by Senator George and carried,

the report of the Committee was adopted and S.B. No. 2343-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE DISPOSAL," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Kobayashi, for the majority of the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 406-82) recommending that Senate Bill No. 1893, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 406-82 and S.B. No. 1893, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE PARKS AND RECREATION AREAS," was deferred until Wednesday, March 17, 1982.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 407-82) recommending that Senate Bill No. 2328-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Young, seconded by Senator Holt and carried, the report of the Committee was adopted and S.B. No. 2328-82, entitled: "A BILL FOR AN ACT RELATING TO FAIR HOUSING," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 408-82) recommending that Senate Bill No. 2809-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Young, seconded by Senator Holt and carried, the report of the Committee was adopted and S.B. No. 2809-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM LAND SALES PRACTICES ACT," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 409-82) recommending that Senate Bill No. 2494-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Young, seconded by Senator Holt and carried, the report of the Committee was adopted and

S.B. No. 2494-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL LANDLORD-TENANT CODE," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 410-82) recommending that Senate Bill No. 2488-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Young, seconded by Senator Holt and carried, the report of the Committee was adopted and S.B. No. 2488-82, entitled: "A BILL FOR AN ACT RELATING TO STATE HOUSING PROJECTS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 411-82) recommending that Senate Bill No. 2455-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Young, seconded by Senator Holt and carried, the report of the Committee was adopted and S.B. No. 2455-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE LAND USE COMMISSION," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senators Young and Cobb, for the Committee on Housing and Hawaiian Homes and the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 412-82) recommending that Senate Bill No. 2496-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Young, seconded by Senator Cobb and carried, the joint report of the Committees was adopted and S.B. No. 2496-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 413-82) recommending that Senate Bill No. 2609-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Young, seconded by Senator Holt and carried, the report of the Committee was adopted and S.B. No. 2609-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL GROUP LIVING," passed Second Reading and was placed on the calendar for Third Reading.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 414-82), recommending that Senate Bill No. 2493-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Young, seconded by Senator Holt and carried, the report of the Committee was adopted and S.B. No. 2493-82, entitled: "A BILL FOR AN ACT RELATING TO FIDUCIARIES AND INVESTMENTS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 415-82) recommending that Senate Bill No. 2454-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Young, seconded by Senator Holt and carried, the report of the Committee was adopted and S.B. No. 2454-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY TRANSACTIONS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 416-82) recommending that Senate Bill No. 2306-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2306-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION; AMENDING OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES FOR THE PURPOSE OF CORRECTING ERRORS, CLARIFYING LANGUAGE, CORRECTING REFERENCES, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Cobb, for the majority of

the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 417-82) recommending that Senate Bill No. 1127, S.D. 1, as amended in S.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Uwaine and carried, the report of the majority of the Committee was adopted and S.B. No. 1127, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM CONVERSION," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 418-82) recommending that Senate Bill No. 1630, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Uwaine and carried, the report of the Committee was adopted and S.B. No. 1630, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 419-82) recommending that Senate Bill No. 1281 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Uwaine and carried, the report of the Committee was adopted and S.B. No. 1281, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 420-82) recommending that Senate Bill No. 2176-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Uwaine and carried, the report of the Committee was adopted and S.B. No. 2176-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 421-82) recommending that Senate Bill No. 2177-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Senator Cobb, seconded by Senator Uwaine and carried, the report of the Committee was adopted and S.B. No. 2177-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 422-82) recommending that Senate Bill No. 2352-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Uwaine and carried, the report of the majority of the Committee was adopted and S.B. No. 2352-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPEECH PATHOLOGY AND AUDIOLOGY," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 423-82) recommending that Senate Bill No. 2388-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Uwaine and carried, the report of the Committee was adopted and S.B. No. 2388-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 424-82) recommending that Senate Bill No. 2556-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Uwaine and carried, the report of the Committee was adopted and S.B. No. 2556-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING PLANS," passed Second

Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 425-82) recommending that Senate Bill No. 2561-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Uwaine and carried, the report of the Committee was adopted and S.B. No. 2561-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 426-82) recommending that Senate Bill No. 2700-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Uwaine and carried, the report of the Committee was adopted and S.B. No. 2700-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CREDIT UNIONS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 427-82) recommending that Senate Bill No. 2849-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Uwaine and carried, the report of the Committee was adopted and S.B. No. 2849-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SECONDHAND DEALERS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 428-82) recommending that Senate Bill No. 2865-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Uwaine and carried, the report of the Committee was adopted and S.B. No. 2865-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

MEDICINE AND SURGERY," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 429-82) recommending that Senate Bill No. 2880-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Uwaine and carried, the report of the Committee was adopted and S.B. No. 2880-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 430-82) recommending that Senate Bill No. 151, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 430-82 and S.B. No. 151, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INVESTMENT TAX CREDITS," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 431-82) recommending that Senate Bill No. 505, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 431-82 and S.B. No. 505, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 432-82) recommending that Senate Bill No. 507, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 432-82 and S.B. No. 507, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 433-82) recommending that Senate Bill No. 544, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 433-82 and S.B. No. 544, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 434-82) recommending that Senate Bill No. 553, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 434-82 and S.B. No. 553, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 435-82) recommending that Senate Bill No. 561, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 435-82 and S.B. No. 561, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE REMOVAL OF SAND," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 436-82) recommending that Senate Bill No. 732, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 436-82 and S.B. No. 732, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 437-82) recommending that Senate Bill No. 906, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 437-82 and S.B. No. 906, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 438-82) recommending that Senate Bill No. 1308, S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 438-82 and S.B. No. 1308, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL

PROTECTION," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 439-82) recommending that Senate Bill No. 1395, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 439-82 and S.B. No. 1395, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LIQUOR TAX," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 440-82) recommending that Senate Bill No. 2160-82 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 440-82 and S.B. No. 2160-82, entitled: "A BILL FOR AN ACT RELATING TO DELINQUENT MONEYS," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 441-82) recommending that Senate Bill No. 2169-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 441-82 and S.B. No. 2169-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 442-82) recommending that Senate Bill No. 2173-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 442-82 and S.B. No. 2173-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 443-82) recommending that Senate Bill No. 2180-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 443-82 and S.B. No. 2180-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL ASSISTANCE," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 444-82) recommending that Senate Bill No. 2184-82, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 444-82 and S.B. No. 2184-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 445-82) recommending that Senate Bill No. 2185-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 445-82 and S.B. No. 2185-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FOUNDATION ON CULTURE AND THE ARTS," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 446-82) recommending that Senate Bill No. 2190-82, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 446-82 and S.B. No. 2190-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CRIMINAL JUSTICE INFORMATION DATA CENTER," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 447-82) recommending that Senate Bill No. 2137-82 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 447-82 and S.B. No. 2137-82, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 448-82) recommending that Senate Bill No. 2204-82, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 448-82 and S.B. No. 2204-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee

on Ways and Means, presented a report (Stand. Com. Rep. No. 449-82) recommending that Senate Bill No. 2213-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 449-82 and S.B. No. 2213-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 450-82) recommending that Senate Bill No. 2224-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 450-82 and S.B. No. 2224-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 451-82) recommending that Senate Bill No. 2243-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 451-82 and S.B. No. 2243-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN IN FOSTER CARE," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 452-82) recommending that Senate Bill No. 2244-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 452-82 and S.B. No. 2244-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RECOVERY OF MONEY OWED TO THE STATE," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 453-82) recommending that Senate Bill No. 2247-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 453-82 and S.B. No. 2247-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VETERAN'S RIGHTS AND BENEFITS," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 454-82) recommending that Senate Bill No. 2262-82 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 454-82 and S.B. No. 2262-82, entitled: "A BILL FOR AN ACT RELATING TO THE STATE HIGHER EDUCATION LOAN FUND," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 455-82) recommending that Senate Bill No. 2268-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 455-82 and S.B. No. 2268-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 456-82) recommending that Senate Bill No. 2269-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 456-82 and S.B. No. 2269-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A CRIMINAL JUSTICE TRAINING FUND," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 457-82) recommending that Senate Bill No. 2277-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 457-82 and S.B. No. 2277-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WITNESS SECURITY AND PROTECTION," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 458-82) recommending that Senate Bill No. 2286-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 458-82 and S.B. No. 2286-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL WORKERS," was deferred until Wednesday,

March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 459-82) recommending that Senate Bill No. 2289-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 459-82 and S.B. No. 2289-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 460-82) recommending that Senate Bill No. 2295-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 460-82 and S.B. No. 2295-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DRIVER EDUCATION AND TRAINING FUND," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 461-82) recommending that Senate Bill No. 2297-82, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 461-82 and S.B. No. 2297-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 462-82) recommending that Senate Bill No. 2309-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 462-82 and S.B. No. 2309-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 463-82) recommending that Senate Bill No. 2324-82, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 463-82 and S.B. No. 2324-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," was deferred until Wednesday,

March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 464-82) recommending that Senate Bill No. 2325-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 464-82 and S.B. No. 2325-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NONRESIDENT VEHICLE PERMITS," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 465-82) recommending that Senate Bill No. 2346-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 465-82 and S.B. No. 2346-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL FEES," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 466-82) recommending that Senate Bill No. 2347-82 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 466-82 and S.B. No. 2347-82, entitled: "A BILL FOR AN ACT RELATING TO TUITION WAIVERS FOR VETERANS," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 467-82) recommending that Senate Bill No. 2354-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 467-82 and S.B. No. 2354-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FEES COLLECTED FROM THE USERS OF SCHOOL BUILDINGS, FACILITIES, GROUNDS AND EQUIPMENT," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 468-82) recommending that Senate Bill No. 2362-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 468-82 and S.B. No. 2362-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE

DEPARTMENT OF REGULATORY AGENCIES," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 469-82) recommending that Senate Bill No. 2381-82, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 469-82 and S.B. No. 2381-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 470-82) recommending that Senate Bill No. 2396-82, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 470-82 and S.B. No. 2396-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT (MODIFIED)," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 471-82) recommending that Senate Bill No. 2399-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 471-82 and S.B. No. 2399-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF REGULATORY AGENCIES," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 472-82) recommending that Senate Bill No. 2424-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 472-82 and S.B. No. 2424-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDITS FOR POLITICAL CONTRIBUTIONS," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 473-82) recommending that Senate Bill No. 2429-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 473-82 and S.B.

No. 2429-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 474-82) recommending that Senate Bill No. 2430-82, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 474-82 and S.B. No. 2430-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CREATION OF SPECIAL HANDLING FEES FOR REVIEW OF CORPORATION AND PARTNERSHIP DOCUMENTS," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 475-82) recommending that Senate Bill No. 2434-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 475-82 and S.B. No. 2434-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 476-82) recommending that Senate Bill No. 2470-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 476-82 and S.B. No. 2470-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 477-82) recommending that Senate Bill No. 2513-82, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 477-82 and S.B. No. 2513-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES: FRANCHISE TAX," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 478-82) recommending that Senate Bill No. 2517-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 478-82 and S.B. No. 2517-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 479-82) recommending that Senate Bill No. 2524-82, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 479-82 and S.B. No. 2524-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 480-82) recommending that Senate Bill No. 2607-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 480-82 and S.B. No. 2607-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 481-82) recommending that Senate Bill No. 2644-82 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 481-82 and S.B. No. 2644-82, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 482-82) recommending that Senate Bill No. 2649-82, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 482-82 and S.B. No. 2649-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS (OHA)," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 483-82) recommending that Senate Bill No. 2709-82, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 483-82 and S.B.

No. 2709-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENCOURAGEMENT OF FEDERALLY CERTIFIED DEVELOPMENT COMPANIES," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 484-82) recommending that Senate Bill No. 2760-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 484-82 and S.B. No. 2760-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 485-82) recommending that Senate Bill No. 2761-82 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 485-82 and S.B. No. 2761-82, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR HEALTH CARE FACILITIES," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 486-82) recommending that Senate Bill No. 2807-82, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 486-82 and S.B. No. 2807-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE AND COUNTY HOUSING LOAN PROGRAMS," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 487-82) recommending that Senate Bill No. 2808-82, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 487-82 and S.B. No. 2808-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING BY COUNTIES," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 488-82) recommending that Senate Bill No. 2814-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on

Stand. Com. Rep. No. 488-82 and S.B. No. 2814-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 489-82) recommending that Senate Bill No. 2816-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 489-82 and S.B. No. 2816-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GRANTS, SUBSIDIES, AND PURCHASES OF SERVICE," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 490-82) recommending that Senate Bill No. 2823-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 490-82 and S.B. No. 2823-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS SPECIAL FEES AND CHARGES," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 491-82) recommending that Senate Bill No. 2824-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 491-82 and S.B. No. 2824-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTION OF ADULT EDUCATION SPECIAL FUNDS," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 492-82) recommending that Senate Bill No. 2851-82, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 492-82 and S.B. No. 2851-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REGISTRATION OF VEHICLES," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 493-82) recommending that Senate Bill No. 2861-82, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 493-82 and S.B. No. 2861-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 494-82) recommending that Senate Bill No. 2864-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 494-82 and S.B. No. 2864-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST A PROCESSING ENTERPRISE," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 495-82) recommending that Senate Bill No. 2869-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 495-82 and S.B. No. 2869-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE SUPPORT OF CHILDREN," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 496-82) recommending that Senate Bill No. 2888-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 496-82 and S.B. No. 2888-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 497-82) recommending that Senate Bill No. 2893-82 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 497-82 and S.B. No. 2893-82, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX LAW," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 498-82) recommending that Senate Bill No. 2904-82, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 498-82 and S.B. No. 2904-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A WATER COMMISSION AND FORMULATION OF A STATE WATER CODE," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 499-82) recommending that Senate Bill No. 2909-82, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 499-82 and S.B. No. 2909-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEVELOPMENT OF AN INTER-ISLAND ELECTRICAL POWER CABLE," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 500-82) recommending that Senate Bill No. 2916-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 500-82 and S.B. No. 2916-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROVIDING STATE EMPLOYEES WITH THE OPTION TO ESTABLISH AN INDIVIDUAL RETIREMENT ACCOUNT WITH CONTRIBUTIONS FROM THE STATE," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 501-82) recommending that Senate Bill No. 2919-82, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 501-82 and S.B. No. 2919-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SECURITY FOR SPECIAL PURPOSE REVENUE BONDS," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 502-82) recommending that Senate Bill No. 2920-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 502-82 and S.B. No. 2920-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLICATION OF PROPERTY INSURANCE RATES," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee

on Ways and Means, presented a report (Stand. Com. Rep. No. 503-82) recommending that Senate Bill No. 2926-82, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 503-82 and S.B. No. 2926-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RELEASE OF MATCHING STATE FUNDS," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 504-82) recommending that Senate Bill No. 2948-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 504-82 and S.B. No. 2948-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 505-82) recommending that Senate Bill No. 2950-82, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 505-82 and S.B. No. 2950-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FUNDING OF COUNTY EMERGENCY MEDICAL SERVICES DEFICITS," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 506-82) recommending that Senate Bill No. 2955-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 506-82 and S.B. No. 2955-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 507-82) recommending that Senate Bill No. 2971-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 507-82 and S.B. No. 2971-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LANDS FOR AGRICULTURE," was deferred

until Wednesday, March 17, 1982.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 508-82) recommending that Senate Bill No. 2978-82, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 508-82 and S.B. No. 2978-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CANCER COMMISSION," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 509-82) recommending that Senate Bill No. 2994-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 509-82 and S.B. No. 2994-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 510-82) recommending that Senate Bill No. 647, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 647, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATURE," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 511-82) recommending that Senate Bill No. 2910-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.B. No. 2910-82, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading on the calendar Wednesday, March 17, 1982.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep.

No. 512-82) recommending that Senate Bill No. 903, S.D. 1, as amended in S.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Campbell and carried, the report of the majority of the Committee was adopted and S.B. No. 903, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF REGENTS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 513-82) recommending that Senate Bill No. 2252-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Campbell and carried, the report of the majority of the Committee was adopted and S.B. No. 2252-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 514-82) recommending that Senate Bill No. 2829-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2829-82, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 515-82) recommending that Senate Bill No. 2868-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 2868-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 516-82) recommending that Senate Bill No. 2555-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 516-82 and S.B. No. 2555-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A STATE OPERATED LOTTERY SYSTEM," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 517-82) recommending that Senate Bill No. 2759-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.B. No. 2759-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES AND MAKING AN APPROPRIATION THEREFOR," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 518-82) recommending that Senate Bill No. 2167-82, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 518-82 and S.B. No. 2167-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," was deferred until Wednesday, March 17, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 519-82) recommending that Senate Bill No. 2261-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 519-82 and S.B. No. 2261-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," was deferred until Wednesday, March 17, 1982.

ADJOURNMENT

At 10:00 o'clock p.m., the Senate adjourned until 11:30 o'clock a.m., Tuesday, March 16, 1982.

THIRTY-FOURTH DAY

Tuesday, March 16, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Mrs. Wenonah Kamakawiwoole, Lay Minister of Waianae Protestant Church, after which the Roll was called showing all Senators present with the exception of Senator Holt who was excused.

The President announced that he had read and approved the Journal of the Thirty-Third Day.

At this time, the following introductions were made to the members of the Senate:

Senator Anderson, on behalf of the Senate, introduced a group of 25 fifth grade students from Liholiho Elementary School.

Senator Mizuguchi, on behalf of the Senators of the Fourth Senatorial District, introduced a group of immigrant students from Waialua High School, accompanied by their teachers, Marina Ulep, Lydia Daquidag and Cora Joaquin.

Senator Soares then rose and stated:

"Mr. President, sitting in the gallery this morning is one of our most famous athletes in the history of Hawaii, or the greatest football player ever to grace the King Street 'Termite Palace,' the Honolulu Stadium, and probably before that, the old Moiliili Field, and certainly, the leader among any candidates that have been inducted into the Hawaii Hall of Fame.

"He was once Sergeant-at-Arms in the 60's when you and I were in the House, Mr. President, and I am very, very proud this morning to recognize the 'Black Grange,' Mr. Hiram Kaakua."

Senator Kuroda then rose and introduced a former staff member of Senator Saiki, Ms. Barbara Ricketts, accompanied by a group of her friends.

Senator Campbell then rose and introduced Mr. Erlene Piko of the Drug Prevention Branch of the Department of Health.

DEPARTMENTAL COMMUNICATION

A communication from the Office of the Auditor (Dept. Com. No. 14), transmitting a report entitled: "Study of the State of Hawaii's Expenditure Ceiling,"

was read by the Clerk and was referred to the Committee on Ways and Means.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 94 to 166) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 94), transmitting House Bill No. 791, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 791, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM," passed First Reading and was referred to the Committee on Housing and Hawaiian Homes.

A communication from the House (Hse. Com. No. 95), transmitting House Bill No. 1042, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 1042, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FILING OF FINANCING STATEMENTS BY CONSIGNORS AND LESSORS UNDER THE UNIFORM COMMERCIAL CODE," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 96), transmitting House Bill No. 2010-82, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2010-82, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR," passed First Reading and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 97), transmitting House Bill No. 2071-82, H.D. 1, which

passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2071-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION; AMENDING OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES FOR THE PURPOSE OF CORRECTING ERRORS, CLARIFYING LANGUAGE, CORRECTING REFERENCES, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS," passed First Reading and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 98), transmitting House Bill No. 2095-82, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2095-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VEHICLE NUMBER PLATES," passed First Reading and was referred to the Committee on Government Operations and Intergovernmental Relations.

A communication from the House (Hse. Com. No. 99), transmitting House Bill No. 2096-82, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2096-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NONRESIDENT VEHICLE PERMITS," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 100), transmitting House Bill No. 2147-82, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2147-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FOUNDATION ON CULTURE AND THE ARTS," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 101), transmitting House Bill No. 2155-82, H.D. 2, which passed Third Reading in the House of Represent-

tatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2155-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," passed First Reading and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 102), transmitting House Bill No. 2158-82, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2158-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL OBLIGATION BONDS OF THE STATE OF HAWAII," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 103), transmitting House Bill No. 2169-82, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2169-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BLOOD SAMPLES OF PREGNANT WOMEN," passed First Reading and was referred to the Committee on Health.

A communication from the House (Hse. Com. No. 104), transmitting House Bill No. 2176-82, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2176-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed First Reading and was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 105), transmitting House Bill No. 2177-82, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B.

No. 2177-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOREST AND WATER RESERVE ZONES," passed First Reading and was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 106), transmitting House Bill No. 2178-82, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2178-82, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES AND WILDLIFE," passed First Reading and was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 107), transmitting House Bill No. 2203-82, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2203-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 108), transmitting House Bill No. 2167-82, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2167-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROPHYLAXIS FOR THE PREVENTION OF BLINDNESS IN THE NEWBORN," passed First Reading and was referred to the Committee on Health.

A communication from the House (Hse. Com. No. 109), transmitting House Bill No. 2206-82, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2206-82, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 110), transmitting House Bill No. 2210-82, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2210-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE HIGHER EDUCATION LOAN FUND," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 111), transmitting House Bill No. 2230-82, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2230-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICITY GENERATED FROM NON-FOSSIL FUELS," passed First Reading and was referred to the Committee on Public Utilities.

A communication from the House (Hse. Com. No. 112), transmitting House Bill No. 2241-82, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2241-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECOVERY OF MONEY OWED TO THE STATE," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 113), transmitting House Bill No. 2243-82, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2243-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELDERLY ABUSE OR NEGLECT," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 114), transmitting House Bill No. 2244-82, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2244-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VETERAN'S RIGHTS AND BENEFITS," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 115), transmitting House Bill No. 2271-82, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2271-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEASES OF PUBLIC LANDS," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 116), transmitting House Bill No. 2332-82, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2332-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND LEASES FOR AGRICULTURAL USE," passed First Reading and was referred jointly to the Committee on Agriculture and the Committee on Economic Development.

A communication from the House (Hse. Com. No. 117), transmitting House Bill No. 2348-82, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2348-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO METAL AND GEM DEALERS," passed First Reading and was referred to the Committee on Consumer Protection and Commerce, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 118), transmitting House Bill No. 2355-82, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2355-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," passed First Reading and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 119), transmitting House Bill No. 2358-82, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B.

No. 2358-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRIME," passed First Reading and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 120), transmitting House Bill No. 2367-82, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2367-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 121), transmitting House Bill No. 2404-82, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2404-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO USURY," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 122), transmitting House Bill No. 2407-82, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2407-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR LICENSE," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 123), transmitting House Bill No. 2408-82, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2408-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CREDIT UNIONS," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 124), transmitting House Bill No. 2573-82, which passed Third Reading in the House of Represen-

tatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2573-82, entitled: "A BILL FOR AN ACT RELATING TO LAND USE WITHIN AGRICULTURAL DISTRICTS," passed First Reading and was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 125), transmitting House Bill No. 2585-82, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2585-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE," passed First Reading and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 126), transmitting House Bill No. 2629-82, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2629-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CUSTODIAL INTERFERENCE," passed First Reading and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 127), transmitting House Bill No. 2627-82, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2627-82, H.D. 1, entitled: "A BILL FOR AN ACT TO AMEND THE HAWAII WATER CARRIER LAW," passed First Reading and was referred to the Committee on Public Utilities.

A communication from the House (Hse. Com. No. 128), transmitting House Bill No. 2669-82, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2669-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXECUTIVE DEPARTMENTS," passed First Reading and was referred to the Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 129), transmitting House Bill No. 2697-82, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2697-82, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed First Reading and was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 130), transmitting House Bill No. 2822-82, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2822-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES RELATED TO DRUGS AND INTOXICATING COMPOUNDS," passed First Reading and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 131), transmitting House Bill No. 2890-82, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2890-82, entitled: "A BILL FOR AN ACT RELATING TO THE INDUSTRIAL LOAN COMPANY GUARANTY ACT," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 132), transmitting House Bill No. 2902-82, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2902-82, entitled: "A BILL FOR AN ACT RELATING TO SAFETY DEPOSIT BOXES," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 133), transmitting House Bill No. 2933-82, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded

by Senator Anderson and carried, H.B. No. 2933-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTEREST ON CREDIT CARDS," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 134), transmitting House Bill No. 2934-82, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2934-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII BANK ACT OF 1931," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 135), transmitting House Bill No. 2971-82, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2971-82, entitled: "A BILL FOR AN ACT RELATING TO STATE POLICY CONCERNING THE UTILIZATION OF VOLUNTEER SERVICES," passed First Reading and was referred to the Committee on Housing and Hawaiian Homes.

A communication from the House (Hse. Com. No. 136), transmitting House Bill No. 2980-82, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2980-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL CORPORATIONS," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 137), transmitting House Bill No. 3016-82, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 3016-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BIRTH CERTIFICATES," passed First Reading and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 138), transmitting House Bill No. 3030-82, which passed Third Reading in the House of Representatives on March

15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 3030-82, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 139), transmitting House Bill No. 3053-82, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 3053-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 140), transmitting House Bill No. 509, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 509, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 141), transmitting House Bill No. 1653, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 1653, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REQUIREMENTS FOR AMENDMENT OF THE DECLARATION AND BYLAWS OF CONDOMINIUM ASSOCIATIONS UNDER THE HORIZONTAL PROPERTY ACT," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 142), transmitting House Bill No. 2029-82, H.D. 2, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2029-82, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO BILLIARDS AND BOWLING ALLEYS," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 143), transmitting House Bill No. 2208-82, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2208-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF QUALIFIED STATE APPRAISERS AS WELL AS INDEPENDENT APPRAISERS TO DETERMINE THE VALUE OF REMNANTS," passed First Reading and was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 144), transmitting House Bill No. 2097-82, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2097-82, entitled: "A BILL FOR AN ACT RELATING TO FAIR HOUSING," passed First Reading and was referred to the Committee on Housing and Hawaiian Homes.

A communication from the House (Hse. Com. No. 145), transmitting House Bill No. 2247-82, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2247-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 146), transmitting House Bill No. 2264-82, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2264-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEMOPHILIA," passed First Reading and was referred to the Committee on Health, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 147), transmitting House Bill No. 2318-82, which passed Third Reading in the House of Representatives on March

15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2318-82, entitled: "A BILL FOR AN ACT RELATING TO INTAKE SERVICE CENTERS," passed First Reading and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 148), transmitting House Bill No. 2349-82, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2349-82, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII," passed First Reading and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 149), transmitting House Bill No. 2540-82, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2540-82, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 150), transmitting House Bill No. 2560-82, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2560-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 151), transmitting House Bill No. 2564-82, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2564-82, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CREATION OF SPECIAL HANDLING FEES FOR REVIEW OF CORPORATION AND PARTNERSHIP DOCUMENTS," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 152), transmitting House Bill No. 2624-82, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2624-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOREST AND WATER RESERVE ZONES," passed First Reading and was referred jointly to the Committee on Ecology, Environment and Recreation and the Committee on Economic Development.

A communication from the House (Hse. Com. No. 153), transmitting House Bill No. 2667-82, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2667-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE," passed First Reading and was referred to the Committee on Education.

A communication from the House (Hse. Com. No. 154), transmitting House Bill No. 2799-82, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2799-82, entitled: "A BILL FOR AN ACT RELATING TO TAXATION OF AQUACULTURAL ACTIVITIES," passed First Reading and was referred to the Committee on Agriculture, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 155), transmitting House Bill No. 2814-82, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2814-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED VEHICLES AS IT PERTAINS TO PUBLIC AUCTIONS," passed First Reading and was referred to the Committee on Government Operations and Intergovernmental Relations.

A communication from the House (Hse.

Com. No. 156), transmitting House Bill No. 2848-82, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2848-82, entitled: "A BILL FOR AN ACT RELATING TO SICK LEAVE EXCEPTIONS," passed First Reading and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 157), transmitting House Bill No. 2917-82, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2917-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FOOD COUPON PROGRAM," passed First Reading and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 158), transmitting House Bill No. 2935-82, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2935-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BRANCH BANKS," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 159), transmitting House Bill No. 2969-82, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2969-82, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 160), transmitting House Bill No. 3072-82, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B.

No. 3072-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 161), transmitting House Bill No. 3091-82, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 3091-82, entitled: "A BILL FOR AN ACT RELATING TO ELECTION REGISTRATION FOR THE OFFICE OF HAWAIIAN AFFAIRS," passed First Reading and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 162), transmitting House Bill No. 2139-82, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2139-82, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYMENT SECURITY LAW," passed First Reading and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 163), transmitting House Bill No. 2339-82, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2339-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JURISDICTION OF THE HAWAII PUBLIC EMPLOYMENT RELATIONS BOARD," passed First Reading and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 164), transmitting House Bill No. 2811-82, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2811-82, entitled: "A BILL FOR AN ACT RELATING TO THE COMPOSITION OF THE BOARD OF TRUSTEES FOR THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII," passed First Reading and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 165), transmitting House Bill

No. 2838-82, H.D. 1, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2838-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HOUSING AUTHORITY," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 166), transmitting House Bill No. 2930-82, which passed Third Reading in the House of Representatives on March 15, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2930-82, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed First Reading and was referred to the Committee on Human Resources.

STANDING COMMITTEE REPORT

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 520-82) informing the Senate that Governor's Message No. 180, and Standing Committee Report Nos. 363-82 to 519-82 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

ORDER OF THE DAY

THIRD READING

At 11:47 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:56 o'clock a.m.

MATTERS DEFERRED FROM MARCH 15, 1982

Senate Bill No. 2255-82, S.D. 1:

By unanimous consent, S.B. No. 2255-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was recommitted to the Committee on Ways and Means.

Senate Bill No. 2256-82:

By unanimous consent, S.B. No. 2256-82, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was

recommitted to the Committee on Ways and Means.

Senate Bill No. 2257-82, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, S.B. No. 2257-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INHERITANCE TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson and Holt).

Senate Bill No. 2258-82:

By unanimous consent, S.B. No. 2258-82, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," was recommitted to the Committee on Ways and Means.

Senate Bill No. 2321-82, S.D. 1:

By unanimous consent, action on S.B. No. 2321-82, S.D. 1, entitled: "A BILL FOR AN ACT AMENDING SECTION 46-6, HAWAII REVISED STATUTES, RELATING TO PARKS AND PLAYGROUNDS FOR SUBDIVISIONS," was deferred until Wednesday, March 17, 1982.

At 12:00 o'clock noon, the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:02 o'clock p.m.

Senate Bill No. 2871-82, S.D. 1:

On motion by Senator Ajifu, seconded by Senator Cobb and carried, S.B. No. 2871-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL COOPERATIVES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson and Holt).

Standing Committee Report No. 271-82 (S.B. No. 2187-82):

By unanimous consent, Stand. Com. Rep. No. 271-82 and S.B. No. 2187-82, entitled: "A BILL FOR AN ACT RELATING TO BRANDS AND AMENDING SECTION 142-41, HAWAII REVISED STATUTES," were recommitted to the Committee on Ways and Means.

Senate Bill No. 2311-82:

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, S.B. No. 2311-82, entitled: "A BILL FOR AN ACT RELATING TO SECURITIES

FOR STATE FUNDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson and Holt).

Senate Bill No. 2312-82, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, S.B. No. 2312-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVESTMENT OF STATE FUNDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson and Holt).

Senate Bill No. 2456-82:

By unanimous consent, action on S.B. No. 2456-82 was deferred to the end of the calendar.

Senate Bill No. 2891-82, S.D. 1:

Senator Yamasaki moved that S.B. No. 2891-82, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Abercrombie.

At this time Senator Henderson rose to ask for a ruling of the Chair as to a possible conflict of interest.

The Chair ruled that there was no conflict.

The motion was put by the Chair and carried, and S.B. No. 2891-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO USE TAX OVERPAYMENTS BY GENERAL MOTORS DEALERSHIPS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 4 (Cayetano, Cobb, O'Connor and Soares). Excused, 2 (Anderson and Holt).

Senate Bill No. 2452-82, S.D. 1:

By unanimous consent, action on S.B. No. 2452-82, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 2527-82, S.D. 1:

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, S.B. No. 2527-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," having been read throughout, passed Third Reading on the following showing

of Ayes and Noes:

Ayes, 22. Noes, 1 (O'Connor). Excused, 2 (Anderson and Holt).

Senate Bill No. 2895-82:

By unanimous consent, S.B. No. 2895-82, entitled: "A BILL FOR AN ACT RELATING TO SICK LEAVE EXCEPTIONS," was recommitted to the Committee on Human Resources.

Senate Bill No. 2643-82, S.D. 1:

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, S.B. No. 2643-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson and Holt).

Senate Bill No. 2600-82, S.D. 1:

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, S.B. No. 2600-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING IN PUBLIC EMPLOYMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Kawasaki). Excused, 2 (Anderson and Holt).

Senate Bill No. 2530-82:

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, S.B. No. 2530-82, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson and Holt).

Senate Bill No. 2249-82:

By unanimous consent, S.B. No. 2249-82, entitled: "A BILL FOR AN ACT RELATING TO VISITATION AND SUPPORT," was recommitted to the Committee on Human Resources.

Senate Bill No. 103:

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, S.B. No. 103, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," having been read throughout, passed Third Reading on the following

showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson and Holt).

Senate Bill No. 2183-82, S.D. 1:

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, S.B. No. 2183-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE FACILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson and Holt).

Senate Bill No. 2350-82:

By unanimous consent, action on S.B. No. 2350-82 was deferred to the end of the calendar.

Senate Bill No. 2825-82, S.D. 1:

By unanimous consent, action on S.B. No. 2825-82, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 2214-82:

By unanimous consent, S.B. No. 2214-82, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," was recommitted to the Committee on Economic Development.

Senate Bill No. 2217-82:

By unanimous consent, S.B. No. 2217-82, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES AND WILDLIFE," was recommitted to the Committee on Economic Development.

Senate Bill No. 2218-82:

On motion by Senator Henderson, seconded by Senator Yee and carried, S.B. No. 2218-82, entitled: "A BILL FOR AN ACT RELATING TO THE ENFORCEMENT PROGRAM OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson and Holt).

Senate Bill No. 2260-82:

By unanimous consent, S.B. No. 2260-82, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF

QUALIFIED STATE APPRAISERS AS WELL AS INDEPENDENT APPRAISERS TO DETERMINE THE VALUE OF REMNANTS," was recommitted to the Committee on Economic Development.

Senate Bill No. 2233-82, S.D. 1:

By unanimous consent, S.B. No. 2233-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS," was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 2646-82:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, S.B. No. 2646-82, entitled: "A BILL FOR AN ACT RELATING TO PATIENTS' COMPENSATION FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson and Holt).

Senate Bill No. 2211-82:

By unanimous consent, S.B. No. 2211-82, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE DISPOSAL," was recommitted to the Committee on Ecology, Environment and Recreation.

Senate Bill No. 2958-82:

On motion by Senator Kobayashi, seconded by Senator George and carried, S.B. No. 2958-82, entitled: "A BILL FOR AN ACT RELATING TO FISHING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Machida and Toyofuku). Excused, 2 (Anderson and Holt).

Senate Bill No. 2765-82, S.D. 1:

On motion by Senator George, seconded by Senator Kawasaki and carried, S.B. No. 2765-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson and Holt).

Senate Bill No. 2333-82:

By unanimous consent, S.B. No. 2333-82, entitled: "A BILL FOR AN ACT RELATING TO THE TOWING OF ABANDONED VEHICLES," was recommitted to the Committee on Transportation.

Senate Bill No. 2326-82, S.D. 1:

By unanimous consent, S.B. No. 2326-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SAFETY RESPONSIBILITY ACT," was recommitted to the Committee on Transportation.

Senate Bill No. 642:

By unanimous consent, S.B. No. 642, entitled: "RELATING TO INHERITANCE AND ESTATE TAXES," was recommitted to the Committee on Ways and Means.

Standing Committee Report No. 300-82 (S.B. No. 2201-82, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, Stand Com. Rep. No. 300-82 was adopted and S.B. No. 2201-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson and Holt).

Standing Committee Report No. 301-82 (S.B. No. 2202-82, S.D. 1):

By unanimous consent, Stand. Com. Rep. No. 301-82 and S.B. No. 2202-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EXECUTIVE DEPARTMENTS," were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 302-82 (S.B. No. 2205-82):

By unanimous consent, Stand. Com. Rep. No. 302-82 and S.B. No. 2205-82, entitled: "A BILL FOR AN ACT RELATING TO COUNTY/STATE HOSPITAL SYSTEM," were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 303-82 (S.B. No. 2246-82, S.D. 2):

By unanimous consent, Stand. Com. Rep. No. 303-83 and S.B. No. 2246-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELDERLY ABUSE AND NEGLECT," were recommitted to the Committee on Ways and Means.

Senate Bill No. 2319-82, S.D. 1:

By unanimous consent, S.B. No. 2319-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR LICENSE," was recommitted to the

Committee on Ways and Means.

Senate Bill No. 2514-82, S.D. 1:

By unanimous consent, action on S.B. No. 2514-82, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 306-82 (S.B. No. 2523-82, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, Stand. Com. Rep. No. 306-82 was adopted and S.B. No. 2523-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson and Holt).

Senate Bill No. 2548-82, S.D. 1:

By unanimous consent, action on S.B. No. 2548-82, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 308-82 (S.B. No. 2627-82, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 308-82 and S.B. No. 2627-82, S.D. 2, was deferred to the end of the calendar.

Senate Bill No. 2799-82:

By unanimous consent, action on S.B. No. 2799-82 was deferred to the end of the calendar.

Standing Committee Report No. 310-82 (S.B. No. 2866-82, S.D. 2):

Senator Yamasaki moved that Stand. Com. Rep. No. 310-82 be adopted and S.B. No. 2866-82, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Abercrombie.

At this time Senator Kawasaki rose to speak against the bill stating:

"Mr. President, I am voting against this bill primarily because this sets up a \$75 million mortgage fund for the purpose of helping to provide financing for property owners who today own leasehold properties, which are to be purchased on a fee basis.

"I would support this bill had it not been for the fact that in my judgment, there is a need for mortgage money for many people who are the first-time buyers, who do not own today either a leasehold property or residential fee simple property.

"I would like to have a mortgage fund of this nature, amounting to \$75 million, set aside first of all for people who are not fortunate enough to even be able to reside in their first owned homes, and I would think after we have enough mortgage money for this category of first-time buyers, then we should think about setting up a mortgage fund for people who today own leased homes which they hope to purchase from the big land owners in fee.

"For that reason, I vote against this bill."

Senator O'Connor then rose to ask for a ruling of the Chair as to a possible conflict of interest stating:

"Mr. President, I must declare a conflict on this bill. I represent an excess of 5,000 lessees going through this process."

The Chair ruled that there was no conflict.

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 310-82 was adopted and S.B. No. 2866-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Kawasaki). Excused, 2 (Anderson and Holt).

Senate Bill No. 2903-82, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, S.B. No. 2903-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson and Holt).

Senate Bill No. 2983-82, S.D. 1:

By unanimous consent, S.B. No. 2983-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TAX REVIEW COMMISSION," was recommitted to the Committee on Ways and Means.

House Bill No. 2319-82, H.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, H.B. No. 2319-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY,"

having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson and Holt).

Senate Bill No. 2280-82, S.D. 1:

Senator Carpenter moved that S.B. No. 2280-82, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cayetano.

At this time, Senator Abercrombie rose to speak against the bill stating:

"Mr. President, I rise to speak against this bill.

"The purpose of this bill is to provide for a mandatory minimum prison term of two years stated for the cultivation of marijuana having a weight of 2.2 pounds or 20 or more marijuana plants.

"The Committee then heard testimony and amended the bill.

"We have now before us, 'promoting a detrimental drug in the first degree.'

"If the members will be kind enough to look at the second page of the bill, you will find the following: 'cultivates, plants, harvests, grows or dries twenty or more marijuana plants or processes or manufactures one or more preparations, compounds, mixtures, or substances of any aggregate weight of two and two-tenths pounds or more containing any marijuana.'

"Mr. President, I submit to you that while this bill started out as an attempt to address the question of people who are growing marijuana, that is to say, the cultivation of marijuana, to the degree that it would constitute 2.2 pounds, which as you may know, Mr. President, or possibly not know, as I am sure you have no direct knowledge of the matter, is a considerable amount of marijuana...that is to say in terms of size, just like a pound of feathers or a pound of something else.

"If we had stuck with that, then there might be some rationale because it would be directed at those areas where I think the public still has some questions, especially with respect to stories, somewhat notorious in nature, of people guarding marijuana patches in the hills...of people being accosted in various rural areas, not only on the Island of Oahu, but in other areas of the state, with respect to the cultivation of marijuana--in other words, people who are in business.

"But that is not what Section (f) says, and what I submit to you, ladies and gentlemen, is that some of you may in fact, have your children arrested under this section if they attend a party at which marijuana is served in the form of cookies and/or fudge, and/or spaghetti sauce, and/or any other preparation, compound, or mixture, or substance, which can come to 2.2 pounds and contain any marijuana at all. That is to say, if it contains a seed of marijuana, if it contains the slightest trace of marijuana, you may be arrested for a Class C felony!

"Now that clearly is not the intent, it would seem to me, with respect to catching the people who are cultivating marijuana for sale as a business.

"Now the trouble with this bill, as it exists right now, is it does what so often happens when we take up the question of drugs, whether it has an intoxicating effect or a toxicological effect which can be detrimental to one's health. It is in our zeal to establish a framework of law enforcement. We go far beyond that which is required to accomplish it, or worse, we actually end up doing something we didn't care to do in the first place.

"Now, if the object is to send a message to the prosecutors that the police are to search our house parties all over the state, and if they can find or have reason to believe that there is the slightest amount of marijuana...as I say, a trace...because that's what the bill says and I know very well when we pass laws based on what the language says, not what we would have liked to have meant, what we should have done, what we really like to say, but what is actually there. That's going to be the effect.

"If that's what we want the police to do, the narcotics officers and the National Guard or whoever we're sending around these days to apprehend the marijuana, inasmuch as we never apprehend the marijuana growers. I don't think any of these 'green harvest' numbers have apprehended anybody but marijuana, and the marijuana is just sitting there, or standing there. It doesn't complain; it just grows back again.

"Now, if that's the idea, then we should do it and say so. But that's not what the purpose of the bill was and that's not what you really want to accomplish, friends. This bill should be voted down because it doesn't do what it says it does, and it does do something that it shouldn't do,

and that's an excellent reason to vote the bill down.

"Thank you."

Senator Carpenter then rose and spoke in favor of the bill stating:

"Mr. President, I rise to speak in favor of this measure.

"Mr. President, the bill and its original intent when submitted by the Administration was to require that for this offense, listed under Item (f), a mandatory two-year penalty. The Committee, after some deliberation, determined that this more appropriately fits in the statutes relating to promoting a detrimental drug in the first degree, and if you will read as the previous speaker suggested, you will find that the language 'preparations, compounds, mixtures or substances of an aggregate weight of two and two-tenths pounds or more containing any marijuana' is consistent with the language in the previous item, Item (e), which says 'Possess one or more preparations, compounds, mixtures or substances of an aggregate weight of two and two-tenths pounds or more containing any marijuana.' And, essentially, this item would speak to an addition of 'cultivating, planting, harvesting, growing, or drying 20 or more marijuana plants.' So it is consistent with the existing statute, it is consistent with the intent to ameliorate the 'growing conditions' and including that as an offense which presently is not in the Hawaii Revised Statutes.

"Thank you."

Senator Abercrombie then rose and stated:

"Mr. President, in rebuttal, really what is being said then is we're going to compound the mistake that we've already made. I guarantee you that with this in here--the cultivating, planting, the harvesting, and growing, drying and so on--the police are going to do the same thing they've been doing right straight along, which is to get headlines with 'green harvest' and go try and put informants into house parties so that they can arrest somebody at a house party.

"The day you find that somebody has been arrested under this other kind of statute, the only way that that's going to happen...mathematically, I suppose it will happen some day, if somebody really owes a lot of money or is selling out their friend for some reason on another offense, but what is happening here when we pass a bill like this is we're telling the public that we're actually

doing something about that other problem of cultivation and all the rest of it, and we're not.

"All we're doing is adding another element to that area which will have the enforcement aspects of the police department and/or whoever else gets involved in it from a law enforcement point of view, all it does is say to them, 'we're not really serious about it, what we want you to do is to go bust a lot of house parties.' And I'll tell you a good reason why some of those house parties aren't going to be busted...there are too many policemen at them."

The motion was put by the Chair and carried and S.B. No. 2280-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CULTIVATION OF A DETRIMENTAL DRUG," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Abercrombie). Excused, 2 (Anderson and Holt).

Senate Bill No. 2376-82:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 2376-82, entitled: "A BILL FOR AN ACT RELATING TO TIME LIMITATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson and Holt).

Standing Committee Report No. 317-82 (S.B. No. 2401-82, S.D. 2):

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, Stand. Com. Rep. No. 317-82 was adopted and S.B. No. 2401-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE AND NEGLECT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson and Holt).

Senate Bill No. 2668-82, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 2668-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BAILABLE OFFENSES," having been read throughout, passed Third Reading on the following showing

of Ayes and Noes:

Ayes, 23. Noes, none. Excused,
2 (Anderson and Holt).

Senate Bill No. 2615-82, S.D. 1:

On motion by Senator Soares, seconded by Senator Yamasaki and carried, S.B. No. 2615-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THEFT OF UTILITY SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused,
2 (Anderson and Holt).

Standing Committee Report No. 230-82
(S.B. No. 1390, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, Stand. Com. Rep. No. 230-82 was adopted and S.B. No. 1390, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SEIZURE OF UNLICENSED DOGS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused,
2 (Anderson and Holt).

Senate Bill No. 2196-82, S.D. 1:

By unanimous consent, S.B. No. 2196-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL OBLIGATION BONDS OF THE STATE OF HAWAII," was recommitted to the Committee on Ways and Means.

Senate Bill No. 2198-82:

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, S.B. No. 2198-82, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COMPENSATION CLAIMS ADJUSTMENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused,
2 (Anderson and Holt).

Standing Committee Report No. 233-82
(H.B. No. 798, H.D. 1, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 233-82 and S.B. No. 798, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTEREST ON UNDERPAYMENTS AND OVERPAYMENTS," was deferred until Wednesday, March 17, 1982.

Standing Committee Report No. 234-82
(H.B. No. 804, H.D. 2):

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, Stand. Com. Rep. No. 234-82 was adopted and H.B. No. 804, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INHERITANCE, ESTATE TAXES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused,
2 (Anderson and Holt).

At 12:25 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:26 o'clock p.m.

Standing Committee Report No. 235-82 (H.B. No. 1100, H.D. 1):

Senator Yamasaki moved that the report of the Committee be adopted and H.B. No. 1100, H.D. 1, having been read throughout, pass Third Reading, seconded by Senator Abercrombie.

At this time, Senator Campbell rose to speak against the bill stating:

"Mr. President, I rise to speak against this bill.

"The purpose of this bill is to increase the statutory fee for an identification certificate from \$2 to \$6. I signed the committee report with reservation and I agree, Mr. President, that there was a good case made for an increase in the statutory fee, but my feeling is that to increase the fee from \$2 to \$6 is somewhat excessive. Therefore, I'm going to vote against the bill."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 235-82 was adopted and H.B. No. 1100, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEE FOR CIVIL IDENTIFICATION CERTIFICATE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 3 (Abercrombie, Campbell and O'Connor). Excused,
2 (Anderson and Holt).

Senate Bill No. 2572-82, S.D. 1:

By unanimous consent, S.B. No. 2572-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE," was recommitted to the Committee on Judiciary.

MATTERS DEFERRED FROM
EARLIER ON THE CALENDAR

At 12:28 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:30 o'clock p.m.

Senate Bill No. 2456-82:

Senator Yamasaki moved that S.B. No. 2456-82, having been read throughout, pass Third Reading, seconded by Senator Abercrombie.

At this time, Senator O'Connor rose to speak against the bill and stated:

"Mr. President, I rise to speak against this bill.

"This bill requires owners of real property who rent in the state, or people who rent on behalf of owners, to file with the Department of Taxation a copy of the rental collection agreement with the tenant.

"The burden of doing this in this state will be phenomenal. It will impose upon the Department of Taxation a fantastic burden, but moreover it will lead in my belief to people renting without written agreements because landowners and agents of owners are simply not going into the hassle of having to file these written agreements with the Department of Taxation.

"So, we're going to compound a situation that's bad already with a worse situation for no apparent good that I can see at all in filing rental agreements with the Department of Taxation. This bill will create a bureaucratic furor in the Department and simultaneously will serve no purpose at all for the owners or the people who rent, and finally the people who will take it on the chin are the tenants who will be in tenancy without written agreements.

"I would urge all members to vote against this. This is a bad bill."

Senator Soares then rose and stated:

"Mr. President, I also rise to speak against this bill, and I could not resist taking the opportunity to, for the first time in 17 years, to join my 'minority' member...and I'm a majority member--that's to be in the Journal....

"But, I should join my colleague from the Seventh District in his comments, and have that placed in the Journal as well, because I fully agree with him.

"I think this is going to be a fantastic responsibility that the Department does not want, or should be burdened with. I don't know where this bill originated from but I just can't understand the logic with it and I ask my colleagues to vote this bill down."

Senator Cayetano then rose to speak in favor of the bill stating:

"Mr. President, I support this bill.

"The purpose of this bill, as it started out, was to help the Tax Department in identifying the out-of-state owners of rental property who are not now paying the required general excise tax to the state. That's how this bill started out.

"Now, I grant you that the way the bill is worded now, there are some problems. Certainly, the problem that Senator O'Connor referred to as to the burden on the Tax Department does appear to be one of a very serious nature. However, I doubt very much that if you will find a reduction in written agreements; our landlord-tenant code is much too explicit in terms of the rights of a landlord and tenant for any person in his right mind to do that.

"I'm voting for this bill despite the reservations I have because I don't think we have a vehicle. I think it addresses a good thing in terms of trying to identify out-of-state rental owners. If we don't pass this, we don't have a vehicle.

"I think the concerns raised by the previous speakers can be brought to the attention of our counterparts in the House."

Senator Yamasaki then rose and stated:

"Mr. President, the Tax Department has spoken in favor of the bill. The Tax Department testified that it is in favor of the bill and that this will assist in the compliance program as there are a lot of people who are renting, and the Tax Department is not aware of who they are. These rental agreements will give them a clue as to who is renting properties and it will assist in the rental collection program.

"I also think that we will have additional revenue derived as a result of the Department being able to go after these people.

"Thank you."

The motion was put by the Chair, and Roll Call vote having been requested, S.B. No. 2456-82, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," having been read throughout, failed to pass Third Reading on the following showing of Ayes and Noes:

Ayes, 12. Noes, 11 (George, Henderson, Kobayashi, Machida, Mizuguchi, O'Connor, Saiki, Soares, Toyofuku, Ushijima and Yee). Excused, 2 (Anderson and Holt).

Senate Bill No. 2452-82, S.D. 1:

Senator Kawasaki moved that S.B. No. 2452-82, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Ajifu.

At this time, Senator Kawasaki rose to speak in favor of the bill stating:

"Mr. President, I rise to speak in favor of this bill and because I realize, understandably, that very little, very few of us here and certainly in the entire population recognize or understand the problem and the processes involved in the cause of earthquakes and the probability of earthquakes occurring in certain areas of this state. I will of necessity have to beg the intelligence... the indulgence--that was a Freudian slip, incidentally--of this body because I consider this particular issue a very important one.

"Certainly, I think we, as Senators, have the responsibility to our constituents to avail ourselves of a reasonable knowledge of information on an issue that is so important to the health and welfare of the citizens of this state.

"So, if I may... incidentally, I want to say at the outset, that Adjutant General Ishimoto, who is of course in charge of natural disasters and civil defense, testified very favorably on behalf of this bill. Also, I'd like to point out at the outset that the state government officials very wisely, years ago, recognized the probability of serious earthquakes in this state and what might result. They now require that all state buildings conform to what they call 'Zone 3' requirements, and this is what the bill is advocating, that the Island of Oahu be placed in 'Zone 3' category to safeguard the health and welfare of our people.

"Let me, of necessity, as I said, indulge in perhaps a little lengthy discussion here because I think this information should be known to all of us.

"Mr. President, I rise to speak in favor of S.B. 2452 and urge its passage as a demonstration of the Hawaii Senate's

concern for the safety and welfare of Honolulu's residents, about this body's desire to minimize the casualties and property damage which may result from the serious possibility of earthquakes of 6.5 or higher Richter scale intensity occurring in inhabited areas of Hawaii.

"The urgency of this matter is emphasized in the testimonies of Hawaii's leading seismologists... Dr. Augustine Furumoto and Dr. Mansfield Adams, professors of geophysics, University of Hawaii... Dr. Norby Nielsen, civil engineer, Environmental Center, U. H.... Dr. William Phillips and Dr. Nielsen co-authors with Dr. Furumoto of a study entitled, 'A Study of Past Earthquakes, Isoleismic Zones of Intensity and Recommended Zones of Structural Design for Hawaii.' General Ishimoto, in charge of natural disasters and civil defense, also favors this bill.

"In this publication first published in 1973 and since updated, Dr. Furumoto says:

"The process of estimating seismic risk and of adopting measures for disaster mitigation prevention, is an evolving process. As we seismologists at the University carry on our duties by ploddingly gathering data, day by day, year by year, decade by decade, we acquire new insight and a better grasp of the earthquake processes and mechanisms around Hawaii. The situation changes year by year, if not month by month. So I state categorically that the report published in 1973 by N. N. Nielsen, W. R. Phillips and myself have become obsolete and should be updated.

"In the ten years since that report was written, there have been three developments which are significant to our present discussion:

1. Use of ocean bottom seismographs around Hawaii;
2. Developing of computer software for processing and displaying large amounts of earthquake data;
3. Occurrence of Magnitude 5 to 5.5 earthquake a year ago, on March 5, 1981, North of Molokai.

"For the first time, ocean bottom seismographs were deployed at sea, north of Molokai during October 1977. These instruments recorded earthquakes that were occurring in the area North of Molokai and East of Oahu. The data became part of the huge bank of data on Hawaiian earthquakes.

'In 1979, R.E. Estill, as part of his doctoral dissertation, wrote computer programs to process and display earthquake data. One of the maps resulting from his work was an epicenter map for the area from Oahu to Maui.

'An inspection of the map shows a line of earthquakes extending from Diamond Head Eastnortheast; to a point about 100 miles North of Maui. Some of these earthquakes were located by ocean bottom seismographs. In my own fieldwork, in 1975 when I deployed some portable seismographs in the Hawaii Kai area, the instruments recorded earthquakes at sea East off Makapuu Point. However, because of insufficient number of recorders, I was unable to locate the epicenters. The display by Estill confirmed my suspicion that there was a seismically active area just East of Makapuu point.

'In a 1980 report to state civil defense, "A Study of Earthquake Losses in Honolulu Area: Data and Analysis," I identified the line of earthquakes as the Diamond Head Fault. Then on March 5, an earthquake of magnitude 5 to 5.5 occurred North of Molokai. The epicenter was determined by the Pacific Tsunami Warning Center to be in the Diamond Head Fault. I checked their work and my results were the same as the Center's. Nature conveniently provided strong evidence that the Diamond Head Fault is active.

'In examining the epicenter map, there are so many earthquakes in the Molokai to Maui area that one cannot draw any fault line. So the whole area should be designated as one active seismic zone.

'Our earthquake knowledge has come to a point that we see Honolulu astride an active fault and the Islands of Molokai, Maui and Kahoolawe in an active seismic zone. It is only reasonable that precautions be undertaken, that is upzoning as the bill recommends.

'There were 13 earthquakes in the range of magnitude 6 since 1929. (Magnitude calculations only got started in 1929). And there were 3 earthquakes with magnitudes greater than 7 since 1850. The concentration of that many large earthquakes in so small an area makes Hawaii comparable to any other seismic region in the world.'

'Mr. President, Dr. Furumoto is more fearful of a large earthquake occurring in Hawaii than in California with it's San Andreas Fault. He continues:

'Of these large earthquakes, half are related to volcanic processes and half are not. We still do not understand the underlying tectonic process of Hawaii;

a topic we are pursuing in our research at the University.

'In Hawaii, there are two types of geological disturbances that cause earthquakes. There is a tectonic process going on and a volcanic process going on. The two processes are related, but the source of energy of the processes are distinct.'

"The great majority of earthquakes are volcanic, but there are a minority of earthquakes that are tectonic. These tectonic earthquakes, Mr. President, are the concern for Oahu, Molokai, Maui and Lanai.

"The University of Hawaii seismologists have been concerned, individually and in groups, with tectonic earthquakes in the region from Oahu to Maui. Much data on this region are lodged with the University rather than with the volcano observatory in Hilo.

1. The Molokai Fracture Zone is non-volcanic, but so are the earthquakes we are addressing. The earthquakes are tectonic. The fracture zone has been active, as demonstrated with a March 5, 1981 earthquake of magnitude 5.5.

2. There have been three major earthquakes in Hawaii. By a major earthquake, I mean of a magnitude greater than 7. One of these earthquakes last occurred in the Molokai-Maui area in 1871. This devastated Molokai, Maui and Lanai. This earthquake, by itself, justifies the bill. If this earthquake is repeated, and it will, we will have yet another disaster on Maui, Molokai, Lanai and yes, maybe even Oahu!

3. From 1977 to 1979, ocean bottom seismographs have been deployed around Hawaiian waters and epicenters have been located. The Diamond Head Fault became evident because of ocean bottom seismographs. Even earthquakes at sea have been located.

"One important aspect of scientific inquiry is display of data. Without proper display, one can easily fall into the error of non-recognition. Most of the earthquakes on the epicenter map of Oahu-Maui are in the data bank of the Hawaii Volcano Observatory. But, without proper display of the data, Mr. President, I submit to you that one can very easily fall into the dangerous state of recognizing only volcanic earthquakes.

"It is most important that we undertake a discussion of tectonic earthquakes

in the area from Oahu to Maui. Earthquakes occur there. Historically, the 1871 earthquake ravaged Molokai, Maui and Lanai and did some damage on Oahu. The 1871 earthquake was a major event with magnitude greater than 7. Currently, Mr. President, we now know that the Molokai Fracture Zone is active...as demonstrated on March 5, 1981 with an earthquake of magnitude 5 to 5.5. This earthquake occurred on the Diamond Head Fault, which is part of the Molokai Zone.

"With all this information, failure to recognize the high seismic activity of Oahu and Maui and the possibility of danger is incomprehensible! Recorded history is only a very small window in geological time. Recorded history shows that the Molokai Fracture Zone is active. What large earthquakes that occurred outside of this short and I emphasize short, history window, we don't know. But within this brief time frame, we have had a magnitude 7 or greater earthquake. An earthquake of this intensity occurring in Honolulu, Mr. President, would create devastation!

"Should we not, in the interest of saving as many lives as possible, prudently plan for a future occurrence as responsible government officials?

"William Mansfield McAdams, a seismologist and professor of geophysics, wrote to me as follows:

"My interest in earthquake-resistant design and related seismic activity is one of long standing. I have been a member of the Seismological Society of America, the American Geophysical Union, and the Society of Exploration Geophysicists for more than twenty-five years; and I was on leave from the University of Hawaii during 1970-1971 to serve UNESCO at the International Institute of Seismology and Earthquake Engineering as an expert in seismology.

"The State of Hawaii lies athwart the Molokai Fracture Zone. The behavior of the Molokai Fracture Zone must be considered on a geological time scale--hundreds of thousands or millions of years--not on a mankind time scale of a few decades. Lacking seismological data of adequate time duration, we must estimate the seismic activity of the Molokai Fracture Zone. I believe it to be significant to the earthquake hazard in Hawaii and to justify upgrading the seismic zones stated in the Uniform Building Code at least one number for the areas between Kauai and the Big Island, possibly two.

"Any decision on the matter of zoning must consider the related costs or utilities.

To include earthquake-resistant features in the structural design is estimated to add only a few percent to the cost of the structure and ADD NOTHING TO THE LAND COSTS. Thus, the incremental cost to a real estate development is only about two percent -- three percent at most.

"There is one very important point relating to this Bill 2452-82, viz, the implementation. Many thousands of buildings have been built since the passage of laws imposing building codes for earthquake-resistant design. Yet, invariably when a survey is conducted after an earthquake, the buildings are found to have been built in a manner NOT conforming to the code. I urge you to include in this bill a portion relating to the dissemination of relevant information and procedures. Developers, insurers, inspectors, as well as architects and engineers should be informed of the benefits to be derived from practicing earthquake-resistant design in the State of Hawaii.

"I congratulate you all on your concern for the appropriate earthquake-resistant design for Hawaii and I urge you not to delay in passing this Bill 2452-82 THIS session. The next session just might be too late."

"I think with these words of caution, unanimous words of caution from the experts, the seismologists from the University of Hawaii and elsewhere, I think it would be foolhardy for this body not to enact something in the interest of the future of Hawaii and in the interest of the safety of our citizens.

"This is one issue, one bill, that I would hope that I would never have the occasion to refer to, or to face you and say, 'I told you so.'"

Senator Campbell then rose and stated:

"Mr. President, I rise in support of this bill and I would like to endorse many of the statements made by the previous speaker.

"Mr. President, before I was elected to public office, I felt that government should do something about this very serious problem, which is the 'sleeping giant,' the earthquake. Therefore in 1979, I introduced Senate Resolution No. 225 and again in 1981, I introduced Senate Resolution No. 90, both of which requested data that could be effectively used in implementing many of the segments of the bill referred to by the previous speaker.

"I strongly support the intent of Senate Bill No. 2452-82, S.D. 1, but the bill in its present form, Mr. President, is lacking, in my judgment, in one major respect. It needs a section providing for earthquake prediction.

"Dr. Gus Furumoto, who was referred to by the previous speaker, who is at the University has indicated that this can be done. Therefore, I strongly recommend that this bill be amended to provide that the Hawaii Institute of Geophysics be commissioned to set up an effective earthquake prediction program. And, on the basis of that I urge all of my colleagues here to support the bill.

"I hope that it can be amended before this Legislature adjourns. Thank you."

Senator O'Connor then rose and stated:

"Mr. President, I'm going to vote in favor of this bill, but I do so with some reservation. It's never been the position of this Legislature to get into the county building codes and with all due respect to the Chairman of the Committee, who has done an admirable job in this area, we are again bailing out the counties, who should actually be doing this work and should have considered raising the requirement for lateral force into that of the seismic probability Zone 3 from where it is today.

"The problem I have with this bill is, the minute we get into attacking certain portions of building codes, we then get into all sorts of other problems in our statutes. For example, and only for one example, what is a story? This bill calls for buildings three stories or more in height.

"The word 'story' is defined in the Uniform Building Code and is defined in the County Building Codes. Other words of art used in this particular section are also defined in those codes. I would hate to see us get into a situation where we continually--and I'll talk more about this when we come to this sort of 'firecracker' situation later on--we continually get into the counties' areas and bail out the counsels that should be working on this.

"However, I do appreciate the work done by the Committee and therefore will vote in favor of this measure."

Senator Abercrombie then rose and stated:

"Speaking in favor, briefly, not so much in rebuttal, but it's kind of an addendum to remarks just made previously.

"I think that the catastrophic aspect

here makes it a statewide concern as opposed to counties, per se. I think the points about the codes, maybe, should be incorporated, but there's no question in my mind that this kind of disaster, the magnitude of the disaster potential here is something that is simply beyond the counties, per se.

"Also, from the point of view of precedent, whether for good or ill, this Legislature has carved out Kakaako away from the county on Oahu, and has taken away Barber's Point Harbor from the county having anything to say about it now. Whether that was a good idea or not, good ideas are not to be debated at this point, but clearly, when this Legislature--within the time that I served in the Legislature--the Legislature as a whole has decided that something is of interest that the county should be superseded, it has done so. And this, I believe, is one of those instances."

The motion was put by the Chair and carried and Roll Call vote having been requested, S.B. No. 2452-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EARTHQUAKES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 15. Noes, 7 (George, Henderson, Kobayashi, Mizuguchi, Saiki, Ushijima and Yee). Excused, 3 (Anderson, Holt and Soares).

Senate Bill No. 2350-82:

Senator Abercrombie moved that S.B. No. 2350-82, having been read throughout, pass Third Reading, seconded by Senator Kuroda.

At this time, Senator Campbell rose and spoke against the bill stating:

"Mr. President, I rise to speak against this bill, reluctantly.

"The purpose of this bill is to require any pupil found to be responsible for an act of vandalism...or rather that pupil's parent or guardian...to make monetary restitution for the full amount of damages caused. I agree with the laudatory intent of this bill but I have some strong concerns about the results if this bill were fully implemented.

"In homes where the relationship between the youngsters and their parents is not good, this bill, fully implemented, is subject to aggravate this condition and really, make it worse. You can imagine what would happen in a situation where the parent

believes in corporal punishment. If such a parent is told that he or she will have to pay for broken windows, marked up walls and other vandalism at school caused by their youngster, I can see that we could have a serious case of child abuse on our hands.

"Furthermore, Mr. President, there is something, in my judgment, something basically wrong with the concept of making a person responsible for the acts of someone else. Therefore, I'm going to vote against this measure.

"Thank you."

Senator Ushijima rose and stated:

"Mr. President, I just want to have one matter clarified. Perhaps the Chairman of the Committee can answer this.

The President then asked:

"Mr. Chairman, would you yield to a question?"

Senator Abercrombie replied:

"I don't know yet."

Senator Ushijima then continued:

"There is a definition of vandalism; it's a 'mischievous or malicious destruction of property.' Then they limit it to breakage of windows, et cetera. I was just wondering, will arson be included in the definition of vandalism in this respect?"

Senator Abercrombie replied:

"It would depend on what the law says."

Senator Ushijima then stated:

"What is the answer?"

Senator Abercrombie replied:

"It depends on what the law says. I don't have the law in front of me."

Senator Ushijima then continued:

"Well, you have a definition of vandalism, that's why I want to have it clarified here. Does it include arson here, under destruction of property?"

Senator Abercrombie then replied:

"I assume so.

"Mr. President, I can't answer it more clearly than that, as I expect it...there's varying degrees...you can have malicious destruction. I'm not sure whether burning something under a certain amount of money might be considered arson.

In another incident, it might be considered as something else, but I can't conceive that arson wouldn't be considered under one degree or another. That's why I said, 'it depends on the law.'"

Senator Cayetano then rose and stated:

"Mr. President, it seems to me that one must separate the criminal aspects of this bill.

The President then interjected:

"Excuse me, Senator Cayetano, are you speaking in favor of this bill?"

Senator Cayetano replied:

"Yes, I'm speaking...excuse me...I'm speaking in favor of this bill.

"In response to some of the questions that have been directed to the Chairman, the question of arson is a criminal matter. This bill deals with the question of vandalism as a civil matter, if I read the bill correctly. Additionally, I think we should point out that the bill, with respect to the liability of the parents for the actions of their children, does not do any more than restate what is in the existing law. Under our law today, our civil law, parents are responsible for the torts of their children, whether it be through vandalism or whether it be through automobile accidents, et cetera.

"The parts of this bill which are meaningful, or maybe which makes the situation in the school different from other circumstances is that in this case, the authorities are directed to bring an action against the students and the parents involved and the law requires that a student who is found responsible for an act of vandalism shall--it is a mandatory matter--shall make monetary restitution for the full amount of damage caused.

"That, I think is the significant part of this bill as it differs from the ordinary situation involving the responsibility of parents for the torts of their children."

Senator Campbell then rose and stated:

"Mr. President, in response to the previous speaker, I was certainly under the same impression that what this bill was doing was making an amendment to an existing law. But I read the committee report which somewhat indicated something differently, and I read the second paragraph which says, 'Under the present law, pupils,

parents, or guardians may, 'not shall, 'may agree in writing to be monetarily responsible, for up to two thousand dollars, for an act of vandalism.' And I interpreted 'may' in this particular instance to be that they did not necessarily have to abide by that regulation.

"Thank you."

Senator O'Connor then rose and stated:

"Mr. President, on re-reading this bill, I, with reluctance, am going to have to vote against it.

"The law, as it presently stands, was structured to allow for a hearing for the pupil, or parent, or guardian and require the principal of the school to make a finding whether or not there was vandalism and then allowed for conferences and other matters, and allowed for certain appellate rights, if you would call it that, to the district superintendent, and then beyond that if necessary.

"All of that portion of the law has been taken away, and what remains in this section, if we pass it, is the statement that 'any pupil found to be responsible for an act of vandalism' and then it goes on to restitution and the parents and so forth, but there's no provision as to who makes the finding, and there's no provision for fact-finding.

"There's no provision for any of the matters which we put into this law when it passed last year, I believe, or the year before at a time when it was allowed for the bill to have some constitutional basis. Without a hearing and without the ability to present both sides of the situation, I would suggest that the bill lacks any teeth at all.

"There's no ability at all for...in fact, we don't know who must make the finding, if the bill passes in its present form that the pupil's responsible for the vandalism. I appreciate the changes made to Section (a) of the section, but because the other sections have been removed, I must with reluctance, vote against the bill."

Senator Abercrombie then rose and stated:

"Mr. President, the Board of Education is currently having just exactly the kind of hearings that are being referred to with respect to discipline and what can, and should be done and in what sequence and in what order and under whose auspices with respect to violation of either criminal law or discipline code in the schools.

"That's why we have the vandalism

bill before us now in its present form because of the follow-up to the anti-violence bill which we passed last year, which if the Board had been able to get its hearings over with we would have had before us the very things that Senator O'Connor is inquiring about now.

"The reason that I can't give him an exact answer as to what they will be is that the Board has only promulgated at this juncture its proposed regulations for this. The reason that the sections on the principals having all the conferences and so on is being taken out is that the new rules will supersede all this in any event, and we wanted to take out this conference aspect as to whether or not something would be collected because in the past, when this practice was done, nothing gets collected. The conference will become pro forma. The law may be there, but in practical terms, nothing has happened, and then vandalism has thus been encouraged in the schools.

"The reason for passing this bill in its present form is to see to it that the new rules which will, I assume, be before us probably within the month...probably before the session is out...will provide for the methodology to deal with anybody who has been found guilty of disobeying the rules with respect to school are found guilty of criminal offense with respect to school.

"So, we will have plenty of time to...if they are not adequate, if it's deemed by the Legislature inadequate, that is to say the rules promulgated by the Board of Education, we will have plenty of time before the end of this session to readdress and amend this bill."

Senator O'Connor then rose and stated:

"Mr. President, I'd like to ask the Chairman to yield to a question....

"If this bill becomes law, who will make the finding that the pupil is responsible for an act of vandalism against the school. Who would make that finding?"

Senator Abercrombie then replied:

"As it stands, as Chapter 19 stands, Section 19, the rules in the Board of Education, the proposal that they have right now, it is the school principal. The school principal is referred to in this bill...excuse me, not in this bill, but in the old law. The problem is that after all this is done, under the old law the principal then goes through

a new rigamarole, where he sits down with somebody that's already, for example, been in the family court or somebody that has already been caught in the act at the school with some degree of culpability, either criminal or otherwise, in the school and then judged to be the perpetrator, and then sits down and starts to negotiate with the parents is something.

"One of the reasons we passed the anti-crime violence bill is to get principals out from under this kind of thing. I don't think it's the principal's business to sit there and negotiate. Now if the Board wants to promulgate rules along the lines, or if other members in the Legislature want to further explore the question of liability and whether it can be paid and under what circumstances, I'm perfectly willing to do it. But unless and until we remove this ambiguity that exists right now, what is in effect at this point is a law which exists only on paper and has the teeth of the proverbial 'paper tiger' we won't get anywhere."

At 1:21 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:25 o'clock p.m.

Senator Abercrombie then continued:

"Mr. President, I think some of the remarks that have been made are well taken. I think that obviously some of the aspects in terms of implementation have to be looked into. On the other hand, all of the comments have indicated that they think the idea behind the bill is a good one that needs to be fleshed out. I guess that's the reason we don't have a one house legislature.

"With that in mind, if the members would agree that the idea is a good one that needs to be pursued and with my assurances that the points that have been raised will be taken into account so that we can flesh out this idea to an acceptable degree so that the idea is not lost, I ask the members' assent to this bill."

The motion was put by the Chair and carried, and S.B. No. 2350-82, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 1 (Campbell). Excused, 5 (Anderson, Holt, Soares, Uwaine and Yee).

Senate Bill No. 2825-82, S.D. 1:

Senator Abercrombie moved that S.B. No. 2825-82, S.D. 1, having been read

throughout, pass Third Reading, seconded by Senator Kuroda.

At this time, Senator O'Connor rose and stated:

"Mr. President, I'm going to vote in favor of this bill with reservations.

"This bill was introduced, as I understand it, to clarify the situations that exist between certain of our high schools and the neighbors that surround those high schools.

"Certain of our high schools have, for longer than you and I have been alive, Mr. President, had very loud sport rallies and sporting events in their gymnasiums. They've had dances and things of that nature, and unfortunately, with the suburban increase...suburbia has blossomed around these high schools...and today with our new general noise ordinance, people living close to the high schools have major complaints about these sports activities and the dances.

"I am assured by the Chairman of the Committee on Education that the reason that this bill is being put forward in its present form is to straighten out and to insure that each of the groups with competing interests in noise has its own prerogatives when the Board of Education puts together the rules that are talked about.

"I rise to speak though because I am not too happy with the fact that we entitled the section 'Noise Prevention' and we talk in terms of preventing, controlling and abating. To my way of thinking, most of these high schools were there first and the people moved in around them. They moved in with the foreknowledge that the high schools would be noisy. They moved in with the full knowledge that the high schools provided jogging tracks, open space, green areas and other amenities which they enjoy.

"Instead of taking the good and sometimes accepting the bad, they would have the good and do away with the bad. I find nothing in the bill that addresses this particular point, and I trust that the Department of Education, when they consider this matter, will address that point."

The motion was put by the Chair and carried, and S.B. No. 2825-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE PREVENTION IN PUBLIC SCHOOLS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes 1 (George). Excused, 5 (Anderson, Holt, Soares, Uwaine and Yee).

Senate Bill No. 2514-82, S.D. 1:

Senator Yamasaki moved that Senate Bill No. 2514-82, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Anderson.

Senator Campbell then rose and spoke in favor of the bill stating:

"Mr. President, very briefly, I rise to speak in favor of this bill.

"The purpose of this bill is to exempt from the general excise tax, amounts received by corporations, trusts, or societies organized and operated exclusively for religious, charitable, scientific, or educational purposes.

"At the present time, 'the activities of non-profit organization such as hospitals, fraternal organizations,' and so on and this continues, 'social welfare purposes are exempt from taxation under the general excise tax law.'

"Mr. President, I look upon this bill as the 'Girl Scout cookie' bill in my judgment and in order to keep the door-to-door cookies coming, I urge my colleagues to vote unanimously in favor of this bill."

Senator Cayetano then rose and stated:

"Mr. President, I rise to speak against this bill.

"I'm not against Girl Scouts, but I am against this bill.

"Mr. President, by Wednesday, maybe by Thursday morning, you'll probably see an elderly Portuguese man, white haired and gaunt, maybe about five feet-six, 140 lbs. maybe, looking absolutely defeated, and that person will be Senator Abercrombie's constituent and the state's Tax Director, Mr. Freitas, who has been running around, wondering if the world has gone mad.

"I have here a summary of all the bills that have been introduced by both the Senate and the House relating to tax credits, tax exemptions, et cetera, and they total millions of dollars. For example, Senate Bill No. 2340-82, which is amending the conveyance tax law to provide for county housing funds, would cost the state \$16 million. House Bill No. 2034-82, which would cost the state \$2.6 million for energy tax credit relief, and so on and so on.

"Just here today, we passed the bill

which involves alleged overpayments of taxes that will cost us \$3 million. We have another bill later today expanding the exemptions on inheritance taxes that would cost us \$1.7 million. Tomorrow we'll be hearing a bill which gives pineapple growers a break on the 4% general excise tax for five years.

"Don't ask me what that'll cost. I'm sure that will cost a big bundle if we pass it. My big complaint on all of this is that there really has been no comprehensive approach by us, both House and Senate, to this matter of tax credits and tax exemptions. And when you take in to account the state's fiscal situation, we do have a surplus now but I think there is no disagreement that if revenues continue to come in the way they have been coming in, and if this Legislature spends up to the expenditure ceiling, which is very, very likely, because the other house is talking about breaking the ceiling, then by fiscal '84 we will be about \$63 million in the red and by fiscal '85, \$137 million in the red.

"If you compound that by the fact that we will be losing federal money as a result of President Reagan's New Federalism and Reaganomics, if you add to that the unstable sugar situation, and if you look at some of the things that we are trying to do here such as, a state lottery, which I understand is to generate additional revenue...there was a tourist tax bill we sent over last year--the idea was to generate additional revenue, it doesn't make sense for us to act in a manner of taking away with one hand and giving back with the other.

"It really, really, in my view does not make much sense. The House, I think, has shown an inclination to be quite liberal and generous with these tax exemptions and tax credits. This summary that I mentioned earlier reads like a horror story when you look at the bills coming over from the House.

"It seems to me that it is imperative for the Senate to make some sense out of this situation and hold the line, at least until we can put everything on the board, so to speak. We should get everybody in a room and put all the stuff on the board and add up the figures to see where we're coming out.

"As it is right now, we're approaching this business of relief on a piecemeal basis, and in my view it is absolutely foolish to do so and we're going to pay for it in the end."

Senator Campbell then rose and stated:

"Mr. President, a very short response to the previous speaker.

"I share his concern about the fiscal problems of our state and that we should be prudent as we try to pass measures affecting the financial status of our state. I think, in reference to this bill, we must take into account that the kind of agency we're talking about is not one that has come in requesting an appropriation to do a job for us. It's just asking for an exemption from a tax on their major fund raising activity, which is held only once a year.

"Now, when one thinks of the fact that an organization similar to the Girl Scouts is contributing significantly to the reduction of vandalism, violence in our community, which we will be responsible for paying for, it seems to me it's a small price to pay to give them this kind of tax exemption.

"Thank you, very much."

Senator Abercrombie then rose and stated:

"Speaking against the bill, Mr. President, every one of these...let me start over again, because you're going to hear Senator Cayetano get up probably over and over again, and he'll bear the brunt for all of us and the problem with it is that most everybody in the room agrees with him, but not every one is going to stand up and say so, because every one of these bills, in and of itself, has a good reason for passing.

"Now, we're talking about Punahou School, we're talking about people I support--Hale Mohalu, still in existence despite the efforts of the Attorney General to get rid of them after four years, leprosy patients are doing pretty damn good against the organized Department of Justice that we have in this state; they have to pay.

"So each one of us has one, two or a dozen organizations that are deserving. As Culture and Arts Chairman, I can tell you that I can run off a whole string of groups of people who are trying to raise money and they all do a good job of it and are perfectly honest and forthright and all the rest of it. Each one of these bills, whether it is this one or the inheritance bill, which I'm going to try and make up my mind on in the next couple of minutes, which I support; I've signed it; and I put in a bill before trying to get rid of it.

"I think the rich already have their trusts to take care of it and the average

person maybe just has a house left, or something like that which may have appreciated in value after years and years of paying, and the only thing to leave to their children and so on, is unfairly taken now, and I grant all that.

"What Senator Cayetano or the previous speaker, excuse me, the previous speaker before the last one was saying was that we haven't put all of this on the board yet. We're passing it in a fashion that leaves us wide open to having tens of millions of dollars go out of the treasury when tens of millions of dollars are needed to go in the treasury, if not this year, certainly, in the immediate future, not in the long future.

"So, I think that the Senator from the Fourth District is saying that we need to postpone these things until we have a better understanding of where we are, possibly next year, and a game plan that can be worked out, legislatively speaking. And that's why I think that even though each one of these bills will no doubt have champions that can stand up and make a good case in its own context within the overall context of our tax liabilities, our revenue liabilities and our revenue picture, we're in very, very serious difficulty.

"For that reason, I believe that we have to vote 'no' on this and on similar bills even though I'm sure I'm going to get caught and have been caught so far as I know already at least once today voting 'yes' on one of these bills that affects us in this way. But in the course of the discussion here already this morning had to keep on re-examining the way my thinking has been running and I'm asking everyone else to do the same. I don't think we can deal with this honestly until next January."

Senator Kawasaki then rose and stated:

"Mr. President, I did not intend speaking on this measure. I did sign the committee report 'I do not concur,' but it just occurred to me that if we could restrict the tax exemption benefits for little organizations like Girl Scouts and Boy Scouts, it would be fine except that this language in the first five lines of the bill is too generalized so that it includes the whole spectrum of organizations, notwithstanding the language that says that it be charitable and educational and scientific in nature. I think the chance of abuse under this bill's exemption provision is going to be too great.

"I could think of one ostensible human services organization that might qualify under this particular bill in its annual drive of one month, that as I recall, pays its director \$65,000 a year, sets aside another \$16,200 a year for his retirement benefit to which he makes no contribution, unlike any other government employee, and provides generous housing allowance, automobile allowance, first-class travel allowance and the like. This organization might even qualify for this and I just wonder if we intend to broaden this bill and its benefits to such organizations of dubious administrative merit."

Senator O'Connor then rose and stated:

"Mr. President, I also am concerned about the wording of the bill. I find it very difficult to believe that it could be so discriminatory to limit itself to annual sales of one month's duration providing the sale is not held at the place occupied by the organization to carry out its functions.

"In other words, I lend credence to the earlier remarks by the previous speaker, the Habilitat telethon qualifies but the Punahou carnival doesn't. I find that extremely difficult to swallow under the circumstances, and I think 'swallow' is the right word because the Girl Scout cookies qualify whereas the kim chee at Lolani does not.

"Therefore, I suggest that this is a bad bill."

Senator Cayetano then rose and stated:

"Mr. President, just to give the members more examples of the bills coming over from the House. House Bill No. 1947, relating to an excise tax credit for agricultural producers--\$2.2 million dollar loss; House Bill No. 1973, relating to tax credit for drug and related purchases--\$3.3 million dollar loss; and there is another bill... I don't know if it's going to come over, but... House Bill No. 2430--this will delete the requirement that the taxpayer must have physically resided in the state for nine months to qualify for the tax credit, tax rebate, \$19 million. It goes on and on. This summary is about 6-7 pages and I'd be glad to pass it on to the other members."

At 1:42 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:46 o'clock p.m.

Senator Campbell then rose and stated:

"Mr. President, may I ask a question of the Chairman of the Ways and Means

Committee?"

The question was posed and Senator Yamasaki having answered in the affirmative, Senator Campbell continued:

"Mr. President, I would appreciate your asking the Chairman of the Ways and Means Committee approximately how much revenue is lost to this state if this bill were passed?"

Senator Yamasaki then replied:

"According to the Tax Director's information, on Senate Bill No. 2514-82, there is no estimate available in his office and he does not know what the implication is. As far as the Girl Scouts are concerned, their testimony has indicated that it amounts to \$20,000."

The motion was put by the Chair and carried, and S.B. No. 2514-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX LAW," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 15. Noes, 6 (Abercrombie, Cayetano, Kawasaki, Mizuguchi, O'Connor and Toyofuku). Excused, 4 (Holt, Soares, Uwayne and Yee).

Senate Bill No. 2548-82, S.D. 1:

Senator Yamasaki moved that S.B. No. 2548-82, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Anderson.

At this time, Senator Cayetano rose and stated:

"Mr. President, I won't repeat what I said earlier, but I'll incorporate my remarks on the previous bill.

"The last bill benefited the Girl Scouts and not too many people can be against the Girl Scouts. This one goes to the people who are engaged in computer services or the field of computer services. I don't know what special interest we are trying to help here, but it seems to me that the arguments made against the second bill at least do not have the sympathetic ring or factor when it comes to this bill.

"Computer services are like legal fees. If I represent someone on the Mainland and I do legal work for that person and he pays me, I pay a 4% general excise tax on my fees. Why are we doing this? It doesn't make sense. Who are we trying to help?"

Senator Yamasaki then rose and stated:

"The question raised was who are we trying to help in this bill. I have no conflict of interest; I have no technology business. This is to attract more technology business in the State of Hawaii.

"I think that the Department of Planning and Economic Development has asked the Legislature to do everything it can in its power to allow for programs to be located here in Hawaii, especially high technology business, and this is one means of attracting more technology business here in Hawaii."

Senator Cayetano then rose and stated:

"I apologize to the Chairman. I certainly didn't mean to cast disparagement on him.

"There are certainly many pieces of legislation which come before us which are being pushed by groups for their own self-interest.

"I got a little carried away. I apologize, Senator Yamasaki. But I'm still going to vote against this bill."

Senator O'Connor then rose and stated:

"Mr. President, I'm going to vote against this bill and I rise to speak against it.

"This bill is clearly discriminatory. The computer services referred to in the bill are those sold only to people in other states where those people pay a sales tax in the other state. However, if a similar sale were made to someone in Hawaii the tax would be levied against the computer service organization and would also be levied in concurrence with our system of excise tax against the person buying from the computer service organization when that person in turn, turned and sold its services, as is true of every single tax in our excise tax system, whether it be wholesale tax or a retail tax.

"In this circumstance, we are carving out a special interest situation only for sales in other states, allowing those states to charge sales tax on the resale but not charging the tax here locally on the computer service which we will charge when that computer service is sold to Hawaii residents.

"If that isn't the most discriminatory thing that ever existed, I have never heard of another one. We are discriminating against our Hawaii residents and we are cutting off an income source which certainly should be retained in our revenue system. I urge all to vote against this bill."

Senator Abercrombie then rose and stated:

"Mr. President, I rise to speak against this bill.

"Part of the reason that we have this bill before us is that we have very unwisely, in the past, taken different kinds of category of people and started mixing up what products and services and what can be passed on and what cannot be passed on.

"The Ways and Means Committee has had quite a lesson from the... I won't say the elderly Portuguese gentleman from Manoa, but perhaps he's aging rapidly... as I think he was characterized by the Policy Leader. Mr. Freitas of the Tax Department has been diligent in his instruction of the Ways and Means Committee, individually and collectively, at committee hearings and in our offices and in the halls, everywhere he can confront us, if you will, and as part of the sense of the term, explaining to us how in fact our tax system works or how it should work and what has been fair and not fair.

"I'm not going to get into a long discussion of our sins and errors in the past with respect to the question of passing on the excise tax and to whom--we always know the customer gets it in the end--but rather concentrate on what is service and what is product. It is stretching the boundaries of credulity to say that a service is not being provided here, and that it should not be taxed.

"The argument is that it is a special kind of service. The product is programs. The product is no more tangible than is for other products which have an intermediary element in this state. I think you will find, and I will support if we are going to continue to do this and as long as we're going down the primrose path, I'm going to start looking for other groups who will be coming in here and have come in, this session to the Ways and Means Committee saying, 'Why are these people being let off the tax hook, and we're not? We're in exactly the same kind of situation.' How do you explain to them why they don't get the tax break? Why, you don't have the votes, someone else has it.

"Now, if the idea here is that this technology business will be more attracted here, believe me, that is really an extremely naive point of view, if you think that this is going to attract this kind of business to Hawaii.

What attracts people to Hawaii with this particular kind of business is a base of people in the community who are capable in terms of their intelligence, their education and their technical qualification for producing it.

"The way the University of Hawaii is being run right now, I doubt we will be able to have that. What you have to have is a climate in terms of personnel, in terms of training available. This particular aspect is a substitute, and by the way, I might say that the previous speaker's remarks about who will be taxed and where, is exactly the argument that has been made virtually word for word by some of the rest of us here.

"This is not in the same category by any stretch of the imagination as Senate Bill No. 2514-82, the general excise tax bill, or the inequity, the bill that was passed previously with respect to the General Motors dealers. What we have here is an entirely different proposition of special interest legislation based ostensibly on a good thought, namely, it will attract more business, but which in fact runs against all logic and runs against any kind of business sense with respect to what we in fact attract a business here."

The motion was put by the Chair and carried and S.B. No. 2548-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX OF SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 13. Noes, 8 (Abercrombie, Carpenter, Cayetano, Cobb, Kawasaki, Kobayashi, O'Connor and Toyofuku). Excused, 4 (Holt, Soares, Uwayne and Yee).

Standing Committee Report No. 308-82 (S.B. No. 2627-82, S.D. 2):

Senator Yamasaki moved that Stand. Com. Rep. No. 308-82 be adopted and S.B. No. 2627-82, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Anderson.

At this time, Senator O'Connor rose and stated:

"Mr. President, I'm going to vote against this bill.

"This bill extends the use of the organized crime chapter to the prosecuting attorneys of the counties. The chapter, as originally drafted, allowed the civil remedies contained in this measure only to the Attorney General. It has been rarely used since enacted.

"However, I feel that it's much more appropriate that the civil remedies contained in this chapter be reserved to the Attorney General and not placed with the prosecuting attorneys. The prosecuting attorneys' job is to prosecute crime and to do it in every way they can. It is not to get involved in civil actions, having to do with injunctive relief and other measures which are contained in this chapter. That is the job of the Attorney General of the state, and the two should work together, hand in glove, if injunctive relief or any of the measures contained in this chapter on organized crime are desired for utilization.

"Evidently, this has not happened over the past year. There's been one celebrated case where the prosecutor attempted to use this statute and was not allowed to by the presiding judge. He did not ask the Attorney General to do it for him, and I think that's the appropriate relief under the circumstances. Therefore, I would vote against this bill."

Senator Cayetano then rose and stated:

"Mr. President, I am going to support this bill.

"I'd like to point out something that is significant, I think, in this bill. The previous speaker referred to a somewhat celebrated case in which the prosecutor of the City and County of Honolulu attempted to use the civil remedies contained in this law for enjoining some criminal activities, and if the members of this body recall, the judge at that time was the Honorable James Wakatsuki, and he was pasted and pilloried by the Prosecutor's Office. I believe he was called a jackass and everything else.

"The point of the judge's ruling is that there was no statutory basis for the prosecutors using civil remedies. And this is the final proof; the prosecutor in that case was wrong because the prosecutor came in to the Legislature and asked that we change the law to allow him to use civil remedies. I just want to point out that as a matter of historical perspective."

Senator Carpenter then rose and stated:

"Mr. President, I rise to speak in favor of this measure.

"Mr. President, the Attorney General's Office, as alluded to by the previous speaker, testified in favor of this bill.

In fact, the Attorney General's Office has only several prosecutorial units within it, one being the Antitrust Division and the other being the Medicaid Fraud Unit. They have, as indicated previously, rarely used this section of statutes.

"At the present time, the Attorney General's Office, aside from being in favor of it, has really relegated the responsibility of that office in terms of allowing or acquiescing, if you will, the prosecution to the individual county prosecutor's offices since they are in fact, the lead prosecutorial agencies and the Attorney General is not. This is an appropriate bill to allow them to access this statute which was designed to address organized criminal activities within this state."

The motion was put by the Chair and carried and Stand. Com. Rep. No. 308-82 was adopted and S.B. No. 2627-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ORGANIZED CRIME. CHAPTER 842, HAWAII REVISED STATUTES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 4 (Abercrombie, O'Connor, Toyofuku and Ushijima). Excused, 3 (Holt, Uwaine and Yee).

Senate Bill No. 2799-82:

Senator Yamasaki moved that S.B. No. 2799-82, having been read throughout, pass Third Reading, seconded by Senator Anderson.

Senator Abercrombie then rose and stated:

"Mr. President, trying to salvage what little is left of my conscience today, I am going to have to vote 'no' against something that I feel should be done on the grounds previously stated."

Senator Cayetano then rose and stated:

"Mr. President, I am opposed to this bill and having already cast my lot against the Girl Scouts and computer service businessmen, I now include the dead, surviving spouses and children. Tomorrow I think I will include pineapple growers and some other people."

The motion was put by the Chair and carried and S.B. No. 2799-82, entitled: "A BILL FOR AN ACT RELATING TO THE INHERITANCE TAX," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 2 (Abercrombie and Cayetano). Excused, 3 (Holt, Uwaine

and Yee).

At 2:02 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:06 o'clock p.m.

At this time, Senator Kawasaki rose and stated:

"Mr. President, I rise on a point of personal privilege.

"I realize the hour is late, but I would like to offer some congratulations to a well-deserving member of the Senate. It just makes me feel good to learn of some recognition being given ... some deserved recognition, to one of our Senators.

"In this case, I understand because of his tendency for modesty that the good Senator from the Sixth District, Senator Neil Abercrombie, was designated at a dinner of the American Federation of the Blind, Hawaii Chapter, as the 'Outstanding Legislator.'

"I think this is a well deserved recognition. I trust that someday some organization would also place on him the title of being the 'Outstanding Dresser' in the Senate. Because of the nature of the subject matter, I would hope it will not be the Federation of the Blind that makes this award."

Senator Abercrombie then rose and stated:

"Mr. President, my friends at the State Federation of the Blind indicated to me with a perfectly straight face that I got that award as a result of their keen insight."

The President then stated:

"The Chair would like to make this observation. The hour is long, but I thought the debate was very healthy. I know tomorrow will be a longer day and I hope the debate will be just as healthy."

At 2:08 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:09 o'clock p.m.

ADJOURNMENT

At 2:10 o'clock p.m., on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m.,

Wednesday, March 17, 1982.

THIRTY-FIFTH DAY

Wednesday, March 17, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Dean Zenei Okimura of the Koboji Shingon Mission, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Thirty-Fourth Day.

The following introductions were made to the members of the Senate:

Senator Uwaine introduced Mr. Lex Brodie, director, and members of the Small Business Association of Hawaii. Senator Uwaine added that the group's presence indicate their appreciation to all the Senators for the concern they show through legislation for the small businessmen.

Senator Carpenter, on behalf of the Senators from the First Senatorial District, introduced a group of 19 Big Island high school student-lobbyists representing Hilo, Waiakea, Konawaena, Honokaa, Laupahoehoe, and Kohala High Schools and their student coordinators, Mrs. Beth Fujimoto and Miss Luann Aki; faculty advisors, Ms. Helen Kobayashi and Mr. Rob Banashek; and the Department of Education personnel specialist Mr. Wally Aki. Senator Carpenter added: "The students are here on a two-day legislative experience program, touring the Capitol, and lobbying the Big Island legislative delegation on their concerns which were developed at a student lobbying workshop held in Hilo recently."

Senator Anderson then introduced a group of 35 members of the Ka Lima Hana O Lono and Crane Jolly Senior Citizens Clubs.

Senator Saiki recognized and introduced Mrs. Eleanor (Richard) Henderson who was sitting in the gallery.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 181), transmitting copies of a report, "Feasibility of Hilo Land Reclamation Using Reclaimed Soil from Pepeekeo Mill," dated March 4, 1982, prepared by W.A. Hirai & Associates, Inc., for the State of Hawaii, Department of Agriculture, in response to Senate

Resolution No. 54 (1981), was read by the Clerk and was referred to the Committee on Agriculture.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 167 to 174) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 167), transmitting House Bill No. 2205-82, which passed Third Reading in the House of Representatives on March 16, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2205-82, entitled: "A BILL FOR AN ACT RELATING TO INHERITANCE TAXATION," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 168), transmitting House Bill No. 2327-82 which passed Third Reading in the House of Representatives on March 16, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2327-82, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed First Reading and was referred to the Committee on Agriculture.

A communication from the House (Hse. Com. No. 169), transmitting House Bill No. 2398-82 which passed Third Reading in the House of Representatives March 16, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2398-82, entitled: "A BILL FOR AN ACT RELATING TO THE IMPORTATION, PURCHASE AND SALE OF LIQUOR," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 170), transmitting House Bill No. 2400-82 which passed Third Reading in the House of Representatives on March 16, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2400-82, entitled: "A BILL FOR AN ACT RELATING TO THE INHERITANCE TAX," passed First Reading and was referred to the Committee on Ways

and Means.

A communication from the House (Hse. Com. No. 171), transmitting House Bill No. 2682-82 which passed Third Reading in the House of Representatives on March 16, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2682-82, entitled: "A BILL FOR AN ACT RELATING TO HEALTH PLANNING," passed First Reading and was referred to the Committee on Health.

A communication from the House (Hse. Com. No. 172), transmitting House Bill No. 3125-82 which passed Third Reading in the House of Representatives on March 16, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 3125-82, entitled: "A BILL FOR AN ACT RELATING TO DENTAL SERVICE CORPORATIONS," passed First Reading and was referred to the Committee on Health, then to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 173), transmitting House Bill No. 3137-82, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 3137-82, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE REDEVELOPMENT OF THE KAKA'AKO COMMUNITY DEVELOPMENT DISTRICT AND AUTHORIZING THE ISSUANCE OF BONDS," passed First Reading and was referred to the Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 174), transmitting House Bill No. 3198-82 which passed Third Reading in the House of Representatives on March 16, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 3198-82, entitled: "A BILL FOR AN ACT RELATING TO LABOR," passed First Reading and was referred to the Committee on Human Resources.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions

(S.C.R. Nos. 37 and 38) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 37), entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING STUDENTS, FACULTY AND STAFF MEMBERS, AND MEMBERS OF THE COMMUNITY TO SUBMIT TESTIMONY ON HIGHER EDUCATION ISSUES BEFORE THE LEGISLATURE," was offered by Senators Cobb, Saiki, Abercrombie, Kobayashi, Uwaine, George, Kawasaki, Carpenter, Ushijima and Machida.

By unanimous consent, S.C.R. No. 37 was referred to the Committee on Higher Education.

A concurrent resolution (S.C.R. No. 38), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A COMPREHENSIVE REVIEW OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM," was offered by Senator Uwaine.

By unanimous consent, S.C.R. No. 38 was referred to the Committee on Human Resources.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 52 and 53) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 52), entitled: "SENATE RESOLUTION ENCOURAGING STUDENTS, FACULTY AND STAFF MEMBERS, AND MEMBERS OF THE COMMUNITY TO SUBMIT TESTIMONY ON HIGHER EDUCATION ISSUES BEFORE THE LEGISLATURE," was offered by Senators Cobb, Saiki, Abercrombie, Kobayashi, George, Kawasaki, Carpenter, Ushijima, Uwaine, Yee and Machida.

By unanimous consent, S.R. No. 52 was referred to the Committee on Higher Education.

A resolution (S.R. No. 53), entitled: "SENATE RESOLUTION REQUESTING A COMPREHENSIVE REVIEW OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM," was offered by Senator Uwaine.

By unanimous consent, S.R. No. 53 was referred to the Committee on Human Resources.

STANDING COMMITTEE REPORT

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 521-82) informing the Senate that Senate Concurrent Resolution Nos. 37 and 38 and Senate Resolution Nos. 52 and 53 have been printed and distributed

to all members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

At 11:57 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:01 o'clock p.m.

ORDER OF THE DAY

THIRD READING

MATTERS DEFERRED FROM MARCH 15, 1982

Senate Bill No. 2138-82, S.D. 1:

By unanimous consent, S.B. No. 2138-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 2178-82, S.D. 1:

By unanimous consent, S.B. No. 2178-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INDUSTRIAL LOAN COMPANY GUARANTY ACT," was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 2235-82:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, S.B. No. 2235-82, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL ENGINEERS, ARCHITECTS, SURVEYORS, LANDSCAPE ARCHITECTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2696-82, S.D. 1:

On motion by Senator Ajifu, seconded by Senator Cobb and carried, S.B. No. 2696-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER COOPERATIVE ASSOCIATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2509-82, S.D. 1:

By unanimous consent, S.B. No. 2509-82, S.D. 1, entitled: "A BILL FOR AN ACT TO AMEND THE HAWAII WATER CARRIER LAW," was recommitted

to the Committee on Public Utilities.

Senate Bill No. 2377-82:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 2377-82, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PENAL CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2565-82, S.D. 1:

By unanimous consent, action on S.B. No. 2565-82, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 2566-82, S.D. 1:

By unanimous consent, action on S.B. No. 2566-82, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 2181-82, S.D. 1:

On motion by Senator George, seconded by Senator Kawasaki and carried, S.B. No. 2181-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DRIVER IMPROVEMENT PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2334-82:

On motion by Senator George, seconded by Senator Kawasaki and carried, S.B. No. 2334-82, entitled: "A BILL FOR AN ACT PROVIDING PENALTIES FOR VIOLATIONS OF CHAPTER 290 RELATING TO ABANDONED VEHICLES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2146-82, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 2146-82, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI OF THE HAWAII CONSTITUTION RELATING TO THE APPOINTMENT OF JUSTICES AND JUDGES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2575-82, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 2575-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL DISCLOSURES BY JUDGES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2831-82, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 2831-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANNULMENT, DIVORCE, AND SEPARATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 68:

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, S.B. No. 68, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 786:

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, H.B. No. 786, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2602-82:

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, S.B. No. 2602-82, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2890-82, S.D. 1:

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, S.B. No. 2890-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," having been read throughout, passed Third Reading on the following showing

of Ayes and Noes:

Ayes, 22. Noes, 3 (Abercrombie, Carpenter and Yamasaki).

Senate Bill No. 2913-82, S.D. 1:

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, S.B. No. 2913-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2528-82:

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, S.B. No. 2528-82, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 6 (Carpenter, Cayetano, George, Henderson, Kawasaki and Yee).

Senate Bill No. 2879-82, S.D. 1:

By unanimous consent, S.B. No. 2879-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTEREST ON CREDIT CARDS," was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 2477-82:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, S.B. No. 2477-82, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REPAIRS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2418-82, S.D. 1:

By unanimous consent, S.B. No. 2418-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICIANS," was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 2398-82:

By unanimous consent, S.B. No. 2398-82, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DISPENSING OPTICIANS," was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 2397-82, S.D. 1:

By unanimous consent, S.B. No. 2397-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BEAUTY CULTURE," was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 2237-82, S.D. 1:

By unanimous consent, S.B. No. 2237-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DENTAL EXAMINERS," was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 2234-82:

By unanimous consent, S.B. No. 2234-82, entitled: "A BILL FOR AN ACT RELATING TO BOARDS AND COMMISSIONS," was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 2231-82:

By unanimous consent, S.B. No. 2231-82, entitled: "A BILL FOR AN ACT RELATING TO SOLICITATION OF FUNDS FROM THE PUBLIC," was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 2878-82, S.D. 1:

By unanimous consent, S.B. No. 2878-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BRANCH BANKS," was recommitted to the Committee on Consumer Protection and Commerce.

Standing Committee Report No. 348-82 (S.B. No. 2382-82, S.D. 1):

On motion by Senator Cobb, seconded by Senator Uwaine and carried, the report of the Committee was adopted and S.B. No. 2382-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 349-82 (S.B. No. 2144-82, S.D. 2):

On motion by Senator Cobb, seconded by Senator Uwaine and carried, the report of the Committee was adopted and S.B. No. 2144-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DRUGS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2872-82, S.D. 1:

By unanimous consent, S.B. No. 2872-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII BANK ACT OF 1931," was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 2353-82, S.D. 1:

On motion by Senator Abercrombie, seconded by Senator Kuroda and carried, S.B. No. 2353-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JOB SHARING PILOT PROJECT IN THE PUBLIC LIBRARY SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2858-82, S.D. 1:

By unanimous consent, S.B. No. 2858-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CLARIFICATION OF THE DEFINITION OF STANDARD BAR," was recommitted to the Committee on Government Operations and Intergovernmental Relations.

Senate Bill No. 2435-82, S.D. 1:

By unanimous consent, S.B. No. 2435-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," was recommitted to the Committee on Agriculture.

Senate Bill No. 2908-82:

On motion by Senator Henderson, seconded by Senator Yee and carried, S.B. No. 2908-82, entitled: "A BILL FOR AN ACT RELATING TO COMMISSION ON THE YEAR 2000," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 6 (Campbell, Holt, Machida, Mizuguchi, O'Connor and Ushijima).

Senate Bill No. 2914-82:

By unanimous consent, action on S.B. No. 2914-82 was deferred to the end of the calendar.

Senate Bill No. 2531-82, S.D. 1:

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, S.B. No. 2531-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYER-EMPLOYEE RELATIONSHIPS," having been read throughout, passed

Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Yamasaki).

Senate Bill No. 2593-82, S.D. 1:

By unanimous consent, S.B. No. 2593-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY DISABILITY INSURANCE," was recommitted to the Committee on Human Resources.

Senate Bill No. 2236-82:

By unanimous consent, S.B. No. 2236-82, entitled: "A BILL FOR AN ACT RELATING TO THE CONTRACTORS LICENSE LAW," was recommitted to the Committee on Consumer Protection and Commerce.

Standing Committee Report No. 359-82 (S.B. No. 2143-82, S.D. 2):

On motion by Senator Cobb, seconded by Senator Uwaine and carried, Stand. Com. Rep. No. 359-82 was adopted and S.B. No. 2143-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DRUG PRODUCT SELECTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 360-82 (S.B. No. 2232-82, S.D. 1):

By unanimous consent, Stand. Com. Rep. No. 360-82 and S.B. No. 2232-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," were recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 2152-82, S.D. 1:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, S.B. No. 2152-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2313-82, S.D. 1:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, S.B. No. 2313-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SAVINGS AND LOAN ASSOCIATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

MATTERS DEFERRED FROM MARCH 16, 1982

Senate Bill No. 2321-82, S.D. 1:

By unanimous consent, action on S.B. No. 2321-82, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 333-82 (H.B. No. 798, H.D. 1, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 333-82 and H.B. No. 798, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTEREST ON UNDERPAYMENTS AND OVERPAYMENTS," was deferred until Thursday, March 18, 1982.

At 12:14 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:18 o'clock p.m.

RE-REFERRAL OF HOUSE BILLS

The President made the following re-referral of House Bills that were received on Monday, March 15, 1982:

House Bills	Referred to:
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No. 2210-82, H.D. 1	Committee on Higher Education, then to the Committee on Ways and Means
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No. 2367-82, H.D. 1	Committee on Agriculture, then to the Committee on Ways and Means
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No. 2573-82	Jointly to the Committee on Agriculture and the Committee on Education
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At 12:20 o'clock p.m., on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate stood in recess until 8:00 o'clock p.m., this evening.

EVENING SESSION

The Senate reconvened at 8:30 o'clock p.m., with all Senators present with the exception of Senator Yee who was excused.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 175 to 199) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 175), transmitting House Bill No. 2183-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2183-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MARINE AFFAIRS COORDINATION," passed First Reading and was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 176), transmitting House Bill No. 2232-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2232-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DRIVING OF MOPEDS," passed First Reading and was referred to the Committee on Transportation.

A communication from the House (Hse. Com. No. 177), transmitting House Bill No. 2238-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2238-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING," passed First Reading and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 178), transmitting House Bill No. 2359-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2359-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WITNESS SECURITY AND PROTECTION," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 179), transmitting House Bill No. 2366-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried,

H.B. No. 2366-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF AGRICULTURE," passed First Reading and was referred to the Committee on Agriculture.

A communication from the House (Hse. Com. No. 180), transmitting House Bill No. 2477-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2477-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE DISPOSAL," passed First Reading and was referred to the Committee on Ecology, Environment and Recreation.

A communication from the House (Hse. Com. No. 181), transmitting House Bill No. 2559-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2559-82, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PAYMENT OF SETTLEMENT BETWEEN THE STATE OF HAWAII AND DILLINGHAM CORPORATION DBA HAWAIIAN DREDGING AND CONSTRUCTION COMPANY," passed First Reading and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 182), transmitting House Bill No. 2687-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2687-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEVELOPMENT OF GEOTHERMAL ENERGY," passed First Reading and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 183), transmitting House Bill No. 2879-82, H.D. 2, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2879-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FEES AND CHARGES COLLECTED FROM THE USERS OF SCHOOL FACILITIES," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 184), transmitting House

Bill No. 2932-82, H.D. 2, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2932-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE FILIPINO 75TH ANNIVERSARY COMMISSION," passed First Reading and was referred to the Committee on Education.

A communication from the House (Hse. Com. No. 185), transmitting House Bill No. 2975-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2975-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DRIVER IMPROVEMENT PROGRAM," passed First Reading and was referred to the Committee on Transportation.

A communication from the House (Hse. Com. No. 186), transmitting House Bill No. 3133-82, H.D. 2, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 3133-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE FUNDING OF COUNTY EMERGENCY MEDICAL SERVICES DEFICITS," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 187), transmitting House Bill No. 3141-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 3141-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 188), transmitting House Bill No. 473, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 473, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed First Reading and

was referred jointly to the Committee on Government Operations and Intergovernmental Relations and the Committee on Housing and Hawaiian Homes.

A communication from the House (Hse. Com. No. 189), transmitting House Bill No. 1642, H.D. 2, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 1642, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AERONAUTICS," passed First Reading and was referred to the Committee on Transportation, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 190), transmitting House Bill No. 1882, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 1882, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROTECTION OF INSTREAM USES OF WATER," passed First Reading and was referred jointly to the Committee on Ecology, Environment and Recreation and the Committee on Economic Development.

A communication from the House (Hse. Com. No. 191), transmitting House Bill No. 1970-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 1970-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed First Reading and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 192), transmitting House Bill No. 1971-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 1971-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 193), transmitting House Bill No. 2049-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2049-82, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE OFFICE OF ENVIRONMENTAL QUALITY CONTROL," passed First Reading and was referred to the Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 194), transmitting House Bill No. 2050-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2050-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AIR QUALITY," passed First Reading and was referred to the Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 195), transmitting House Bill No. 2057-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2057-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRUGS," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 196), transmitting House Bill No. 2145-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2145-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE FACILITIES," passed First Reading and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 197), transmitting House Bill No. 2174-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2174-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed First

Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 198), transmitting House Bill No. 2199-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2199-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LANDLORD-TENANT CODE," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 199), transmitting House Bill No. 2239-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2239-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING," passed First Reading and was referred to the Committee on Judiciary.

ORDER OF THE DAY

THIRD READING

MATTERS DEFERRED FROM MARCH 15, 1982

Senate Bill No. 2239-82, S.D. 1:

On motion by Senator Cobb, seconded by Senator Uwayne and carried, S.B. No. 2239-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LANDLORD-TENANT CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Anderson, Kawasaki, Kobayashi and Soares).
Excused, 1 (Yee).

Senate Bill No. 2238-82, S.D. 1:

By unanimous consent, S.B. No. 2238-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DENTAL EXAMINERS," was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 2638-82, S.D. 1:

On motion by Senator Cobb, seconded by Senator Uwayne and carried, S.B. No. 2638-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SALES

AND TRANSFER OF REAL PROPERTY SITUATED IN HAZARDOUS AREAS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Carpenter and Henderson). Excused, 1 (Yee).

Senate Bill No. 594, S.D. 1:

On motion by Senator Cobb, seconded by Senator Uwayne and carried, S.B. No. 594, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CEMETERIES AND MORTUARIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Uwayne and Yee).

Senate Bill No. 2386-82, S.D. 1:

On motion by Senator Cobb, seconded by Senator Uwayne and carried, S.B. No. 2386-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SECURITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Senate Bill No. 2389-82:

On motion by Senator Henderson, seconded by Senator Carpenter and carried, S.B. No. 2389-82, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 369-82 (S.B. No. 2356-82, S.D. 2):

By unanimous consent, Stand. Com. Rep. No. 369-82 and S.B. No. 2356-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LAND USE WITHIN AGRICULTURAL DISTRICTS," were recommitted to the Committee on Economic Development.

Senate Bill No. 2907-82:

On motion by Senator Henderson, seconded by Senator Carpenter and carried, S.B. No. 2907-82, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN RESEARCH CENTER FOR FUTURE STUDY," having been read throughout, passed Third Reading on the following

showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Senate Bill No. 2906-82:

On motion by Senator Henderson, seconded by Senator Carpenter and carried, S.B. No. 2906-82, entitled: "A BILL FOR AN ACT RELATING TO QUALITY GROWTH POLICY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Senate Bill No. 2720-82, S.D. 2:

Senator Henderson moved that S.B. No. 2720-82, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Carpenter.

Senator Machida rose to speak against the measure as follows:

"Mr. President, I would like to offer a few remarks against the bill.

"Mr. President, Senate Bill 2720, S.D. 2, in its present form, and if allowed to become law, would be counter productive and negate the enormous amount of effort that has been expended since the Legislature adopted Act 100 in 1978. This effort to implement the State Plan has involved the state administration, the county planning departments, the 12 advisory committees of the various State Functional Plans, the State Plan Policy Council and the numerous amount of people from the public who have attended workshops, hearings and informational meetings offering their input.

"Mr. President, the basic premise for the passage of the State Plan in 1978 was to address the great concern expressed by the constituency of our state that we should have a plan to slow down the helter-skelter growth in areas like Waikiki, Kihei, Lahaina and Kona, just to name a few places. The adoption of the State Plan was an attempt to have the state and the four counties, in a concerted planning effort, to create a preferred future for our people.

"For those who are concerned about the issue of home rule, Mr. President, many provisions in the State Plan insure that home rule will be protected and maintained. I speak from personal experience since I was fortunate to have served on the conference committee that put the State Plan language together

in 1978.

"The recent Attorney General's Opinion regarding the effect of the State Functional Plans clearly establishes the intent of the Legislature that home rule will prevail in the implementation of the functional plans.

"The passage of Senate Bill 2720, S.D. 2, Mr. President, would nullify the effectiveness and utility of the Hawaii State Plan to the point of having no plan at all and take us back to square one.

"For these reasons, among many others, I urge that we vote down Senate Bill 2720, S.D. 2."

Senator Henderson then rose to speak in favor of the measure and stated:

"Mr. President, the purpose of this bill is to amend the Hawaii State Planning Act, and it does this in three ways. It makes sure that the goals, policies, guidelines in this State Planning Act are truly guidelines; it makes sure that the functional plans are truly guidelines; and it makes sure that there's no question about home rule of the counties.

"Now, Mr. President, the State Plan was passed in 1978, Act 100, and I also was involved in the conference committee that adopted that and I happen to know that there was a lot of controversy in that conference as to how this should be handled...whether it should be handled entirely as a resolution, or whether it should be handled statutorily. We labored with the problem. I think the conclusion or the agreement in conference at that time was that the Planning Act would be by statute, but the functional plans that implemented the Planning Act, Act 100, would be adopted by concurrent resolution with the idea that these functional plans would not have the force and effect of law.

"Mr. President, I'd like to say that on occasion after occasion after occasion, in testimony after testimony for every committee in both bodies, all the committees in the House and the Senate, Hideto Kono, the director of the Department of Planning and Economic Development, and other people have come up and said, 'These are only guidelines.' But, apparently, there was a great apprehension in the community and as a consequence, from 1978, 1979, 1980, 1981, and finally 1982, we have now gotten a version of the functional plans put together that makes some sense. This has taken four long years to do.

"In the meantime, the functional plans

we looked at last year, we saw what the problems were and we sent them back to be redone, and they were, and I must say the functional plans now are not too bad. But, in the meantime, your committee looked at the Hawaii State Plan, and what we found in the Hawaii State Plan...I would direct your attention specifically to section 52, pages 8 and 9...and in the bill, in the Act, in the law, if you look at it, you'll find that there's language in there that says when it comes to the program appropriations process, and I direct your attention to page 8, it says, 'The appropriation of funds for major programs under the biennial and supplemental budgets shall be in conformance with the overall theme, objectives, policies, and priority directions contained within this chapter, and the State Functional Plans adopted pursuant to this chapter.'

"Now, Mr. President, I submit that even though you have a resolution and everybody says that it does not have the force and effect of law, when you have a statute that says you shall conform to this resolution, that to me is the force and effect of law.

"Now, we address that concern in the amendments to this bill. We have made sure that the functional plans and the State Plan are guidelines. It doesn't stop anything. It doesn't stop the planning process. There's no question that the processes undertaken in devising and adopting the State Plan and in getting the functional plans to the state they are today has been very beneficial. It has been beneficial to all of the departments, to the State Government, the private sector...everybody has had their input, and I agree it's a good idea.

"Times change, gentlemen, times change.

"If you look at the technical reference document that supports the Agriculture Functional Plan, you'll see in there that they project the number of acres in sugar that's going to be in this state in 1990 at 220,000 acres, exactly the same amount that it is in 1980. And I will tell you this, there will not be 220,000 acres in sugar at the end of 1990, so the plan is just good at the time that it's made. It changes daily; it changes yearly. You cannot be locked up to any mandatory actions by a plan.

"Again, I'll tell you that there is nothing, nothing in the amendment to the Act, there is nothing at all that will not stop the administration, the executive branch, from doing whatever they want to do as far as following the goals and guidelines in the State Plan

and the functional plans.

"I urge everyone to vote in favor of the adoption of this bill. Thank you."

Senator Machida responded and stated:

"Mr. President, may I make a few more comments.

"I'd just like to reiterate the comments made by the previous speaker...and he is correct. During the conference deliberations on Act 100, in the ten days of the conference deliberations, initially, the first draft that we considered had the functional plans being adopted by law... that's correct.

"Because home rule was such a big concern of ours, we purposely provided for implementation of the State Plan with the understanding that the functional plans would not be adopted by law but by concurrent resolution instead. This was specifically to preserve home rule.

"The other thing is that in the formulation of these functional plans it specifically states in the State Plan that these would be formed by using the County General and Development Plans as a basis, another indication of home rule protection. So I would once again like to state that the State Plan is not a mandate to the counties. It is a guideline in its present form, but with the adoption of Senate Draft 2, it will negate the entire process.

"I would like to once again urge everyone to vote this measure down."

The motion was put by the Chair and S.B. No. 2720-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PLANNING ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 16. Noes, 8 (Campbell, Holt, Kuroda, Machida, Mizuguchi, O'Connor, Toyofuku and Ushijima). Excused, 1 (Yee).

Senate Bill No. 2710-82, S.D. 1:

Senator Kuroda moved that S.B. No. 2710-82, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Soares.

Senator O'Connor rose to ask if the chairman of the committee would yield to a question and Senator Kuroda replied in the affirmative.

Senator O'Connor asked: "Mr. President, on page 1 of this bill, the word 'bedroom'

is defined in great glory. I wonder why. I wonder if the chairman could explain why he defined bedroom?"

Senator Kuroda answered: "Mr. President, the term bedroom needed some explanation because presently people think the bedroom as only a place to sleep. The bedroom is described to be all the rooms of the hotel."

Senator O'Connor then rose to speak against the measure and stated:

"Mr. President, the law which we know as the 'Inkeepers Act' has been the law of this state for at least 50 years. We have Supreme Court decisions defining it. It is a uniform law enacted in almost every state. The limits of liability do vary from state to state.

"If this bill simply went to varying the limits of liability for innkeepers' responsibility for valuables kept in rooms, I would have no qualm, but the law goes further than that. It amends in great detail a uniform act which has served us well. It takes out sections of the law which should be retained. It does things that I'm sure will cause ongoing difficulties in the hotel industry and with our tourists in this state.

"I would suggest that...the very first thing it does...it defines the word 'bedroom' and then never uses that word anywhere in the entire law. The word 'bedroom' never appears. The word 'room' appears, but not 'bedroom.' A useless definition and the word 'room' is not defined anywhere. We don't know whether that's a bedroom, a hotel room or a sitting area.

"I suggest that the amendments which are proposed by this bill eradicate the good of a law which today is posted in every single hotel room in this state. Not only will this thing screw up that law, but in addition, it will cost the hotelkeepers of this state. They have to replace that particular bill or the law they already have posted with a new one which I would submit in some instances does not make sense.

"I would urge all to vote against this bill."

Senator Kuroda then rose to speak in favor of the bill and stated:

"Mr. President, the previous speaker expressed his concern for the hotelkeeper in that it will bring about a detrimental effect on the hotel operation and the visitors' convenience. I doubt that very much inasmuch as the hotel industry itself has requested this consideration.

"Last year when we included an amendment for the insertion of security boxes for security purposes, certain languages were put in that brought about some concern for the hotelkeepers. The hotelkeepers came back to the Legislature and requested that certain amendments be made and all testimonies have been favorable to this amendment."

The motion was put by the Chair and S.B. No. 2710-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOTELS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 5 (Abercrombie, Cayetano, Holt, O'Connor and Ushijima). Excused, 1 (Yee).

Senate Bill No. 2206-82, S.D. 1:

By unanimous consent, S.B. No. 2206-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROPHYLAXIS FOR THE PREVENTION OF BLINDNESS IN THE NEWBORN," was recommitted to the Committee on Health.

Senate Bill No. 2518-82, S.D. 1:

By unanimous consent, S.B. No. 2518-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH PLANNING," was recommitted to the Committee on Health.

Senate Bill No. 2923-82, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Carpenter and carried, S.B. No. 2923-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABOLISHMENT OF THE PREMARITAL RUBELLA AND SYPHILIS TEST," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Senate Bill No. 2636-82, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Carpenter and carried, S.B. No. 2636-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMED CONSENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Senate Bill No. 2682-82, S.D. 1:

Senator Cayetano moved that S.B. No. 2682-82, S.D. 1, having been

read throughout, pass Third Reading, seconded by Senator Carpenter.

At this time, Senator O'Connor rose to inquire if the chairman of the committee would yield to a question and Senator Cayetano asked to hear the question.

Senator O'Connor asked: "Mr. President, if this bill is enacted and becomes law, how much more will it cost us to run the State Hospital at Kaneohe?"

Senator Cayetano answered: "That has not yet been determined, Mr. President. Good question."

Senator O'Connor then rose to speak against the measure and stated:

"Mr. President, for that reason, I have some qualms about this bill. It requires actions on the part of the staff and administration at the hospital which to me adds up to an addition of maybe 20 or 30 people in the administrative department of the hospital. There are no dollars included in this bill at all. It has never gone to Ways and Means and, I believe, that it's going to be a terribly costly measure.

"For that reason, because there are no dollars included and it has not gone to Ways and Means, I would suggest that people vote 'no' on this measure."

Senator Abercrombie rose to speak in favor of the measure and stated:

"Mr. President, speaking in favor of it very quickly. Psychiatry isn't an exact science, if it is a science at all. Its abuses are well known and widespread. Perhaps we can save a lot of money with respect to the Kaneohe State Hospital if we look into why we have it open in the first place. So, I suggest that we go to the heart of the matter which is the cost associated with the hospital to see if any savings might be made rather than cloud the issue right now as to whether or not there should be this bill of rights.

"The issue is whether there should be the bill of rights, not whether there are costs, imaginary or otherwise, at the mental hospital at this time."

The motion was put by the Chair and S.B. No. 2682-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Anderson, O'Connor, Saiki and Ushijima). Excused, 1 (Yee).

Senate Bill No. 2973-82, S.D. 1:

By unanimous consent, S.B. No. 2973-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," was recommitted to the Committee on Economic Development.

Senate Bill No. 2915-82:

On motion by Senator Henderson, seconded by Senator Carpenter and carried, S.B. No. 2915-82, entitled: "A BILL FOR AN ACT RELATING TO MARINE AFFAIRS COORDINATOR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Senate Bill No. 2145-82, S.D. 1:

On motion by Senator George, seconded by Senator Uwayne and carried, S.B. No. 2145-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RIDE-SHARING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 7 (Campbell, Holt, Machida, Mizuguchi, O'Connor, Toyofuku and Ushijima). Excused, 1 (Yee).

At 9:04 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:05 o'clock p.m.

Senate Bill No. 2379-82:

Senator Carpenter moved that S.B. No. 2379-82, having been read throughout, pass Third Reading, seconded by Senator Cayetano.

Senator Carpenter spoke in support of the measure and stated:

"Mr. President, under the present sentencing laws (Penal Code, adopted in 1972), judges today must impose concurrent sentences when sentencing a person for one offense or several offenses. There are few instances, however, where the court may impose consecutive sentences and these are instances where an inmate in prison is convicted of escape or convicted of promoting prison contraband. Except for these few situations, if a person goes on a crime spree and commits multiple offenses, he must be sentenced to concurrent terms of imprisonment. As a result of the present law mandating concurrent sentences, our police, our prosecutors, and the courts have

been frustrated.

"The Legislature in attempting to deal with the problem has in the past enacted laws such as the extended term provisions and the repeat offender provisions.

"This bill simply gives the discretion back to the courts to impose consecutive terms of imprisonment which is a significant step forward in dealing with the concerns regarding sentencing for repeat offenders and those who may commit multiple offenses.

"Mr. President, I urge my colleagues to vote in favor of this bill. Thank you."

The motion was put by the Chair and S.B. No. 2379-82, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 383-82 (S.B. No. 2688-82, S.D. 2):

By unanimous consent, Stand. Com. Rep. No. 383-82 and S.B. No. 2688-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTION REGISTRATION FOR THE OFFICE OF HAWAIIAN AFFAIRS," were recommitted to the Committee on Judiciary.

Senate Bill No. 2271-82:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 2271-82, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 15. Noes, 9 (Abercrombie, Campbell, Cayetano, Holt, Machida, Mizuguchi, O'Connor, Toyofuku and Ushijima). Excused, 1 (Yee).

Senate Bill No. 2659-82, S.D. 1:

By unanimous consent, S.B. No. 2659-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO QUIETING TITLE," was recommitted to the Committee on Judiciary.

Senate Bill No. 2550-82, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 2550-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," having been read throughout, passed Third Reading on the following

showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 387-82 (S.B. No. 2147-82, S.D. 2):

Senator Carpenter moved that Stand. Com. Rep. No. 387-82 be adopted and S.B. No. 2147-82, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator O'Connor then rose to ask if the chairman of the committee would yield to a "couple of questions" and the chairman replied in the affirmative.

Senator O'Connor asked: "Are there, established in our community, alcohol abuse rehabilitation programs, as referred to in the first section of the bill, and live-in alcohol abuse treatment facilities, as referred to on page 3 of the bill, which judges and the judiciary can use for sentencing, should that situation arise when this bill becomes Law?"

Senator Carpenter answered as follows:

"Mr. President, in the first question, by way of response, my understanding is that the judiciary at the present time does have a short course that is available and is part of the first offense sentence.

"I have knowledge of several institutions that provide live-in accommodations to the extent that this bill in its passage may create a load of what may be perceived to be in excess of present capacity.

"I'm not at this time knowledgeable however, whether there are institutions that presently render this kind of service, i.e., both on a live-in and out-patient basis.

"I believe that the impact of this bill perhaps may exceed certain capacities or capabilities; however, if we are going to address the problem of drunk-driving and the number of people killed annually on our highways this is a method and, I believe, it is not an unreasonable one at this time."

Then, Senator O'Connor rose to speak against the measure and stated:

"Mr. President, I have reservations about the bill because, although I firmly believe that something must be done about drunk-driving, I personally believe it should be done in the areas of removing the ability to drive and removing people's licenses and imposing sanctions by way of very stiff fines and, in extreme cases, after several

instances of the same offense, utilizing prison, if necessary.

"This bill calls for the use in the first offense of a 14-hour alcohol rehabilitation program. I know of none in the state that could handle the workload which would be imposed on first time offenses of this nature. It would require the judiciary or someone to create such a program and, again, there is no money in this bill to do anything like that.

"Secondly, for a second offense you have the requirement that the individual go to a live-in facility for 90 days. We have a limited number of those in the state which I know of that all of us who have sat on money committees in the alcohol area have some familiarity with, but they certainly don't have the present capability of handling the workload which would be imposed. Again, we have no money in the bill.

"I just have reservations, Mr. President, that we would be adopting something for which the sanctions would be unimposable and, therefore, with those reservations I must reluctantly vote against this bill."

Senator Carpenter responded and stated:

"Mr. President, the first offense certainly does call for a 14-hour rehabilitation program. The second offense is an offense which occurs within a five-year period of a prior conviction. Our anticipation is that an individual who would be mandated to certain requirements under a first offense would very seriously consider his or her position, as the case might be, and commit another offense within that five-year period of time, thereby, requiring the 90-day in service. Thank you."

The motion was put by the Chair, and Stand. Com. Rep. No. 387-82 was adopted and S.B. No. 2147-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 5 (Campbell, Cayetano, Holt, O'Connor and Ushijima). Excused, 1 (Yee).

Senate Bill No. 2419-82, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 2419-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FURLOUGHS FOR PRISONERS," having been read throughout, passed Third

Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 389-82 (S.B. No. 2924-82, S.D. 1):

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, Stand. Com. Rep. No. 389-82 was adopted and S.B. No. 2924-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PATIENT'S RIGHT OF SELF-DETERMINATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 5 (Ajifu, Anderson, O'Connor, Saiki and Soares). Excused, 1 (Yee).

Senate Bill No. 2774-82, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 2774-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING AND PAROLE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 7 (Campbell, Holt, Machida, Mizuguchi, O'Connor, Toyofuku and Ushijima). Excused, 1 (Yee).

Senate Bill No. 2174-82, S.D. 1:

Senator Carpenter moved that S.B. No. 2174-82, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cayetano.

At this time, Senator Carpenter rose to speak in support of the measure and stated:

"Mr. President, the State of Hawaii is rapidly approaching a population count of 965,000 people, an increase by some 200,000 new residents from 1970. Hawaii is more densely populated than when we were all kids, with more houses, more people, and less open space.

"In recent years there's been a greater use of fireworks and larger potential of danger to people and homes. The Honolulu Fire Department responded to 56 alarms between December 21, 1981 through January 1, 1982 and during that 12-day period there were 31 incidences which were attributed to aerial fireworks and 19 of these resulted in a loss of nearly \$80,000 in structural damages to property.

"Presently, the county of Maui has completely banned the use of fireworks except for supervised public displays, for religious ceremonies, or for commercial farming. The counties of Hawaii and Kauai have similar bans like Maui's except fireworks are allowed on July 4th, New Year's and Chinese New Year's. The City and County of Honolulu has a partial ban on fireworks and is currently undergoing changes as proposed by the County Council.

"I have received many calls, Mr. President, on this subject of banning the use of fireworks in the interest of protecting people and property from the hazards of the use of fireworks. There have been many reports of people having fireworks thrown at them by passing motorists, thrown from tall buildings onto people walking below, and the inhumane effects fireworks have on animals certainly are considerations.

"The bill before you has gone through several changes and careful thought in respecting the concerns of the citizens of this state. This, S.B. 2174, S.D. 1, allows the counties to grant and permit the use of fireworks for religious or cultural ceremonies and the use of aerial fireworks for the state's observance of our nation's Day of Independence - Fourth of July.

"The bill also allows the counties to establish ordinances and rules and regulations in respect of their respective charters and the state's Act 91 to carry out the purposes of this act.

"The Committee on Judiciary has also provided exceptions to this ban which includes the use of flares or signals by the police, fire departments, transportation agencies and others for the performance of their duties or for emergency purposes. Also, included in this exception are defense organizations, armed forces and federal employees authorized to use explosives, and all persons licensed under chapter 396 and chapter 143, relating to firearms.

"I believe, Mr. President, this is a fair bill that takes into consideration the hazards of fireworks to protect lives as well as property, and at the same time respects the religious and cultural practices in our state today.

"Mr. President, I wholeheartedly endorse this bill and urge my colleagues to vote in favor of its passage. Thank you."

Senator O'Connor then rose to state as follows:

"Mr. President, I personally feel that fireworks should be banned, but I am reluctant to vote in favor of this bill because I believe that we are simply usurping to some extent and to a larger extent bailing out the county councils who have either acted or acted only partially in this area.

"I believe that fireworks and matters of that nature are firmly a county responsibility. They have always been in this state and, yesterday, as I talked in terms of the earthquake measure which we had before us which in part amended the County Building Code, there are certain areas that should be left to the counties and I think that the fireworks area certainly is one.

"Some of the comments of the earlier speaker are absolutely correct. We have a million people in this state. Unfortunately, most of them are on this island. The outside island counties should be left to their own determination in areas like fireworks. Some of them, Maui, for example, has banned them entirely; others have not, and if they choose not to and they have sparse populations and homes far distant from each other with little chance of fire or other things, they should be able to decide which fireworks they want, if any, the magnitude of the fireworks they want, if any, or ban them entirely, if they so choose.

"To have a statewide ban, I believe, is usurping the counties' prerogatives and their responsibility in this area. Thank you."

Senator Ushijima added: "Mr. President, I believe the prior speaker spoke about home rule. Because of that I am going against the bill."

Senator Cayetano, in support of the measure, stated:

"Mr. President, I think this bill is long overdue. I believe in home rule also.

"There will be another bill later on in the evening which will test, I think, the statements made by the previous speakers to their belief in home rule, and this bill I'm talking about involves the Big Island.

"The reason this bill is here is because the City and County of Honolulu has just not been able to deal with this problem. I'm talking about the City Council...and so the ball has fallen in our lap.

"I congratulate Senator Uwaine for introducing this bill and I also commend

the chairman of the Judiciary Committee for having the courage to put this bill through."

The motion was put by the Chair and S.B. No. 2174-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 16. Noes, 8 (Campbell, Holt, Kawasaki, Machida, Mizuguchi, O'Connor, Toyofuku and Ushijima). Excused, 1 (Yee).

Standing Committee Report No. 392-82 (S.B. No. 2471-82, S.D. 2):

Senator Carpenter moved that Stand. Com. Rep. No. 392-82 be adopted and S.B. No. 2471-82, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Cayetano.

Senator O'Connor then rose to speak against the bill and stated:

"Mr. President, the Motor Vehicle Safety Responsibility Act has been the law in our state for almost 40 years now. It serves a very specific purpose, and that is that if someone driving an automobile badly injures someone else and judgment is rendered against the individual who hurts someone, until the judgment is paid that individual is not allowed to drive.

"There are several ways of satisfying the judgment outlined in the bill. One is to post evidence of financial responsibility; another is obviously to demonstrate sufficient insurance coverage to pay the judgment; another is to appear in court and get a partial payment plan or a periodic payment plan allowed by the judge. This bill wipes out that whole law...completely...guts it... turns it around and says that somebody who badly hurts someone in our streets with an automobile can thereafter drive.

"Now, Mr. President, that is not the situation which was envisaged when this law was passed, and I would suggest that this bill, if it passes, takes away the only vestige left in our no-fault insurance state of having someone who has judgment returned against him in excess of the basic coverage to have that judgment satisfied someday by the driver who is liable to the injured party.

"I would strongly urge people to vote against this measure."

Senator Cayetano rose to speak in support of the measure and stated:

"Mr. President, the previous speaker is correct, this bill has been on the books for about 40 years but it is outdated and has outlived its usefulness. This bill was put in prior to our state's no-fault law and what it provides...the existing law became law prior to our no-fault law and what it provides is that if a person gets into an accident and there is judgment against him that person's license will be suspended until such time as the person pays off the judgment.

"The previous speaker is in error when he says that presentation of financial responsibility would result in the return of the license. That is simply incorrect. Only payment of the judgment will result in return of the license. There's simply no correlation between the payment of a judgment and good driving. We have a no-fault law today. This old law will only impose hardship on people and it's time that we set this whole matter straight.

"The law has been amended by this bill to provide that if a person gets into an accident and there's a judgment against him, the person would be able to receive his license upon providing proof of financial responsibility and that, under our no-fault law, is required which can lead to hardship.

"The existing law doesn't make much sense. If a person has a \$500,000 judgment against him and has a \$50,000 policy, that person will never be able to pay off the judgment. In fact, if you look at the existing law it was probably put on the books as a result of insurance companies, to help insurance companies in the subrogation claims. It's about time we got rid of this law."

The motion was put by the Chair, and Stand. Com. Rep. No. 392-82 was adopted and S.B. No. 2471-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE SAFETY RESPONSIBILITY ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 7 (Campbell, Holt, Machida, Mizuguchi, O'Connor, Toyofuku and Ushijima). Excused, 1 (Yee).

Senate Bill No. 2279-82, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 2279-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO USE OF FIREARMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Senate Bill No. 2674-82, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 2674-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAINING, EDUCATION, TRAINING AND WORK PROGRAMS FOR COMMITTED PERSONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Senate Bill No. 2412-82:

Senator Carpenter moved that S.B. No. 2412-82 having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator O'Connor spoke against the measure and stated:

"Mr. President, this bill changes dramatically the law on criminal appeals as we know it today. This is the bill which requires the judge to have a written decision in each instance when withholding a sentence of imprisonment. I would be against this bill because it would clog up judiciary situations and require the court in every instance to provide a written opinion which generally is not required. Therefore, I would urge a vote against it."

The motion was put by the Chair and carried and S.B. No. 2412-82, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF CONVICTED DEFENDANTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 5 (Cayetano, Holt, Mizuguchi, O'Connor and Ushijima). Excused, 1 (Yee).

Standing Committee Report No. 396-82 (S.B. No. 2449-82, S.D. 1):

On motion by Senator Carpenter, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 396-82 was adopted and S.B. No. 2449-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RIGHT TO FARM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 6 (Anderson, Cayetano, George, O'Connor, Saiki and Ushijima). Excused, 1 (Yee).

Standing Committee Report No. 397-

82 (S.B. No. 2522-82, S.D. 2):

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, Stand. Com. Rep. No. 397-82 was adopted and S.B. No. 2522-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ALOHA STADIUM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Senate Bill No. 2345-82, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 2345-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Senate Bill No. 2573-82, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 2573-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ARRESTS GENERALLY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Senate Bill No. 2463-82, S.D. 1:

Senator Carpenter moved that S.B. No. 2463-82, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator Cayetano then rose to speak against the measure and stated:

"Mr. President, this bill proposes to give a utility company the same protection we give to Good Samaritans and that was not the purpose of the Good Samaritan law. The Good Samaritan law was passed to protect people who render aid under emergency circumstances.

"A utility company which seeks to or agrees to publish general first-aid information in its publications has a lot of time to consider the information, to get expert opinion on whether the information is correct or not.

"If this bill passes and by some chance a public utility company publishes incorrect information, the person

who is injured by this will not be able to seek redress for simple negligence, but would have to prove gross negligence which requires a higher degree of burden."

Senator O'Connor also spoke against the measure and stated:

"Mr. President, I join the previous speaker.

"A public utility company which publishes this sort of information does it voluntarily, and does it as an advertising scheme. The passage of this bill will be clearly discriminatory as it does not include organizations which, as Good Samaritans, do publish first-aid information and distribute it throughout the community. Just because one of our utilities puts first-aid information in one of their regularly published documents does not mean that they should have the status of Good Samaritans.

"I find this bill terribly discriminatory and I really don't think it will stand a constitutional test if a tort action is ever brought against a utility company for incorrect first-aid information which they may publish and distribute for advertising purposes."

Then, Senator Carpenter, in support of the measure, stated:

"Mr. President, just a few brief comments. This bill follows on approximately some three years of some discussion, coming from the Health Committee and now to the Judiciary.

"The question really goes to whether or not Hawaiian Telephone Company, in this case, can be absolved of liability should they, in the interest of a public service, provide an opportunity for residents of this state through the publication of first-aid information in the telephone books be allowed the use of this section of the statute. I'm not sure myself, Mr. President, whether or not this is the correct section, but it is the only vehicle available at this time to at least discuss the point. The idea was advanced by a university student several years ago and I believe the idea has merit.

"Irrespective of what may be considered flaws at the moment, I ask my colleagues to consider moving the bill over to the House because they have no counterpart, so that we can discuss it more openly there and perhaps we can find a way to make this kind of information available to all the citizens of this state via that directory.

"Thank you."

The motion was put by the Chair and carried and S.B. No. 2463-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TORT ACTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes 15. Noes, 9 (Campbell, Cayetano, Holt, Machida, Mizuguchi, O'Connor, Saiki, Toyofuku and Ushijima). Excused, 1 (Yee).

Standing Committee Report No. 401-82 (S.B. No. 2756-82, S.D. 1):

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, Stand. Com. Rep. No. 401-82 was adopted and S.B. No. 2756-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE 1984 HAWAII STATEHOOD SILVER JUBILEE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Senate Bill No. 2467-82, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 2467-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS AND AMMUNITION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Senate Bill No. 2506-82, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 2506-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNAUTHORIZED USE OF LAW ENFORCEMENT SYMBOLS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Senate Bill No. 2505-82, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 2505-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROHIBITED MOTOR AND OTHER VEHICLE EQUIPMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Senate Bill No. 2343-82, S.D. 1:

On motion by Senator Kobayashi, seconded by Senator George and carried, S.B. No. 2343-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE DISPOSAL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 406-82 (S.B. No. 1893, S.D. 2):

By unanimous consent, Stand. Com. Rep. No. 406-82 and S.B. No. 1893, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE PARKS AND RECREATION AREAS," were recommitted to the Committee on Ecology, Environment and Recreation.

Senate Bill No. 2328-82:

By unanimous consent, S.B. No. 2328-82, entitled: "A BILL FOR AN ACT RELATING TO FAIR HOUSING," was recommitted to the Committee on Housing and Hawaiian Homes.

Senate Bill No. 2809-82, S.D. 1:

On motion by Senator Young, seconded by Senator Holt and carried, S.B. No. 2809-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM LAND SALES PRACTICES ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Senate Bill No. 2494-82, S.D. 1:

On motion by Senator Young, seconded by Senator Holt and carried, S.B. No. 2494-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL LANDLORD-TENANT CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Senate Bill No. 2488-82:

By unanimous consent, S.B. No. 2488-82, entitled: "A BILL FOR AN ACT RELATING TO STATE HOUSING PROJECTS," was recommitted to the Committee on

Housing and Hawaiian Homes.

Senate Bill No. 2455-82, S.D. 1:

On motion by Senator Young, seconded by Senator Holt and carried, S.B. No. 2455-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE LAND USE COMMISSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Ajifu and Henderson). Excused, 1 (Yee).

Senate Bill No. 2496-82, S.D. 1:

On motion by Senator Young, seconded by Senator Cobb and carried, S.B. No. 2496-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Anderson). Excused, 1 (Yee).

Senate Bill No. 2609-82, S.D. 1:

On motion by Senator Young, seconded by Senator Holt and carried, S.B. No. 2609-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL GROUP LIVING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Senate Bill No. 2493-82:

On motion by Senator Young, seconded by Senator Holt and carried, S.B. No. 2493-82, entitled: "A BILL FOR AN ACT RELATING TO FIDUCIARIES AND INVESTMENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Anderson, Cayetano and Henderson). Excused, 1 (Yee).

Senate Bill No. 2454-82, S.D. 1:

On motion by Senator Young, seconded by Senator Holt and carried, S.B. No. 2454-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY TRANSACTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 5 (Anderson, George, Henderson, Kawasaki and

Kobayashi). Excused, 1 (Yee).

At 9:36 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:42 o'clock p.m.

Senate Bill No. 2306-82, S.D. 1:

By unanimous consent, S.B. No. 2306-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION; AMENDING OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES FOR THE PURPOSE OF CORRECTING ERRORS, CLARIFYING LANGUAGE, CORRECTING REFERENCES, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS," was recommitted to the Committee on Judiciary.

Senate Bill No. 1127, S.D. 2:

By unanimous consent, S.B. No. 1127, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM CONVERSIONS," was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 1630, S.D. 1:

On motion by Senator Cobb, seconded by Senator Uwayne and carried, S.B. No. 1630, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Soares and Yee).

Senate Bill No. 1281:

By unanimous consent, S.B. No. 1281, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 2176-82, S.D. 1:

On motion by Senator Cobb, seconded by Senator Uwayne and carried, S.B. No. 2176-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Soares and Yee).

Senate Bill No. 2177-82, S.D. 1:

On motion by Senator Cobb, seconded by Senator Uwayne and carried, S.B. No. 2177-82, S.D. 1, entitled: "A

BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Soares and Yee).

Senate Bill No. 2352-82, S.D. 1:

By unanimous consent, S.B. No. 2352-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPEECH PATHOLOGY AND AUDIOLOGY," was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 2388-82, S.D. 1:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, S.B. No. 2388-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Soares and Yee).

Senate Bill No. 2556-82, S.D. 1:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, S.B. No. 2556-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING PLANS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Soares and Yee).

Senate Bill No. 2561-82, S.D. 1:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, S.B. No. 2561-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Soares and Yee).

Senate Bill No. 2700-82, S.D. 1:

By unanimous consent, S.B. No. 2700-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CREDIT UNIONS," was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 2849-82, S.D. 1:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, S.B. No. 2849-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SECONDHAND DEALERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (George and Ushijima). Excused, 2 (Soares and Yee).

Senate Bill No. 2865-82, S.D. 1:

By unanimous consent, S.B. No. 2865-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICINE AND SURGERY," was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 2880-82, S.D. 1:

By unanimous consent, S.B. No. 2880-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," was recommitted to the Committee on Consumer Protection and Commerce.

At 9:41 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:42 o'clock p.m.

Standing Committee Report No. 430-82 (S.B. No. 151, S.D. 2):

By unanimous consent, Stand. Com. Rep. No. 430-82 and S.B. No. 151, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INVESTMENT TAX CREDITS," were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 431-82 (S.B. No. 505, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 431-82 was adopted and S.B. No. 505, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Uwaine and Yee).

Standing Committee Report No. 432-82 (S.B. No. 507, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 432-82 was adopted and S.B. No. 507, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read

throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Uwaine and Yee).

Standing Committee Report No. 433-82 (S.B. No. 544, S.D. 2):

Senator Yamasaki moved that Stand. Com. Rep. No. 433-82 be adopted and S.B. No. 544, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Anderson.

Senator Cayetano rose to speak in opposition of the bill and stated:

"Mr. President, consistent with the positions that I took yesterday I'm going to oppose this bill because, as I said yesterday, we just do not have a comprehensive approach to providing tax relief. According to the director of taxation, this bill will cost this state a \$2.8 million loss. I think that in view of the fiscal situation our state faces in the very, very near future we should be very, very cautious about how we proceed on these things."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 433-82 was adopted and S.B. No. 544, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 5 (Abercrombie, Cayetano, Kawasaki, O'Connor and Saiki). Excused, 2 (Uwaine and Yee).

Standing Committee Report No. 434-82 (S.B. No. 553, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 434-82 was adopted and S.B. No. 553, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Abercrombie and O'Connor). Excused, 1 (Yee).

Standing Committee Report No. 435-82 (S.B. No. 561, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 435-82 was adopted and S.B. No. 561, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE REMOVAL OF SAND," having been read throughout, passed Third Reading on the following showing of Ayes and

Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 436-82 (S.B. No. 732, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 436-82 was adopted and S.B. No. 732, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 437-82 (S.B. No. 906, S.D. 2):

Senator Yamasaki moved that Stand. Com. Rep. No. 437-82 be adopted and S.B. No. 906, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Anderson.

Senator O'Connor rose to speak against the measure and stated:

"Mr. President, I am certainly not opposed to fines and fees for overdue books and lost books. I'm certainly not opposed to the University of Hawaii library system; I think it's a great system; I use it myself all the time; and I think that people should be penalized if they do all of the terrible things that are indicated in this bill. But, we struggled, sweated and with great effort eradicated almost every special fund in this state over a period of six to eight years that I know of. You, yourself, Mr. President, as chairman of Ways and Means Committee sought to eradicate special funds, and you worked hard at it. Many of your predecessors did the same.

"This is but one of about five bills that we're going to have tonight, recreating the special funds which people worked so hard to do away with some years ago.

"For the reason that this does create another special fund, with the additional cost and burden of accounting for and keeping that fund, and the fact that the fund would be in our Revised Statutes lost for a millenium until someone has to go back and clear out all the special funds again, I will vote against this measure."

Senator Cobb then spoke in favor of the measure and stated:

"Mr. President, special funds were

being eradicated in the last decade before we had the state constitutional spending ceiling on state expenditures. Special funds, as I understand it, do not count against that ceiling. As far as the bookkeeping goes, that lends accountability to the use of the special fund and is a far more efficient process than having the moneys go to the general fund and then back to the bureaucracy, to the source such as the library."

Senator O'Connor responded as follows:

"Mr. President, I thank the previous speaker. I forgot the other reason I was against special funds.

"All we're doing is escaping the state spending limit. It's another clever dodge to get around the state spending limit, and I guess we'll see a lot of these as we cleverly dodge and weave around something that's in our Constitution that everyone in this body keeps saying we're going to abide by."

Senator Abercrombie, in rebuttal, stated:

"Mr. President, speaking in brief rebuttal to the previous speaker, in favor of this bill.

"This may be clever, but it most certainly is not a dodge.

"With respect to the special fund here, it's a simple mechanism...you may have had all kinds of things with respect to special funds before some of us came into the Legislature...I don't know what kind of sins were committed then...I can only try to account for mine since the time I've been here. This is indeed a special fund because there are special reasons for it. They are sensible reasons. You will find some coming up with the Department of Education.

"What we are trying to do is address those concerns so we keep the money at the source where it's most useful and most reasonably spent. You are not going to see special funds coming out of either the University of Hawaii or out of the education system, for example, in some helter-skelter methodology."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 437-82 was adopted and S.B. No. 906, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Holt, O'Connor

and Ushijima). Excused, 1 (Yee).

Standing Committee Report No. 438-82 (S.B. No. 1308, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 438-82 was adopted and S.B. No. 1308, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 439-82 (S.B. No. 1395, S.D. 1):

By unanimous consent, Stand. Com. Rep. No. 439-82 and S.B. No. 1395, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LIQUOR TAX," were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 440-82 (S.B. No. 2160-82):

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 440-82 was adopted and S.B. No. 2160-82, entitled: "A BILL FOR AN ACT RELATING TO DELINQUENT MONEYS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 441-82 (S.B. No. 2169-82, S.D. 2):

Senator Yamasaki moved that Stand. Com. Rep. No. 441-82 be adopted and S.B. No. 2169-82, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Anderson.

At this time, Senator Carpenter rose to request a ruling of the Chair as to a conflict of interest as an employee of C. Brewer and Company, and the Chair ruled that Senator Carpenter is not in conflict.

Senator Kawasaki then rose to speak against the measure and stated:

"Mr. President, I rise to speak against and I will vote against this bill primarily because I think it's about high time that we bring about some tightening up of this particular loan administration.

"For many years we've made this

loan available at the unbelievable interest rate of 2% to the independent sugar growers without any collateral requirement and I think it's about time we get a little realistic as to the state's financial condition as has been articulated many times by Senator Cayetano, Ways and Means Chairman Yamasaki, and others.

"I think, while we have been telling the big sugar producers in their request of the \$50 million stabilization fund that we look with a jaundiced view, so to speak, upon their request, and we said that perhaps you people should go back and think about the possibility of providing some reasonable interest payment to the state...they suggested 6%...we suggested, again, that they think about collateralizing some of their large land holdings. As you know, some of these big sugar producers are wealthy land owners.

"We made this kind of requirement as suggestions to them for a possible consideration of their request for a sugar stabilization fund of \$50 million. Yet, on the other hand, we are willing to enact this bill which would provide several millions of dollars again...\$2 million to be exact...to the independent sugar growers with an interest rate requirement of only 2% which I don't think you'll find in the entire country today without collateral requirement.

"I think we'd better be a little more consistent if we're going to make loans like this because they are justified, and I am rather doubtful that all of these sugar producers should be given this kind of treatment.

"I think we'd better, as I said, tighten up the law, require some reasonable interest payment, and even perhaps require collateral of those people who are in a position to put up collateral for a loan of this kind. It is about time we bring about some reform on this bill and until that is done I will vote against this bill."

Senator Yamasaki then rose on a point of clarification and stated:

"Mr. President, I would like to point out to the members of this body and the Journal to reflect that on page 5, line 16, section 6, the effective date of the bill says, '...shall take effect upon approval.' should be corrected to read: '...shall take effect on July 1, 1982.'

"We will transmit this information to the House upon passage of the bill.

"There are several other bills which require the same correction to be

made for the record and I will point them out as we come to them."

The motion was put by the Chair and Stand. Com. Rep. No. 441-82 was adopted and S.B. No. 2169-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Abercrombie, Cayetano and Kawasaki). Excused, 1 (Yee).

Standing Committee Report No. 442-82 (S.B. No. 2173-82, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 442-82 was adopted and S.B. No. 2173-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 443-82 (S.B. No. 2180-82, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 443-82 was adopted and S.B. No. 2180-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL ASSISTANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 444-82 (S.B. No. 2184-82, S.D. 1):

By unanimous consent, Stand. Com. Rep. No. 444-82 and S.B. No. 2184-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 445-82 (S.B. No. 2185-82, S.D. 2):

By unanimous consent, Stand. Com. Rep. No. 445-82 and S.B. No. 2185-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FOUNDATION ON CULTURE AND THE ARTS," were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 446-82 (S.B. No. 2190-82, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 446-82 was adopted and S.B. No. 2190-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CRIMINAL JUSTICE INFORMATION DATA CENTER," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 447-82 (S.B. No. 2137-82):

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 447-82 was adopted and S.B. No. 2137-82, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 448-82 (S.B. No. 2204-82, S.D. 1):

By unanimous consent, Stand. Com. Rep. No. 448-82 and S.B. No. 2204-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT," were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 449-82 (S.B. No. 2213-82, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 449-82 was adopted and S.B. No. 2213-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 450-82 (S.B. No. 2224-82, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 450-82 was adopted and S.B. No. 2224-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 451-82 (S.B. No. 2243-82, S.D. 2):

By unanimous consent, Stand. Com. Rep. No. 451-82 and S.B. No. 2243-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN IN FOSTER CARE," were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 452-82 (S.B. No. 2244-82, S.D. 2):

By unanimous consent, Stand. Com. Rep. No. 452-82 and S.B. No. 2244-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RECOVERY OF MONEY OWED TO THE STATE," were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 453-82 (S.B. No. 2247-82, S.D. 2):

By unanimous consent, Stand. Com. Rep. No. 453-82 and S.B. No. 2247-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VETERAN'S RIGHTS AND BENEFITS," were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 454-82 (S.B. No. 2262-82):

By unanimous consent, Stand. Com. Rep. No. 454-82 and S.B. No. 2262-82, entitled: "A BILL FOR AN ACT RELATING TO THE STATE HIGHER EDUCATION LOAN FUND," were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 455-82 (S.B. No. 2268-82, S.D. 2):

By unanimous consent, Stand. Com. Rep. No. 455-82 and S.B. No. 2268-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM," were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 456-82 (S.B. No. 2269-82, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 456-82 was adopted and S.B. No. 2269-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A CRIMINAL JUSTICE TRAINING FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Cayetano and Soares). Excused, 1 (Yee).

Standing Committee Report 457-82 (S.B. No. 2277-82, S.D. 2):

By unanimous consent, Stand. Com.

Rep. No. 457-82 and S.B. No. 2277-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WITNESS SECURITY AND PROTECTION," were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 458-82 (S.B. No. 2286-82, S.D. 2):

Senator Yamasaki moved that Stand. Com. Rep. No. 458-82 be adopted and S.B. No. 2286-82, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Anderson.

Senator Abercrombie then rose to speak against the measure and stated:

"Mr. President, I don't believe that this bill serves any purpose other than to place into the system, not only the DSSH but throughout the entire private agency system as well as organizations, formal and informal, that dedicate themselves to public service, the possibility of individuals who for all intents and purposes are perfectly well-qualified to deal not only with the public, the people in general, but people who are in distress in particular and freeze them out.

"All these minimum educational experience requirements and so on are reminders to me of the time when I was denied an opportunity to even apply for a job with the State of Hawaii with a masters degree in sociology from the University of Hawaii because I did not have a degree in social work. Apparently, it was thought that a degree in sociology so disabled me from being able to deal with the arcane and obtuse world of social work that I was unable, even with the remedial program, to be able to qualify.

"I recall very well my experiences as a probation officer at which time my discovery was that those people who did not have social work degrees were not disabled from being able to exercise intelligence, compassion and good sense with respect to the most sensitive issues.

"I think that in much of the work that is involved here, there's nothing so difficult, nothing so exotic that we should close off the opportunity for people who do not in fact have social work degrees or the various and sundry elements which no doubt will go into the rules and regulations which will be promulgated as a result of the passage of this law disable them from being involved under this broad term of social work.

"I think the mere fact that there has to be the degree of detail associated

with this bill is indicative of the kind of thing that's going to take place when it passes. I think this is legislation which carves out a slot for people who call themselves social workers in the so-called professional sense in a way that will be detrimental in fact to social work.

"I wonder whether Hall House and some of the other agencies that have been established, the Salvation Army, all kinds of institutional activities associated with the YMCA, the YWCA, in terms of who started them, in terms of what degrees they had or did not have I find it very interesting. For example, I'm sure Mother Teresa would not qualify under this bill, nor would Mahatma Gandhi. I doubt whether Walt Whitman would have been allowed to participate under this law. I can think of other people but will not take the time, I'm sure that you see my point. I doubt whether Florence Nightingale could have gotten into this deal, she'd have the wrong degree.

"In the end, what all this accomplishes is to see to it that people who are quite self-satisfied that they have some special nook and corner carved out for themselves in the world of helping other people will see to it that others who want to help just as much and are just as easily qualified, in terms of the human dimension, will be frozen out."

Senator O'Connor also rose to speak against the measure and remarked:

"Mr. President, I'm going to vote against this bill for a narrow reason. It creates a privilege with this new animal called the social worker which in the past in this state has been a jealously guarded privilege and that is the privilege of not being required to reveal communications made by a client. That privilege presently only exists between minister and confessor, it exists between doctor and patient, attorney and client, and all of those were heavily argued by this body the time we passed the new evidence code.

"To allow such a privilege to an individual... unfortunately, I must take the other track from the earlier speaker... to an individual who is not policed the way the other professions are, who does not have the same requirements to live up to standards or to an ethics code or does not have a body such as the Supreme Court or the Hawaii Medical Association looking over their shoulder all the time, I find rather difficult to accept.

"For that reason, I'll vote 'no' on this bill."

Senator Kawasaki rose to speak in favor of the bill and stated:

"Mr. President, I rise in favor of this bill because no where in the bill do I see language that prohibits the Department of Regulatory Agencies from permitting people without social work degrees to work in certain categories of the human services programs.

"In view of the fact that there are more and more organizations, private and otherwise, coming to the Legislature for grants-in-aid and funding, doing human services work. We've found some organizations with people on the staff with very doubtful credentials to administer some highly technical type of social work consultation, diagnostic work, this category of activities. In the interest of people who require social work consultants to deal with them, perhaps if we are to maintain a standard and not let anyone who comes here, figuring a good way to carve out a career for themselves even if they are not qualified, as to get into some human service area in some organization that is very active, very vocal, very effective in coming to the Legislature for funding, and then carve out a career for themselves with doubtful credentials, thereby rendering harm to clients who may be instituted in their programs... to prevent this kind of haphazard providing of social service work in the human services program, a certain standard has to be maintained.

"I have confidence in the Department of Regulatory Agencies to administer this bill in qualifying people for certain categories of human service activity sensibly, fairly, objectively. I support this bill."

At 10:02 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:04 o'clock p.m.

Senator Abercrombie, in response to the previous speaker, stated:

"Mr. President, very briefly, in rebuttal of my good friend from the Fifth District.

"If you look quickly on page 3 as to what constitutes the practice of social work as well as social work services, I think that you will find that the Honolulu Theater for Youth probably qualified under this or should and they'll probably have to get a social worker there now for plays that

go on. Any teacher in the course of his or her day in an elementary school, let alone anywhere else, exercises all this. I think this is written by a few people to try and feather their own professional nest."

Senator Cobb then spoke for the measure and remarked:

"Mr. President, we have a lot of professions that come to us for licenses. We're dealing with speech pathologists, audiologists; we're dealing with architects, engineers; we're dealing with contractors; we're dealing with surveyors, ophthalmologists, optometrists; there's a whole list of them. I think that it's very much in the safety of the community to establish standards because, contrary to the report of the Department of Regulatory Agencies, there were documented cases of abuse and some of the victims of that abuse came and testified before our committee. They made their case."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 458-82 was adopted and S.B. No. 2286-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL WORKERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 7 (Abercrombie, Carpenter, George, Henderson, O'Connor, Soares and Ushijima). Excused, 1 (Yee).

Standing Committee Report No. 459-82 (S.B. No. 2289-82, S.D. 2):

By unanimous consent, Stand. Com. Rep. No. 459-82 and S.B. No. 2289-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 460-82 (S.B. No. 2295-82, S.D. 2):

By unanimous consent, Stand. Com. Rep. No. 460-82 and S.B. No. 2295-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DRIVER EDUCATION AND TRAINING FUND," were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 461-82 (S.B. No. 2297-82, S.D. 1):

Senator Yamasaki moved that Stand. Com. Rep. No. 461-82 be adopted and S.B. No. 2297-82, S.D. 1, having been read read throughout, pass Third Reading, seconded by Senator Anderson.

At this time, Senator Yamasaki requested that the "members of the body note and the Journal reflect that the effective date of the bill should be corrected to read: '...shall take effect on July 1, 1982.' The information will be transmitted to the House upon passage of the bill."

The motion was put by the Chair and, Stand. Com. Rep. No. 461-82 was adopted and S.B. No. 2297-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 462-82 (S.B. No. 2309-82, S.D. 2):

Senator Yamasaki moved that Stand. Com. Rep. No. 462-82 be adopted and S.B. No. 2309-82, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Anderson.

At this time, Senator Kawasaki spoke against the measure and stated:

"Mr. President, being consistent on this subject, I will again have to speak against passage of this bill. Two years ago when the Hawaiian Electric Company came for its special purpose revenue bonds, followed by the hospital industry, I predicted that once we allow those two entities to have the benefits of special purpose revenue bonds we're going to have a whole slew of others requesting the same and, like clockwork, these requests have come in.

"I predict that if this bill passes, next year you're going to have retail merchants asking for the same privilege.

"This is the trend that apparently concerned the Congress of the United States because they are in their own way trying to discourage the abuse of special purpose revenue bonds as a bad trend. I think we have to think through the whole subject matter more carefully. Where do we stop issuing these bonds; how do we draw the lines as to what organizations, what entities really need the help of this category of financing?

"I wish that this body would vote this measure down."

Senator O'Connor then asked if the chairman of the committee would yield to a question and Senator Yamasaki

replied in the affirmative.

Senator O'Connor asked: "Mr. President, when the original law was passed, it tracked the federal law which allowed the issuance of these bonds. This bill amends to allow for the production and sale of agricultural goods and I wonder if the federal law was amended. I know that the amendment was tightened up as Senator Kawasaki said. If the federal law was amended to allow this utilization, and, if not, are we violating the federal law?"

Senator Yamasaki responded:

"Mr. President, in answer to the question, I believe the industrial enterprise provision is one of those provisions contained in the constitutional amendment and we are just expanding the meaning of industrial enterprise to include agricultural production."

The motion was put by the Chair and Stand. Com. Rep. No. 462-82 was adopted and S.B. No. 2309-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 5 (Abercrombie, Cayetano, Kawasaki, Kobayashi and O'Connor). Excused, 1 (Yee).

Standing Committee Report No. 463-82 (S.B. No. 2324-82, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 463-82 was adopted and S.B. No. 2324-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 464-82 (S.B. No. 2325-82, S.D. 2):

By unanimous consent, Stand. Com. Rep. No. 464-82 and S.B. No. 2325-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NONRESIDENT VEHICLE PERMITS," were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 465-82 (S.B. No. 2346-82, S.D. 2):

Senator Yamasaki moved that Stand. Com. Rep. No. 465-82 be adopted and S.B. No. 2346-82, S.D. 2, having been read throughout, pass Third Reading,

seconded by Senator Anderson.

Senator Campbell then rose to inquire if the chairman of the Education Committee would yield to a question and Senator Abercrombie replied in the affirmative.

Senator Campbell asked: "Mr. President, the purpose of this bill is to impose an educational fee on students attending public schools whose families reside or work on military installations or other federal property, and I would like to ask the chairman if nonpayment of that fee would have any effect."

Senator Abercrombie replied: "Yes, it would. The Board of Education would then be empowered to go to court to collect the fee."

Senator Campbell further asked: "Does the bill in fact state that if the fee is not paid it would not affect the attendance of that student who fails to pay, not affect the attendance of that student to school?"

Senator Abercrombie answered: "Yes, it would. It would affect the capacity of that student to attend the school."

Senator Campbell then rose to speak against the measure and stated:

"Mr. President, in response to the last remarks of the chairman, I would like to read one section of the bill that says, 'Nonpayment of the educational fee shall not be grounds for excluding any student from school.' which does somewhat confuse me in light of the answer from the chairman. Mr. President, if I fully understand the purpose of this bill..."

Senator Abercrombie then rose on a point of clarification and remarked:

"Mr. President, I may have failed to answer adequately the question which may obviate the necessity for making this discussion or change the mind of the Senator."

At 10:12 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:15 o'clock p.m.

At this time, Senator Abercrombie asked if the Senator from the Fifth District would yield the floor and Senator Campbell replied that he would.

Senator Abercrombie then stated:

"Thank you, Senator Campbell, very much. I now see that I was answering the question in the wrong direction. The good Senator is quite correct. The first paragraph states, 'Nonpayment of the educational fee shall not be grounds for excluding any student from school.'"

"What that means, Mr. President, is that no student shall be denied the opportunity nor the obligation, for that matter, to attend school while the Board of Education seeks redress in the courts, should the bill trigger the board going into court."

Senator Campbell then remarked as follows:

"Mr. President, I think I understand the objective of this bill, and that is to get the Federal Government, really, to carry out its responsibility in bearing the cost of educating military minors who attend public schools in Hawaii. If, indeed, this is the purpose of the bill, I don't think we ought to pass a measure which in any way might impose some sort of hardship on students attending our public schools whose families work on a military installation."

"In other words, Mr. President, I think the Federal Government should be the object of our action, not the innocent military children who attend our public schools. Because of this point, I shall vote against this bill."

Senator Abercrombie responded: "Mr. President, I assure the good Senator and all other Senators and Representatives as well as the military establishment in the state that the object of this bill is in fact the Federal Government and the Department of Defense to meet their obligation under existing law."

The motion was put by the Chair and Stand. Com. Rep. No. 465-82 was adopted and S.B. No. 2346-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL FEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 2 (Campbell and Young). Excused, 3 (Holt, Kuroda and Yee).

Standing Committee Report No. 466-82 (S.B. No. 2347-82):

Senator Yamasaki moved that Stand. Com. Rep. No. 466-82 be adopted and S.B. No. 2347-82, having been read throughout, pass Third Reading, seconded by Senator Anderson.

At this time, Senator Cobb requested a ruling of the Chair as to a possible conflict due to the fact that he would qualify under the bill.

The Chair ruled that Senator Cobb is not in conflict.

Senator Abercrombie then rose to state:

"Mr. President, no offense to the good Senator but I don't think that he does qualify under this and I wouldn't want anybody to be misled under it. The bill is designed specifically not to cut off in midstream those individuals who are veterans who might otherwise find themselves in that situation, although I sympathize with the good Senator's problem."

The motion was put by the Chair and, Stand. Com. Rep. No. 466-82 was adopted and S.B. No. 2347-82, entitled: "A BILL FOR AN ACT RELATING TO TUITION WAIVERS FOR VETERANS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Holt, Kuroda and Yee).

Standing Committee Report No. 467-82 (S.B. No. 2354-82, S.D. 2):

Senator Yamasaki moved that Stand. Com. Rep. No. 467-82 be adopted and S.B. No. 2354-82, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Anderson.

Senator O'Connor rose to speak against the measure and stated:

"Mr. President, just briefly, I'm going to vote against this measure. Here we go with another special fund."

The motion was put by the Chair and Stand. Com. Rep. No. 467-82 was adopted and S.B. No. 2354-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FEES COLLECTED FROM THE USERS OF SCHOOL BUILDINGS, FACILITIES, GROUNDS AND EQUIPMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 2 (O'Connor and Ushijima). Excused, 3 (Holt, Kuroda and Yee).

Standing Committee Report No. 468-82 (S.B. No. 2362-82, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Anderson and carried,

Stand. Com. Rep. No. 468-82 was adopted and S.B. No. 2362-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF REGULATORY AGENCIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Holt, O'Connor and Ushijima). Excused, 1 (Yee).

Standing Committee Report No. 469-82 (S.B. No. 2381-82, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 469-82 was adopted and S.B. No. 2381-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 470-82 (S.B. No. 2396-82, S.D. 1):

By unanimous consent, Stand. Com. Rep. No. 470-82 and S.B. No. 2396-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT (MODIFIED)," were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 471-82 (S.B. No. 2399-82, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 471-82 was adopted and S.B. No. 2399-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF REGULATORY AGENCIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 472-82 (S.B. No. 2424-82, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 472-82 was adopted and S.B. No. 2424-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDITS FOR POLITICAL CONTRIBUTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 473-82 (S.B. No. 2429-82, S.D. 2):

By unanimous consent, Stand. Com. Rep. No. 473-82 and S.B. No. 2429-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 474-82 (S.B. No. 2430-82, S.D. 1):

By unanimous consent, Stand. Com. Rep. No. 474-82 and S.B. No. 2430-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CREATION OF SPECIAL HANDLING FEES FOR REVIEW OF CORPORATION AND PARTNERSHIP DOCUMENTS," were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 475-82 (S.B. No. 2434-82, S.D. 2):

Senator Yamasaki moved that Stand. Com. Rep. No. 475-82 be adopted and S.B. No. 2434-82, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Anderson.

At this time, Senator Yamasaki requested that the "members of the body note and the Journal reflect that the effective date of the bill should be corrected to read: '...shall take effect on July 1, 1982.' The information will be transmitted to the House upon passage of the bill."

The motion was put by the Chair and Stand. Com. Rep. No. 475-82 was adopted and S.B. No. 2434-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 476-82 (S.B. No. 2470-82, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 476-82 was adopted and S.B. No. 2470-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 477-82 (S.B. No. 2513-82, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, Stand. Com. Rep. No. 477-82 was adopted and S.B. No. 2513-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES: FRANCHISE TAX," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Anderson, Cayetano, Henderson and Ushijima). Excused, 1 (Yee).

Standing Committee Report No. 478-82 (S.B. No. 2517-82, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 478-82 was adopted and S.B. No. 2517-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 479-82 (S.B. No. 2524-82, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, Stand. Com. Rep. No. 479-82 was adopted and S.B. No. 2524-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 5 (Ajifu, Anderson, Henderson, Kawasaki and Soares). Excused, 1 (Yee).

Standing Committee Report No. 480-82 (S.B. No. 2607-82, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 480-82 was adopted and S.B. No. 2607-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Kawasaki). Excused, 1 (Yee).

Standing Committee Report No. 481-82 (S.B. No. 2644-82):

By unanimous consent, Stand. Com. Rep. No. 481-82 and S.B. No. 2644-82, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY," were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 482-82 (S.B. No. 2649-82, S.D. 1):

By unanimous consent, Stand. Com. Rep. No. 482-82 and S.B. No. 2649-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS (OHA)," were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 483-82 (S.B. No. 2709-82, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 483-82 was adopted and S.B. No. 2709-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENCOURAGEMENT OF FEDERALLY CERTIFIED DEVELOPMENT COMPANIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 484-82 (S.B. No. 2760-82, S.D. 2):

Senator Yamasaki moved that Stand. Com. Rep. No. 484-82 be adopted and S.B. No. 2760-82, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Anderson.

Senator Kawasaki then briefly remarked:

"Mr. President, for the reasons I outlined in my objection to the special purpose revenue bond, I will vote against this bill."

The motion was put by the Chair and, Stand. Com. Rep. No. 484-82 was adopted and S.B. No. 2760-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS," having been read throughout, passed Third Reading by not less than two-thirds vote of all the members to which the Senate is entitled, on the following showing of Ayes and Noes:

Ayes, 19. Noes, 5 (Abercrombie, Cayetano, Kawasaki, Kobayashi and O'Connor). Excused, 1 (Yee).

Standing Committee Report No. 485-82 (S.B. No. 2761-82):

By unanimous consent, Stand. Com. Rep. No. 485-82 and S.B. No. 2761-82, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR HEALTH CARE FACILITIES," were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 486-82 (S.B. No. 2807-82, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 486-82 was adopted and S.B. No. 2807-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE AND COUNTY HOUSING LOAN PROGRAMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 487-82 (S.B. No. 2808-82, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 487-82 was adopted and S.B. No. 2808-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING BY COUNTIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 488-82 (S.B. No. 2814-82, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 488-82 was adopted and S.B. No. 2814-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 489-82 (S.B. No. 2816-82, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 489-82 was adopted and S.B. No. 2816-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GRANTS, SUBSIDIES, AND PURCHASES OF SERVICE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 490-82 (S.B. No. 2823-82, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Anderson and carried,

Stand. Com. Rep. No. 490-82 was adopted and S.B. No. 2823-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS SPECIAL FEES AND CHARGES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Holt, O'Connor and Ushijima). Excused, 1 (Yee).

Standing Committee Report No. 491-82 (S.B. No. 2824-82, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 491-82 was adopted and S.B. No. 2824-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTION OF ADULT EDUCATION SPECIAL FUNDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (O'Connor). Excused, 1 (Yee).

Standing Committee Report No. 492-82 (S.B. No. 2851-82, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 492-82 was adopted and S.B. No. 2851-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REGISTRATION OF VEHICLES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 493-82 (S.B. No. 2861-82, S.D. 1):

By unanimous consent, Stand. Com. Rep. No. 493-82 and S.B. No. 2861-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM," were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 494-82 (S.B. No. 2864-82, S.D. 2):

By unanimous consent, Stand. Com. Rep. No. 494-82 and S.B. No. 2864-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST A PROCESSING ENTERPRISE," were recommitted to the Committee

on Ways and Means.

Standing Committee Report No. 495-82 (S.B. No. 2869-82, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 495-82 was adopted and S.B. No. 2869-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE SUPPORT OF CHILDREN," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 496-82 (S.B. No. 2888-82, S.D. 2):

By unanimous consent, Stand. Com. Rep. No. 496-82 and S.B. No. 2888-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 497-82 (S.B. No. 2893-82):

By unanimous consent, Stand. Com. Rep. No. 497-82 and S.B. No. 2893-82, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX LAW," were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 498-82 (S.B. No. 2904-82, S.D. 1):

Senator Yamasaki moved that Stand. Com. Rep. No. 498-82 be adopted and S.B. No. 2904-82, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Anderson.

Senator O'Connor spoke against the measure and stated:

"Mr. President, very briefly, once again we invade the province of the counties.

"I know the Constitution says we have to have a water agency but there's nothing in the world that says that it can't be the existing board of water supply and county water agencies. And here we go with a grand commission.

"I will vote against this bill."

Senator Yamasaki then stated: "Mr. President, just to call your attention to the fact that this is also one of the bills where the effective date should have been July 1, 1982. The House will be so informed."

The motion was put by the Chair

and Stand. Com. Rep. No. 498-82 was adopted and S.B. No. 2904-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A WATER COMMISSION AND FORMULATION OF A STATE WATER CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Carpenter, O'Connor, Toyofuku and Ushijima). Excused, 1 (Yee).

Standing Committee Report No. 499-82 (S.B. No. 2909-82, S.D. 1):

Senator Yamasaki moved that Stand. Com. Rep. No. 449-82 be adopted and S.B. No. 2909-82, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Anderson.

Senator Yamasaki requested that the "members of the body note and the Journal reflect that the effective date of the bill should be corrected to read: '...shall take effect on July 1, 1982.' The information will be transmitted to the House upon passage of the bill."

The motion was put by the Chair and Stand. Com. Rep. No. 499-82 was adopted and S.B. No. 2909-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEVELOPMENT OF AN INTER-ISLAND ELECTRICAL POWER CABLE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 500-82 (S.B. No. 2916-82, S.D. 2):

By unanimous consent, Stand. Com. Rep. No. 500-82 and S.B. No. 2916-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROVIDING STATE EMPLOYEES WITH THE OPTION TO ESTABLISH AN INDIVIDUAL RETIREMENT ACCOUNT WITH CONTRIBUTIONS FROM THE STATE," were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 501-82 (S.B. No. 2919-82, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 501-82 was adopted and S.B. No. 2919-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SECURITY FOR SPECIAL PURPOSE REVENUE BONDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Kawasaki).

Excused, 1 (Yee).

Standing Committee Report No. 502-82 (S.B. No. 2920-82, S.D. 2):

Senator Yamasaki moved that Stand. Com. Rep. No. 502-82 be adopted and S.B. No. 2920-82, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Anderson.

Senator Kawasaki then remarked:

"Mr. President, just a short note. I just want to say that this is an excellent bill and the regulatory agencies and the commission, more specifically, the Insurance Commission should be congratulated on the passage of this bill."

The motion was put by the Chair and, Stand. Com. Rep. No. 502-82 was adopted and S.B. No. 2920-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLICATION OF PROPERTY INSURANCE RATES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 503-82 (S.B. No. 2926-82, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 503-82 was adopted and S.B. No. 2926-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RELEASE OF MATCHING STATE FUNDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 504-82 (S.B. No. 2948-82, S.D. 2):

By unanimous consent, Stand. Com. Rep. No. 504-82 and S.B. No. 2948-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION," were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 505-82 (S.B. No. 2950-82, S.D. 1):

By unanimous consent, Stand. Com. Rep. No. 505-82 and S.B. No. 2950-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FUNDING OF COUNTY EMERGENCY MEDICAL SERVICES DEFICITS," were recommitted to the Committee on Ways and Means.

Standing Committee Report
No. 506-82 (S.B. No. 2955-82, S.D.
2):

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 506-82 was adopted and S.B. No. 2955-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes 23. Noes, 1 (Cobb). Excused,
1 (Yee).

Standing Committee Report No. 507-82 (S.B. No. 2971-82, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 507-82 was adopted and S.B. No. 2971-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LANDS FOR AGRICULTURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (O'Connor and Ushijima). Excused, 1 (Yee).

Standing Committee Report No. 508-82 (S.B. No. 2978-82, S.D. 1):

Senator Yamasaki moved that Stand. Com. Rep. No. 508-82 be adopted and S.B. No. 2978-82, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Abercrombie.

At this time, Senator Kawasaki spoke in support of the measure and stated:

"Mr. President, I urge the passage of this bill. Last year, with admirable humanity the Senate unanimously passed the Cancer Commission Bill providing for a \$2 million funding to provide a glimmer of hope for cancer victims, one thousand of whom die annually in Hawaii, 400,000 die nationally.

"The bill passed the Senate, went to House. It passed the House Health Committee with a \$2 million appropriation and it went to the conference committee of the Senate Ways and Means and the House Finance Committee. Both chairmen agreed that appropriations should be made for this particular bill and its administration. Somehow in the chaotic last hours and the conference committee's desire to adjourn the session, it fell between the cracks, so I was told.

"This bill, again, which provides only \$960,000 in funding because,

fortunately, the cost of acquiring interferon in one year's time has come down dramatically because the compound can now be manufactured synthetically would provide administration of cancer research for possibly some 150 or so cancer patients. This again is hope to those cancer patients in Hawaii who have tried every other medicine known to them and to their doctors.

"Interferon has had some dramatic results in early research stages and as a matter of fact, there was a Wall Street Journal article last year that stated that Frank Rausher who is the vice-president for research of the American Cancer Society said that between 20 and 40 percent of cancer victims fortunate enough to have access to this medicine or this compound have responded favorably. He further went on to say that the response rate for this compound is better than with any other drug in certain stages of drug administration.

"The bill has the support of the American Cancer Society and the Medical Society here and also of researchers, one or two of whom are trying to do some research in this particular compound.

"It is necessary that we create some kind of institute to make available to Hawaii funds and research data so this compound could be administered to our local cancer victims.

"I would hope that we pass this bill with an overwhelming vote. Thank you."

Senator Saiki spoke against the measure and stated:

"Mr. President, I'm going to vote 'no' on this bill but, believe me, it isn't because I am a promoter of cancer. I am as concerned as Senator Kawasaki as to the proper treatment of cancer victims. I'm going to vote against this bill because I basically feel that it's a duplication of effort.

"Research is being done by private sector funds all over the mainland. It is of national interest that has been subsidized by the national government so extensive research is being conducted on this yet experimental drug called interferon.

"I don't believe in giving people false hope that here, we in Hawaii, with \$950,000 can help to cure a form of cancer. Believe me, I support the intent of the measure. I just don't feel that our state should be in the midst of this kind of research at this time."

Senator Kawasaki responded as follows:

"Mr. President, I would like to respond to the statements of the Senator from the Seventh District.

"Unfortunately, without this bill's passage and without providing a vehicle so the victims of cancer in Hawaii who have no hope, absolutely no hope and they have been told in many ways that they are terminal cancer patients, they have no glimmer of hope. Hopefully, some of these people could benefit from experiment and research with the medicine. This is the only reason. Because there is no interferon program going on in Hawaii right now I think people here should have the benefit of research and possible cure from interferon, at least certain categories of cancer.

"A Stanford School of Medicine report pointed out that 40% of victims of breast cancer were fortunate enough to have shown some regression of the ailment by the use of interferon."

Senator Yamasaki then stated: "Mr. President, just to call your attention to the fact that this is also one of the bills where the effective date should have been July 1, 1982. The House will be so informed upon passage of the bill."

The motion was put by the Chair and, Stand. Com. Rep. No. 508-82 was adopted and S.B. No. 2978-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CANCER COMMISSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 7 (Anderson, George, Henderson, Kobayashi, O'Connor, Saiki and Ushijima). Excused, 1 (Yee).

Standing Committee Report No. 509-82 (S.B. No. 2994-82, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 509-82 was adopted and S.B. No. 2994-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Cayetano). Excused, 1 (Yee).

Senate Bill No. 647, S.D. 1:

On motion by Senator Yamasaki, seconded

by Senator Anderson and carried, S.B. No. 647, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Senate Bill No. 2910-82:

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, S.B. No. 2910-82, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Anderson). Excused, 1 (Yee).

Senate Bill No. 903, S.D. 2:

By unanimous consent, action on S.B. No. 903, S.D. 2, was deferred to the end of the calendar.

Senate Bill No. 2252-82, S.D. 1:

By unanimous consent, S.B. No. 2252-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was recommitted to the Committee on Ways and Means.

Senate Bill No. 2829-82:

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, S.B. No. 2829-82, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Senate Bill No. 2868-82, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator Yamasaki and carried, S.B. No. 2868-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

At 10:34 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

At 10:52 o'clock p.m., the Senate reconvened with the Vice-President in the Chair.

The Chair requested the Clerk to note the presence of Senator Yee.

Standing Committee Report No. 516-82 (S.B. No. 2555-82, S.D. 2):

Senator Yamasaki moved that Stand. Com. Rep. No. 516-82 be adopted and S.B. No. 2555-82, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Anderson.

At this time, Senator Wong rose to speak in support of the measure and stated:

"Mr. President, I'll keep my remarks short because I know the hour is late and we've all had a very long day.

"S.B. 2555-82, S.D. 2, establishes a state-operated lottery system, the net profits of which will be used for health and human services programs. The lottery will be in operation for six years and then lapse unless extended by the Legislature.

"Mr. President, it is very obvious with the curtailment of federal funds for Hawaii, with the increased public demand to hold down state spending and with the constraints of the state's constitutional spending ceiling, our health and human services programs will be hard pressed for funds to continue their work on behalf of our poor, our aged, our sick, our handicapped, our troubled, and our afflicted.

"Mr. President, the lottery provides a good alternative funding source for these programs.

"Conservatively, I estimate the profits from the lottery to be at least \$2 to \$4 million a year although I don't think it's unreasonable to project the profits in the \$15 million range.

"That's a lot of money for a lot of worthwhile programs.

"As you know, Mr. President, I recently commissioned an Oahu public opinion poll by Research Factors, Inc. The results--which I believe are relevant statewide--indicate that 70% of our people favor the lottery, and 66.5% of them would participate in a lottery if one were established.

"Contrary to a common misconception that a lottery would be regressive--that is, that it would impact mostly on the poor who could least afford

to buy tickets, a cross-tabulation of the poll results actually suggest that the very poor would participate the least in a lottery. The highest participation appears to be in the middle and upper income brackets.

"Mr. President, I know some people are opposed to the lottery because they are afraid that organized crime might move in or that the people will be swept up in some sort of gambling craze or that some other bad things might happen. Personally, I think these fears are groundless. I don't think we are running any dire risk by passing this bill as this morning's newspaper would have people believe.

"While I think such fears are groundless, I do respect the fact that some people do have them. Thus, I think the six-year drop-dead clause in the bill provides an adequate safeguard in the event unanticipated and unwanted consequences occur.

"Mr. President, S.B. 2555-82, S.D. 2, is a good bill. Its passage would be beneficial to Hawaii. I urge all members of the Senate to vote in favor of this bill."

Senator Campbell then rose to request that Senator Wong yield to a question and the Senator replied that he will.

Senator Campbell then asked: "Mr. President, I think the Senator said that the survey that he commissioned to be conducted applied statewide and the question that I have for him is whether or not the survey in fact was made statewide?"

Senator Wong answered: "Mr. President, that's not what I said. I believe that it is relevant statewide. The poll was actually conducted here on Oahu with a sampling of 400, based on all the demographic things that are necessary in a poll, but I feel that the results are relevant statewide."

Senator Campbell then asked if the chairman of the Ways and Means Committee would yield to a question and the chairman replied in the affirmative.

Senator Campbell inquired: "Mr. President, I think the bill was drafted to benefit senior citizens and then it was amended to cover a much broader group. I wonder what was the reason for that?"

Senator Yamasaki answered: "Yes, the bill now covers health and human services because the coverage is more extensive and comprehensive."

Senator Campbell further inquired: "The bill states that no lottery ticket can be sold to a minor. I wonder if there is a reason for that?"

Senator Yamasaki answered: "I think that the control of the sale of tickets would be promulgated by rules and regulations by the commission and I'm sure that we do not want to have minors engaged in selling of lottery tickets. I don't think that it is the intent of the lottery system to have minors engaged in the lottery system."

Senator Campbell thanked Senator Yamasaki for his answers then spoke against the measure as follows:

"Mr. President, I think my question was that a lottery ticket cannot be sold to a minor. I think that's the provision of the bill, not that a minor would be permitted to sell lottery tickets. Well, thank you very much, Mr. Chairman."

"Mr. President, I rise to speak against this bill. I must commend Senator Wong for bringing this issue to the attention of this body and to the public. Some have considered the survey just referred to as an attempt on the part of the President to unduly tip the scale in favor of his position. Some even question the validity of the study and others thought that some of the questions had a built-in basis."

"While I do not have serious concerns about the survey, Mr. President, I do have some grave concerns about this bill which I'd like to share with you and my colleagues. Some of these concerns came out at the hearing of the Ways and Means Committee of which I am a member, and I may have the dubious distinction of being the only member of the committee who signed the committee report 'I do not concur.'"

"One of the major concerns about this state-run lottery, as far as I am concerned, is the premise upon which it will operate. It will operate on the premise that an overwhelming majority of the participants will be losers. Now, this is the only basis upon which the state hopes to generate a reasonable amount of revenue from the lottery."

"Now, Mr. President, in my judgment, there's something basically wrong with the state government, an advocate of the people conducting a financial scheme where the majority of the people it represents are losers the moment they decide to participate. And I think that point's made, and because of the time limitations, I move on to the second concern."

"My second concern relates to crime control."

"Mr. President, I think it is very unlikely that Hawaii can operate a lottery free, totally free, of the criminal element. I know there's been some attempts on the part of the author of the bill and amendments to the bill to meet this problem. But let's have a quick look at the experiences of some states which have a lottery, as reported in the New York Times."

"In Pennsylvania, a lottery official and a television performer were convicted of a million-dollar attempt to rig the lottery."

"In New York, 28 persons were charged with selling counterfeit lottery tickets and the New York State's largest lottery dealer was shot to death in an underworld style murder."

"In New Hampshire, the lottery commission was charged by the United States Justice Department of a pattern of racketeering by mailing illegal lottery tickets."

"In Ohio's lottery a contracting scandal was uncovered."

"In Maryland, a lottery ticket salesman was charged with depositing \$183,000 of the lottery money in his own account."

"In Rhode Island, a sweetheart contract with the lottery commission was revealed."

"Mr. President, these, in my judgment, are the clear signals from the experiences of other states saying to Hawaii 'don't do it.'"

"The intent of this bill is good, but the road to human misery, crime and political corruption is paved with good intentions. Therefore, I urge all of my colleagues to vote against the bill."

Senator Abercrombie, in rebuttal, stated:

"Mr. President, I feel I must rise in rebuttal to the previous speaker, most particularly because a good portion of his remarks were taken from the testimony of a very articulate and I think on the whole a well-informed testifier at our Ways and Means hearing from the University. And at the time, I think a bit of his philosophical orientation and some of the factual data, while it may be true in and of itself, when put in context can be seen in a little bit different light."

"First of all, the argument was made

not just by the previous speaker, but by other people who have opposed the lottery...I'm speaking in favor of it, by the way...that there are substantial revenues.

"Senator Wong has indicated that we may have good revenue; there may be high revenue, we don't know. I think that he has been quoted out of context in his remarks, taken out of context by the editorial opponent, most particularly The Honolulu Advertiser, when they say how do we know when we don't try.

"Obviously, what's been stated here is that the overall amount of money to be derived can't be known at this time, not whether we should in some capricious or arbitrary manner try the lottery. I think that is a subterfuge and a measure of how weak the arguments are against the lottery that this kind of red herring has to be raised by, in particular, The Honolulu Advertiser.

"Secondly, there is the idea that we are preempting illegal lotteries and numbers games.

"I think that anybody who goes into a newspaper editorial room knows that we cannot possibly preempt the illegal games that are going on in the newspaper office, let alone any other place where they have their football pools, where they have all their betting pools, where they have their own lotteries.

"Illegal lotteries and numbers games will not be interfered with because the odds are quite different here. Those activities are apples and the activities we are speaking about here quite definitely are oranges.

"We are not talking about gambling in the sense of a game, gaming on the basis of skill; all gamblers think they are skilled, they know what's going to happen. But, rather, we're talking about the classic definition of a lottery which is winning by chance, that is to say, by lot.

"The argument made is that there is an impossible competitive advantage with the illegal counterpart, the bookmaker, etc. The logic of this is quite faulty. You're dealing with two different segments of people, entirely. As a matter of fact, the same New York Times which was quoted presumably to good advantage by the previous speaker, indicated in its April 17, 1980 issue that legalized lottery games would, and I quote 'thrive only on customers who might not otherwise

be gambling at all.' In other words, people who aren't breaking the law.

"This is not a cure-all for the state's problems in terms of fiscal responsibility; never was claimed to be. And as far as all the numerous citations of gambling activity or numerous citations of illegal activities are involved, the reason we know about it is that they were all caught, so obviously they're not getting away with it.

"Just to cite one case in point, the sweetheart contract...surely, the good Senator who spoke previously is not indicating that this is the first time in his life that he's ever heard of a sweetheart contract where government was concerned.

"If we are to prohibit sweetheart contracts, I think we will be very shortly out of the construction business entirely and maybe that would be a good idea for the state, but I don't expect it to happen.

"Finally, Mr. President, I think both the testimony of the individual who was quoted by the previous speaker, as well as the editorial stance by The Honolulu Advertiser, is nothing short of elitist. What the individual who testified was concerned with and what The Advertiser is concerned with is that the lower classes don't disport themselves in an unseemly way. They worry that people like myself and Senator Wong and others who may support this bill do not have the same kind of moral conditioning that they possess.

"So, with that in mind, I would like to put our trust in the people of this state to utilize the lottery to good effect."

Senator Yee also rose to speak in support of the bill and stated:

"Mr. President, I didn't anticipate to rise and speak in favor of this bill this evening but I thought that a little talk from an elder statesman may be helpful.

"I look at all the laws that we passed and, you know, Senator Duke Kawasaki claims that he is the father of the death penalty bill but, Senator Duke, let me say, as a Republican, I introduced the death penalty bill before your bill.

"I've been a hard person on crime. People don't care about innocent people being hurt. When you talk about lottery as being another doorstep to crime, it amazes me. You are the bleeding hearts of crime. If you really care for the innocent people, get tough on

your criminal laws; get really tough.

"You guys didn't have the guts to pass unanimously the death penalty bill here in the State Legislature...now, really...you're using lottery as an excuse for additional crimes. There is no proof. I think many of you are being hypocritical.

"I'm voting for this bill because I want the House to debate this very issue, as they are afraid at the same time to vote on the issue of capital punishment.

"If you really look at the serious weakness in our society that is crime, you'll get tough, real tough, both in the House and the Senate. Don't use lottery as an excuse.

"Let's face it, everybody gambles a little bit in this community, whether it's mah-jong, bridge, poker, football, basketball games...let's be honest with ourselves. There's always a little gamble in our hearts, but if this is aired properly, whether it passes or not, it's another issue that we have to face in the state as to how we are going to raise revenues or we are going to be losing revenues. This is just one of the other alternatives, and this is why I'm speaking in behalf of this bill. This is just one of the other alternatives of revenues for the state. If it's not the proper alternative the House will turn us down, but please, don't use other emotional issues because it may get you votes, it never helps us resolve the real problems of the State of Hawaii."

The Chair (Senator Kawasaki) then remarked:

"Thank you, Senator Yee. In the interest of maintaining accuracy in our Senate Journal, since your remarks will be entered into the Journal, there was never a time that I claimed to be the father of the death penalty bill. I was a very energetic proponent of it and perhaps the chief interrogator in the six-hour committee of the whole deliberations interrogating hostile witnesses against the bill, but I never claimed to be the father of the death penalty bill."

At this time, Senator O'Connor also spoke against the measure and stated:

"Mr. President, I, fortunately or unfortunately, have to admit that I am the author of the social gambling law of this state and the controversy that surrounded that authorship, I think, many will remember.

"The social gambling law of the state makes legal gambling between individuals where no one else makes an income off of the gambling. It approaches a philosophy as far as gambling is concerned, which was at the time it was passed and has been for many years in this state, something that has been accepted by the residents of this state. But the philosophy of gambling, where one makes an income... anyone, the state the company, an individual...makes an income off the gambling is a philosophy which has never been adopted in this state, statutorily, and it is the philosophy which is proposed this evening, and is a philosophy which I cannot accept.

"Earlier there were comments made about income being generated by this lottery situation. Mr. President, I adopt Senator Cayetano's position on that.

"We passed three bills tonight in this body, the sum total of which will give us the same income back as the lottery would give us--all tax credits, all give-aways--and if we simply didn't pass those kinds of bills and kept that revenue in the state till, we wouldn't need a lottery. And that demonstrates how little income can be anticipated from this gambling device for our state treasury. We're talking about a mere \$10 million, the same amount that we casually and cavalierly gave away in tax credits this evening.

"Because of the lack of income that can be generated from a system such as this and because of a philosophy which I cannot accept being espoused by it, I would urge everyone to vote against this bill."

Senator Carpenter rose to speak in favor of the measure and stated:

"Mr. President, just a few comments. My staff did some extensive research, discussing with members of the police departments and directors or assistant directors of the lotteries of six states recently...the states of Maine, Rhode Island, Vermont, Delaware, Maryland and Arizona (which just last year started their lottery).

"Of course lotteries come in many forms...everything from instant prizes, daily prizes, weekly prizes, etc. Probably, the more preponderant comments are that in fact state-operated lotteries are money-makers, and they are fun things, and even the smaller states, from conservative Vermont with a population of half a million people to Maryland with about four million people, realize in gross lottery revenues of something in the order of \$385 million per year.

"In each case, the state receives at the very least 30% of these gross revenues, something in the order of 45% to 50% of all the moneys generated, are returned in the form of prizes.

"Generally speaking, Mr. President, the state lotteries are fun and handled in a very businesslike manner with very strict rules and are very well regulated by commissions. Good financial management which is the order of the day, keeps the operating expenses down, some as low as 3.2% of the gross revenues, thereby increasing the proceeds to the state and the net benefits to its residents.

"The various state police reported that the lotteries did not, I repeat, did not generate any infiltration of organized crime; that, basically, there were no problems aside from minor infractions such as ticket thefts and alterations (and even from the proverbial little old lady in tennis shoes) but that is something that exists today in this state in other forms. The general profile of the typical lottery ticket buyer, was explained by Senator Wong a short time ago. Those individuals with incomes of \$50,000 or more take their chances on the stock market.

"In all the states surveyed, the overall consensus of both the lottery commissions and the police departments is that the state-operated lottery is definitely a 'fun thing' and in no way akin to casino gambling or other pure forms of gambling.

"Mr. President, we surveyed all of the statutes of the 15 states which have lotteries and we have included in the draft proposal, which has subsequently been amended by the Ways and Means Committee, every precautionary provision that is in any of the statutes that exists today.

"Contrary to what I read recently, the operators of lotteries indicated that they have in no way any plans to phase-out lottery. Arizona, for an example, the most recent state to get into the lottery operation, with a 2.7 million population, collected in six months \$19 million, which would indicate that they would be coming up with something in the order of perhaps \$200 million for an entire year. The only problem they had to date was that they did not expect the play to be as great as they originally anticipated.

"So, Mr. President, from all we could determine from the cognizant officials and, in particular, the police authorities responsible for determining whether there were any deleterious effects as a result

of lottery, there were none. Thank you."

Senator Holt then spoke against the measure and stated:

"Mr. President, I'm saddled with the flu so just a few short remarks.

"Mr. President, the establishment of a state-operated lottery system poses many troublesome issues with which we must deal. Initially, we must consider whether the legalization of gambling in any of its many forms is a desirable way to accumulate revenues. We must also be sensitive to the omnipresent danger that a gambling industry, once given birth, may outgrow with astonishing speed the ability of the state to regulate and control it.

"Mr. President, does the State of Hawaii really need a lottery? Has this body given adequate consideration to the diversity of concerns raised by the creation of a lottery system, or are we plunging headlong into a complex area about which we know virtually nothing?

"Mr. President, proponents of the state-operated lottery will call it a voluntary and painless way of raising revenues. They will deprecate the problem of regressivity by stating that middle income families are the great supporters of existing lotteries. In so doing, they neglect to perceive that though the middle-class may contribute the greatest number of dollars to this gambling enterprise, those of lower income who can least afford to do so will spend a greater percentage of their earnings.

"Mr. President, proponents of the lottery entice the public with a prospect of a multi-million dollar return to be used to benefit specific programs, but little mention has been made of the fact that lotteries yield small proportionate returns and may even create a loss of revenue, which would otherwise accrue to the state by virtue of the consumption tax.

"Mr. President, proponents of the lottery as an argument of last resort will shrug their shoulders as a previous speaker has said, 'Well, people are going to gamble anyway.' And how many other areas could this fallacious reasoning be applied? Prostitution is one that comes readily to mind.

"Mr. President, how much thought has been given to the possibility that the establishment of a lottery may result in an increase in certain kinds of crime and an accompanying escalation in the

cost of law enforcement and public welfare? Mr. President, more time is needed to address concerns such as these.

"This measure itself submitted for our consideration tonight reflects our confusion in respect to our objectives and the mechanics necessary for the attainment of these goals. This bill is rife with ambiguities and inconsistencies which we must resolve.

"Mr. President, the purpose clause of this measure, if you look at the bill, provides that revenues will be 'allocated to health, human services and educational programs.' Yet, in a later section delimiting the disposition of revenues, education is omitted as a beneficiary of funds.

"Further, Mr. President, section 5 confers upon the director the power to 'enter into such contracts as may be required for the proper creation, administration, operation, modification, and promotion of the lottery.' It is questionable whether a lottery could then be fairly termed state-operated, since this section makes evident the possibility that the director could contract out lottery operations to a privately-owned firm.

"Section 7(5) stipulates that members, employees and the director of the state lottery commission as well as members of their immediate household may not claim or receive prize money. Why then has sales agents and their families or a private operator under contract with the commission been exempted from this proviso.

"The bill also omits to address other basic issues, such as the creation and maintenance of a banking network for the disbursement of prize money and lottery fund revenues. Furthermore, there are no provisions to insure the integrity and security of the system.

"Mr. President, it appears to me that we have left many unanswered questions with this bill. We must remind ourselves that the creation of a workable lottery system, free from undue control by special interests and invested with minimum potential for abuse, depends not upon a haphazard consideration of selected elements conducted with unwarranted haste, but rather upon a comprehensive and thoughtful assessment of the totality of circumstances.

"Mr. President, prudence compels me to urge all of my colleagues to vote against this bill."

Senator Uwaine moved to call for the previous question, seconded by Senator Abercrombie.

The Chair announced that the previous question motion was made to discontinue the debate and required a two-thirds vote of the body.

The motion was put by the Chair by a show of hands and failed to pass by two-thirds vote.

Senator Henderson then rose to speak against the bill and stated:

"Mr. President, this measure obviously is a means to raise money for the State of Hawaii. It is probably one of the most inefficient forms of taxation that one could devise.

"We received testimony in the Ways and Means Committee and in that testimony we were advised that there were some thirteen or fourteen states...with per capita sales for each state...the numbers ranged from somewhere between \$8 and \$68. If we look at the State of Hawaii, we would estimate that Hawaii, because of the nature of the people here, might be in the higher bracket. That would mean that we could probably say with some confidence that the play by the local residents will be about \$50 per capita. Fifty dollars times 900,000 people will be about \$45 million.

"In most of the states, the state take was between 30 and 40 percent. If we said that 33% would be a fair number...I think the bill proposed 30...it would mean that the state would be receiving \$15 million...even that is higher than the proponent of the bill stated.

"Mr. President, in league with one of the previous speakers, there's no question that we've given away a lot in tax credits here...more than the \$15 million that we're talking about.

"Also, Mr. President, if you raise the general excise tax from four percent to four and one-eighth percent we would receive revenues by some \$18 million, at no cost, no commissions, no directors, no sales agents, no crime, no nothing.

"I ask that all of the members here vote against this measure."

Senator Yamasaki then remarked: "Mr. President, this is also one of the bills where the effective date should have been corrected to read: 'July 1, 1982.' The House will be so informed upon passage of the bill."

The motion was put by the Chair

and, Stand. Com. Rep. No. 516-82 was adopted and, Roll Call vote having been requested, S.B. No. 2555-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A STATE OPERATED LOTTERY SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 15. Noes, 10 (Campbell, George, Henderson, Holt, Kobayashi, Machida, Mizuguchi, O'Connor, Toyofuku and Ushijima).

At 11:29 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

At 11:31 o'clock p.m., the Senate reconvened with the President in the Chair.

Senate Bill No. 2759-82, S.D. 1:

Senator Yamasaki moved that S.B. No. 2759-82, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Anderson.

At this time, Senator O'Connor remarked as follows:

"Mr. President, I have before me a bill, Senate Bill 2759-82, with lots of 'pukas' in it.

"I was going to vote tonight on people's salaries and all I'm voting on are empty holes... a strange kind of bill. And, so, although I want all of these people to have pay raises and I must vote in favor of this bill, I find it strange we bring these empty 'puka' kind of bill to the floor with nobody knowing what goes inside.

"I hope that in the future we have all the words and the 'pukas' filled up by the committee chairman before we have to vote on these kinds of bills. Thank you."

The Chair answered: "Senator O'Connor, I just hope that someone up there is listening and will assist us in filling the 'pukas' so that we can get the business going."

Senator O'Connor added: "Mr. President, I think we should give the chairman of the Ways and Means Committee an 'Ouija' board."

The Chair answered: "He already has two."

Senator Cobb remarked: "Mr. President, this is a very appropriate bill for St. Patrick's Day with so many 'pukas'

and blarney stones."

Senator O'Connor answered: "We already cast out all the snakes; your caucus convention took care of that."

Senator Cobb replied: "We have shillelaghs left."

The motion was put by the Chair and S.B. No. 2759-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES AND MAKING AN APPROPRIATION THEREFOR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

Standing Committee Report No. 518-82 (S.B. No. 2167-82, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 518-82 was adopted and S.B. No. 2167-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Cobb).

Standing Committee Report No. 519-82 (S.B. No. 2261-82, S.D. 2):

Senator Yamasaki moved that Stand. Com. Rep. No. 519-82 be adopted and S.B. No. 2261-82, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Anderson.

Senator George rose to comment on the measure and stated:

"Mr. President, a contentious day if somebody saw the remarks on a difficult bill; nevertheless, I hope to surprise you with striking what might be a harmonious note in this regard.

"While I'm doing it, I'd like to express a certain amount of dismay and caution at the way the bill came out. Before I do that, I think it's important to remember that while we may differ on how to solve our duty-free dilemma, I think we're remarkably united on the objective... how to insure that the benefits of the duty-free market continue to flow into the funds to build and maintain our airport system. I'm confident we all agree on the desirability of this happy enrichment of a prime state asset.

"I'm nervous about the bill for a couple

of reasons. One is that perhaps, perhaps only, we have increased the state's exposure to suit.

"My second reason for being a little nervous about it is that perhaps we would be foregoing the maximum income to this state by holding to one operator of the duty-free market. Nevertheless, I am going to vote 'aye' and probably I should confess that I'm partly motivated because I've had a pretty expensive education in this particular matter.

"I think my colleagues in the Senate and you, Mr. President, will remember that two members of the Transportation Committee were sent at Senate expense, taxpayers expense, on a fact-finding mission to learn quite a lot about this. And, because I have been so expensively educated, while I hesitate to say I am an expert, I have learned something about it, and I would like to be able to apply this knowledge in a conference committee if the House should afford us that opportunity. Thank you, Mr. President."

Senator Kawasaki, also in support of the measure, stated:

"Mr. President, while this bill is admittedly a bill that maintains a sort of a monopoly, in this particular case the monopoly happens to benefit the state in the way of maximum revenues that could be realized, I am a little at loss to understand the opposition to this bill. People who claim that they're against monopolies of all kinds apparently have some compunctions about removing perhaps the most damaging monopoly to the consumers of this state...the monopoly enjoyed as a result of our enacting what is euphemistically named the 'Newspaper Preservation Act.' That's the monopoly that should be broken up.

"I speak in favor of this bill."

Senator O'Connor added: "Mr. President, what we really need is a duty-free preservation act with two duty-free shops and one printing press down below."

The motion was put by the Chair and Stand. Com. Rep. No. 519-82 was adopted and S.B. No. 2261-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 11:36 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:41 o'clock p.m.

RECONSIDERATION OF ACTION TAKEN

Senator Cobb moved that the Senate reconsider its action taken on Stand. Com. Rep. No. No. 360-82 and S.B. No. 2232-82, S.D. 1, seconded by Senator Anderson.

Senator Cobb then stated as follows:

"Mr. President, by way of brief explanation, this bill was substantially amended by the Senate from its original form. A bill bearing the same name entitled: 'Relating to Corporations' came over from the House; however, the differences are so vast, I would prefer not to attempt to merge the two bills by inserting the Senate draft into the House bill. I would like to have this matter considered separately on its own merits in the House."

The motion to reconsider the action was put by the Chair and carried.

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 360-82 was adopted and S.B. No. 2232-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

THIRD READING

Senate Bill No. 2565-82, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cobb and carried, S.B. No. 2565-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NUISANCE ABATEMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 8 (Campbell, Cayetano, Holt, Machida, Mizuguchi, O'Connor, Toyofuku, and Ushijima).

Senate Bill No. 2566-82, S.D. 1:

Senator Carpenter moved that S.B. No. 2566-82, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator O'Connor then rose to speak against the measure and stated:

"Mr. President, very briefly, this bill would allow an appeal from a verdict in favor of a defendant in many cases where that's not allowed today. A criminal case generally ends where there is a verdict for the defendant. When the jury comes back and finds the verdict of not guilty, that's the end of it.

"This bill would allow (the prosecutor then to take) an appeal, if for some technical reasons an appeal might lie after that verdict came back.

"The wording on page 2 of the bill is ambiguous, at best. It says, '...a verdict in favor of the defendant where the constitutional rights of the defendant will not be violated by the appeal.' That it is a statute is almost meaningless and has almost no meaning for the use of the statute in the future.

"I would urge everyone to vote against this bill."

Senator Carpenter rose to speak in favor of the measure and stated:

"Mr. President, while that language as alluded to by the previous speaker may seem vague, it in fact is on point as it applies to a case where the jury has returned a verdict of guilty and the judge has overturned that verdict. Thank you."

The motion was put by the Chair and S.B. No. 2566-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO APPEALS BY THE STATE IN CRIMINAL CASES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 16. Noes, 9 (Abercrombie, Campbell, Cayetano, Holt, Machida, Mizuguchi, O'Connor, Toyofuku and Ushijima).

Senate Bill No. 2914-82:

On motion by Senator Henderson, seconded by Senator Yee and carried, S.B. No. 2914-82, entitled: "A BILL FOR AN ACT RELATING TO STATE POPULATION AND PLANNING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 15. Noes, 10 (Campbell, Holt, Kobayashi, Machida, Mizuguchi, O'Connor, Toyofuku, Uwayne, Ushijima and Yamasaki).

Senate Bill No. 2321-82, S.D. 1:

By unanimous consent, S.B. No. 2321-82, S.D. 1, entitled: "A BILL

FOR AN ACT AMENDING SECTION 46-6, HAWAII REVISED STATUTES, RELATING TO PARKS AND PLAYGROUNDS FOR SUBDIVISIONS," was recommitted to the Committee on Government Operations and Intergovernmental Relations.

Senate Bill No. 903, S.D. 2:

Senator Yamasaki moved that S.B. No. 903, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Anderson.

Senator Saiki rose to speak in support of the measure and stated:

"Mr. President, the bill gives the Board of Regents the authority to set the salary of the president of the University.

"The bill is in consonance with the intent of the constitutional amendment which was adopted overwhelmingly by the people of this state and it states that the Board of Regents shall have 'exclusive jurisdiction over the internal organization and management of the University of Hawaii system.'

"How better to implement this intent than to give the Board of Regents the authority they rightly deserve. How can the Board of Regents exert this jurisdiction unless they have the authority to set the president's salary?

"Support for this bill does much more, however. By passing this bill the Senate would be expressing a measure of confidence in the Board of Regents and their ability to carry out the intent of the Constitution.

"Many may disagree concerning the Board of Regents. Many have been critical of the members of the Board of Regents but they are capable people and they are all members of a body confirmed by the members of this Senate. But besides dealing only with the Board of Regents, I think that we have to look at the University in total.

"The morale at the University of Hawaii is at a very low ebb. We, in the Legislature, have through comments and charges, been very critical of the Board of Regents and the administration. Some of the criticisms have been deserved, but in my estimation, sincere efforts have been made to correct deficiencies and inequities. Of course, I have to admit that part of the reason for the low morale has been due to the salary situation.

"Over the years, we have arbitrarily controlled the salaries of the University administrators by linking them to the Governor's salary. That may be over

now because of the recent Supreme Court case. But looking over the salary structure, Mr. President, we have much catching up to do, if we are going to remain competitive. By competitive, I mean, of course, with all other institutions of comparable size throughout the United States or the mainland.

"CUPA, which is the College and University Professional Assembly, points out that the median salary for university presidents at public institutions of our size is more than \$75,000.

"Our university president's salary today is statutorily fixed at \$45,000 and has remained at that level since 1976. And if we want to look at some of the other officers and academic members of our University of Hawaii, we can see that the salary structure is way out of kilter.

"The Dean of Architecture today earns \$42,750; the CUPA median, nationally, is \$52,154.

"The Dean of Agriculture today at the University earns \$42,000; the median, nationally, is \$59,000.

"The Business Dean earns \$35,000; national median is \$59,650.

"The Dean of Education earns \$41,000; the median across the country is \$53,650.

"I can go on and on with the list that I have prepared here using the CUPA figures. Basically, however, even though the salaries have been out of kilter, we also have been having great difficulty in recruiting people partly because of these low salaries, and if we are going to retain a first-class university then certainly we must be competitive. I think we can handle the internal salary situation on a much more equitable basis and I have great confidence that this Legislature will become very realistic about it.

"Due in part, then, to these low salaries, we find at the University of Hawaii an academic erosion occurring.

"Over the past six years, there have been 317 voluntary resignations or early retirements. Of those faculty who could be contacted, over fifty percent cited that they have left for financial reasons. Most of these resigning faculty have been in demand fields and have been in line to move into the ranks of full professors to replace the University's retiring faculty. Basically, we must fill these senior professor slots with very competent people if we are going to keep our

quality up.

"I have some examples of faculty who have left recently. We have three professors of oceanography who have left, one to join Navy research, another to join the University of California, Berkeley, and the third is now on the staff at Exxon.

"In addition, two professors of geology and geophysics have left. One has established his own business and the other has joined the faculty at Northwestern University.

"Navy research has also recruited a professor of anthropology and another anthropology professor has joined the faculty at Brown University.

"A professor of economics has left to join the University of California, Irvine. Auckland University in New Zealand benefited from a professor of linguistics.

"Just this morning, you may have read in the papers, David Heenan, Vice-President of Academic Affairs, has resigned his position to become Chief Executive Officer of Theo. H. Davies.

"There is also a good possibility, as was reported in this morning's paper, that an outstanding person who is the Dean of Travel Industry Management may leave the University of Hawaii to join the University of Houston.

"Now, perhaps, you can all sit here and rationalize and say, 'Well, good for them. After all, they are seeking better opportunities elsewhere.' And perhaps this is a credit to our University that we could have attracted such capable people in the first place.

"I think, taking credit for this is just not enough. I think we do have to seriously think about the future; we have to think about retaining our top-level faculty and attract new faculty. We need a strong university president; we need in the future to be able to recruit in this area and, certainly, the Board of Regents must be given every flexibility to do this.

"We in this Legislature have not hesitated to use the University for expertise in many areas in which we have public concerns. Our University of Hawaii has made great contributions in areas of energy research, agricultural programs, professional manpower, astronomy, and vocational education through the community colleges.

"When we do need assistance, we

do not hesitate to turn to these experts who we have been fortunate enough to attract to our institution.

"We do have, Mr. President, outstanding people who have made contributions nationally, who have completed outstanding research projects and they are now at the University of Hawaii.

"I have four pages of names, and I am not going to go through all of them, but these are all professors who have made contributions and are nationally recognized.

"Just to name a few, we have: Professor Helsley who is foremost in the area of marine geophysics and seismology; Professor Jefferies, known for his work in solar physics; Professor Whang, outstanding in harvesting and processing equipment and soil dynamics; Professor Greenwood, well known for cancer research and biochemical endocrinology. I won't go through any more of these names, I think you all have to agree that these people are valuable people and we must retain them at our University of Hawaii.

"In order to retain them, then, not only must we be competitive as far as salaries are concerned, but we also must create a climate of support, and that support must come from this Legislature and it must come from the community-at-large.

"It is time, Mr. President, to put our negative attitude towards the University aside. Negative aspersions and criticisms will not help build a strong university. I think it is time to turn the tables around and give the University the support it needs and this bill is symbolic of our support for the university system, itself.

"Thank you."

Senator Abercrombie spoke against the measure and stated:

"Mr. President, I am taken with the remarks of the previous speaker in terms of support for the University. Unfortunately, this bill does not address virtually anything that she spoke about, and I mean that quite sincerely.

"What this bill is, in fact, is symbolic. It is symbolic of building a better faculty. I defy you to find 'faculty' in this bill. What you have here is academic executives, managerial personnel on executive level, non-academic executives, managerial personnel...none of which is defined in the bill; none of which has been defined by the University

as yet.

"If we pass this bill right now, it won't do a single thing to attract a single more well-qualified professor; on the contrary, what it will be is a signal that we are going to continue to reward management for inaptitude.

"If they want to attract better professors, why doesn't the University negotiate better contracts for its faculty through collective bargaining. That's why we have the collective bargaining law. Instead of fighting them on their wages, why don't they grant them the kind of wages that would attract people here.

"When I first went to the University of Hawaii, 23 years ago, we were attracting major professors from all over the country who wanted to teach in Hawaii because of the climate, not only physically, but the climate academically. Those professors have been discouraged by the administration of the University. I think that you would find that a lot of the early resignations and so on were due entirely to that.

"With respect to the constitutional amendment, I would point out that the Board shall have all the powers attested to by the previous speaker, as provided by law. We provide that law, and I conclude this section shall not limit the powers of the Legislature to enact laws of statewide concern. In this particular instance there is no question that statewide concern is the motivating force that should be involved here.

"Finally, I would point out that we have just passed Senate Bill 2759 which contains all the necessary elements to deal with the essential factors here raising salaries with the personnel at the University in a context which can be understood under present law, as opposed to breaking ground which cannot be defined at this time.

"Thank you."

The motion was put by the Chair and, Roll Call vote having been requested, S.B. No. 903, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF REGENTS," having been read throughout, failed to pass Third Reading on the following showing of Ayes and Noes:

Ayes, 10. Noes, 15 (Abercrombie, Ajifu, Campbell, Carpenter, Cayetano, Henderson, Holt, Kawasaki, Kuroda, Machida, Mizuguchi, O'Connor, Soares, Toyofuku, and Ushijima).

The Chair then thanked all members of the Senate for their patience and cooperation during the long hours of today's session.

ADJOURNMENT

At 12: 00 o'clock midnight, on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate adjourned until 11: 30 o'clock a.m., Thursday, March 18, 1982.

THIRTY-SIXTH DAY

Thursday, March 18, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the Vice-President in the Chair.

The Divine Blessing was invoked by the Reverend O. W. Efurd, Pastor of Mililani Baptist Church, after which the Roll was called showing all Senators present with the exception of Senators Carpenter, Machida and Wong who were excused.

The Chair announced that he had read and approved the Journal of the Thirty-Fifth Day.

At this time, the following introductions were made to the members of the Senate:

Senator Yee, on behalf of the Senators from the Sixth Senatorial District, introduced 110 fifth grade students from Ala Wai Elementary School, accompanied by their teachers, Mrs. Okuhara, Mrs. Arakaki and Mrs. Muraoka.

Senator Ajifu, on behalf of the Senators from the Third Senatorial District, introduced student council officers from Benjamin Parker School accompanied by their teacher, Mrs. S. Yoshida, and a parent, Mrs. Abby Farm.

Senator Anderson, on behalf of the Senate, introduced 32 members of the Palo-Kai Senior Citizens Club.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 182), transmitting a report, entitled: "Services for Developmentally Disabled Adults," prepared by the Department of Health in response to Senate Resolution No. 255, S.D. 1, (1981), requesting the State Planning Council on Developmental Disabilities to conduct a study on providing appropriate services to developmentally disabled adults age 20 and over, was read by the Clerk and was referred to the Committee on Health.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 200 to 316) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 200), transmitting House Bill No. 2316-82, H.D. 1, which passed Third Reading in the House of Represen-

tatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2316-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 201), transmitting House Bill No. 2371-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2371-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF DEFENDANTS," passed First Reading and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 202), transmitting House Bill No. 2385-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2385-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL LIABILITY IN MOTOR VEHICLE ACCIDENT REPARATIONS," passed First Reading and was referred to the Committee on Consumer Protection and Commerce, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 203), transmitting House Bill No. 2391-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2391-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOME CARE SERVICES," passed First Reading and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 204), transmitting House Bill No. 2434-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2434-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 205), transmitting House Bill No. 2451-82, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2451-82, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING," passed First Reading and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 206), transmitting House Bill No. 2572-82, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2572-82, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AN AGRICULTURAL TRAINING PROGRAM ON THE ISLAND OF MOLOKAI," passed First Reading and was referred to the Committee on Agriculture, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 207), transmitting House Bill No. 2637-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2637-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," passed First Reading and was referred to the Committee on Transportation, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 208), transmitting House Bill No. 2750-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2750-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," passed First Reading and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 209), transmitting House Bill

No. 2813-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2813-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," passed First Reading and was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 210), transmitting House Bill No. 2850-82, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2850-82, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF AGRICULTURE," passed First Reading and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 211), transmitting House Bill No. 2870-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2870-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SENSITIVITY-AWARENESS GROUPS," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 212), transmitting House Bill No. 2889-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2889-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed First Reading and was referred to the Committee on Public Utilities.

A communication from the House (Hse. Com. No. 213), transmitting House Bill No. 2897-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B.

No. 2897-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed First Reading and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 214), transmitting House Bill No. 2929-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2929-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed First Reading and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 215), transmitting House Bill No. 2931-82, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2931-82, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed First Reading and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 216), transmitting House Bill No. 2936-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2936-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 217), transmitting House Bill No. 2939-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2939-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CLARIFICATION OF THE DEFINITION OF STANDARD BAR," passed First Reading and was referred to the Committee on Government Operations and Intergovernmental Relations.

A communication from the House (Hse. Com. No. 218), transmitting House Bill

No. 2942-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2942-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPEECH PATHOLOGISTS AND AUDIOLOGISTS," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 219), transmitting House Bill No. 3007-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 3007-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIABILITY OF HOTELKEEPERS," passed First Reading and was referred to the Committee on Tourism.

A communication from the House (Hse. Com. No. 220), transmitting House Bill No. 3078-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 3078-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 221), transmitting House Bill No. 3092-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 3092-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed First Reading and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 222), transmitting House Bill No. 3109-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 3109-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

THE ENVIRONMENT," passed First Reading and was referred to the Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 223), transmitting House Bill No. 3117-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 3117-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING COOPERATIVES," passed First Reading and was referred to the Committee on Housing and Hawaiian Homes.

A communication from the House (Hse. Com. No. 224), transmitting House Bill No. 3124-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 3124-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AUTHORIZED ABSENCE FROM A PSYCHIATRIC FACILITY," passed First Reading and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 225), transmitting House Bill No. 3136-82, H.D. 2, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 3136-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 226), transmitting House Bill No. 3140-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 3140-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICINE AND SURGERY," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 227), transmitting House Bill No. 3142-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 3142-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 228), transmitting House Bill No. 2070-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2070-82, H.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR THE FISCAL BIENNIUM JULY 1, 1981 TO JUNE 30, 1983," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 229), transmitting House Bill No. 34, H.D. 2, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 34, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GIFTED CHILDREN," passed First Reading and was referred to the Committee on Education.

A communication from the House (Hse. Com. No. 230), transmitting House Bill No. 1230, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 1230, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 231), transmitting House Bill No. 1251, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 1251, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE PARKS AND RECREATION AREAS," passed First Reading and was referred to the Committee on Ecology, Environment and Recreation.

A communication from the House (Hse. Com. No. 232), transmitting House Bill No. 1553, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 1553, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MERGERS OR CONSOLIDATIONS," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 233), transmitting House Bill No. 1978-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 1978-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTS FOR CONCESSIONS," passed First Reading and was referred to the Committee on Transportation, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 234), transmitting House Bill No. 2086-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2086-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INCOME TAX," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 235), transmitting House Bill No. 2090-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2090-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EXCISE TAX CREDIT," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 236), transmitting House Bill No. 2113-82, H.D. 2, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2113-82, H.D. 2, entitled: "A BILL

FOR AN ACT RELATING TO HOUSING," passed First Reading and was referred to the Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 237), transmitting House Bill No. 2129-82, H.D. 2, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2129-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE," passed First Reading and was referred to the Committee on Human Resources, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 238), transmitting House Bill No. 2215-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2215-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE," passed First Reading and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 239), transmitting House Bill No. 2224-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2224-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOARDS AND COMMISSIONS," passed First Reading and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 240), transmitting House Bill No. 2242-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2242-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECIPROCAL ENFORCEMENT OF SUPPORT," passed First Reading and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 241), transmitting House Bill No. 2261-82, H.D. 1, which

passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2261-82, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STUDY RELATING TO THE ESTABLISHMENT OF A FARMER'S MARKET," passed First Reading and was referred to the Committee on Agriculture, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 242), transmitting House Bill No. 2312-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2312-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY BUDGET," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 243), transmitting House Bill No. 2338-82, H.D. 2, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2338-82, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A BIOLOGICAL RESEARCH INSTITUTE," passed First Reading and was referred to the Committee on Agriculture, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 244), transmitting House Bill No. 2357-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2357-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL JUMPING," passed First Reading and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 245), transmitting House Bill No. 2377-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2377-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII RIGHT TO FARM ACT," passed First

Reading and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 246), transmitting House Bill No. 2378-82, H.D. 2, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2378-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION OF AGRICULTURAL ACTIVITIES," passed First Reading and was referred to the Committee on Agriculture, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 247), transmitting House Bill No. 2381-82, H.D. 2, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2381-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JOB SHARING PILOT PROJECT IN THE PUBLIC LIBRARY SYSTEM," passed First Reading and was referred to the Committee on Education.

A communication from the House (Hse. Com. No. 248), transmitting House Bill No. 2426-82, H.D. 2, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2426-82, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AN AUTOMATED, ONLINE CIRCULATION SYSTEM FOR THE PUBLIC LIBRARIES," passed First Reading and was referred to the Committee on Education, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 249), transmitting House Bill No. 2461-82, H.D. 2, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2461-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PREPARATION AND PLANNING," passed First Reading and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House

(Hse. Com. No. 250), transmitting House Bill No. 2479-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2479-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS," passed First Reading and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 251), transmitting House Bill No. 2511-82, H.D. 2, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2511-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COMPLIANCE RESOLUTION," passed First Reading and was referred to the Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 252), transmitting House Bill No. 2571-82, H.D. 2, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2571-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT OF ATTORNEYS," passed First Reading and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 253), transmitting House Bill No. 2574-82, H.D. 2, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2574-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE," passed First Reading and was referred to the Committee on Agriculture, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 254), transmitting House Bill No. 2598-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2598-82, H.D. 1, entitled: "A BILL FOR AN ACT TO AMEND SECTION 708-

833.5, HAWAII REVISED STATUTES, RELATING TO SHOPLIFTING," passed First Reading and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 255), transmitting House Bill No. 2606-82, H.D. 2, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2606-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COMMITTED PERSONS, FURLOUGH, EMPLOYMENT," passed First Reading and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 256), transmitting House Bill No. 2639-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2639-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL," passed First Reading and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 257), transmitting House Bill No. 2640-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2640-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALOHA STADIUM," passed First Reading and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 258), transmitting House Bill No. 2685-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2685-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUVENILE JUSTICE INTERAGENCY BOARD," passed First Reading and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 259), transmitting House Bill No. 2698-82, H.D. 2, which passed Third Reading in the House

of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2698-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF MOTOR VEHICLE EQUIPMENT," passed First Reading and was referred to the Committee on Transportation.

A communication from the House (Hse. Com. No. 260), transmitting House Bill No. 2710-82, H.D. 2, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2710-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LOANS TO SUGAR GROWERS," passed First Reading and was referred to the Committee on Agriculture, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 261), transmitting House Bill No. 2733-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2733-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY LEASES," passed First Reading and was referred to the Committee on Housing and Hawaiian Homes.

A communication from the House (Hse. Com. No. 262), transmitting House Bill No. 2751-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2751-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ARRESTS GENERALLY," passed First Reading and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 263), transmitting House Bill No. 2765-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2765-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS SPECIAL FEES AND CHARGES," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 264), transmitting House Bill No. 2767-82, H.D. 3, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2767-82, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed First Reading and was referred to the Committee on Education, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 265), transmitting House Bill No. 2836-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2836-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE SERVICING," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 266), transmitting House Bill No. 2849-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2849-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," passed First Reading and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 267), transmitting House Bill No. 2857-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2857-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," passed First Reading and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 268), transmitting House Bill No. 2866-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2866-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESMEN," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 269), transmitting House Bill No. 2869-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2869-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed First Reading and was referred to the Committee on Housing and Hawaiian Homes.

A communication from the House (Hse. Com. No. 270), transmitting House Bill No. 2888-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2888-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 271), transmitting House Bill No. 2900-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2900-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PEDDLING IN SCHOOL ZONES," passed First Reading and was referred to the Committee on Education.

A communication from the House (Hse. Com. No. 272), transmitting House Bill No. 2937-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2937-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT PROBATION RECORDS," passed First Reading and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 273), transmitting House Bill

No. 2947-82, H.D. 2, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2947-82, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AN AQUACULTURE AND LIVE-STOCK FEEDS PRODUCTION PROGRAM," passed First Reading and was referred to the Committee on Agriculture, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 274), transmitting House Bill No. 2984-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2984-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MATERNAL AND CHILD HEALTH," passed First Reading and was referred to the Committee on Health, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 275), transmitting House Bill No. 3023-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 3023-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLACE OF IMPRISONMENT," passed First Reading and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 276), transmitting House Bill No. 3061-82, H.D. 2, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 3061-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A STUDY OF ALTERNATIVES FOR PUNA, ISLAND OF HAWAII," passed First Reading and was referred to the Committee on Agriculture, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 277), transmitting House Bill No. 3067-82, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 3067-82, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A FEASIBILITY STUDY FOR AN AUGMENTED PACIFIC FLEET SUPPORT PROGRAM," passed First Reading and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 278), transmitting House Bill No. 3112-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 3112-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE LAND USE COMMISSION," passed First Reading and was referred to the Committee on Housing and Hawaiian Homes.

A communication from the House (Hse. Com. No. 279), transmitting House Bill No. 3119-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 3119-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL GROUP LIVING," passed First Reading and was referred to the Committee on Housing and Hawaiian Homes.

A communication from the House (Hse. Com. No. 280), transmitting House Bill No. 3138-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 3138-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SHOPLIFTING," passed First Reading and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 281), transmitting House Bill No. 3139-82, H.D. 2, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 3139-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST A PROCESSING ENTERPRISE," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 282), transmitting House Bill No. 3152-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 3152-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER COOPERATIVE ASSOCIATIONS," passed First Reading and was referred jointly to the Committee on Agriculture and the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 283), transmitting House Bill No. 3176-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 3176-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LANDSCAPE ARCHITECTS," passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 284), transmitting House Bill No. 3178-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 3178-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING BY COUNTIES," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 285), transmitting House Bill No. 77, H.D. 3, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 77, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO THE LEASING OF OCEAN AND MARINE RESOURCES," passed First Reading and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 286), transmitting House Bill No. 812, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 812, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUPIL TRANSPORTATION," passed First Reading and was referred to the Committee on Transportation.

A communication from the House (Hse. Com. No. 287), transmitting House Bill No. 765, H.D. 2, which passed Third Reading from the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 765, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES," passed First Reading and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 288), transmitting House Bill No. 1948-82, H.D. 2, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 1948-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 289), transmitting House Bill No. 888, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 888, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENSIONERS BONUS," passed First Reading and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 290), transmitting House Bill No. 1949-82, H.D. 2, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 1949-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LOANS," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 291), transmitting House Bill No. 1974-82, H.D. 2, which passed Third Reading in the House of Representa-

tives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 1974-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC PURCHASING," passed First Reading and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 292), transmitting House Bill No. 1988-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 1988-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDIVIDUAL HOUSING ACCOUNTS," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 293), transmitting House Bill No. 2043-82, H.D. 2, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2043-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A SOLAR ENERGY DEVICE AND HEAT PUMP LOAN FUND," passed First Reading and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 294), transmitting House Bill No. 2051-82, H.D. 2, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2051-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 295), transmitting House Bill No. 2083-82, H.D. 2, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2083-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO

MEDICAL ASSISTANCE," passed First Reading and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 296), transmitting House Bill No. 2162-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2162-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 297), transmitting House Bill No. 2201-82, H.D. 2, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2201-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 298), transmitting House Bill No. 2331-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2331-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed First Reading and was referred to the Committee on Agriculture.

A communication from the House (Hse. Com. No. 299), transmitting House Bill No. 2336-82, H.D. 2, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2336-82, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SUGAR RESEARCH AND DEVELOPMENT," passed First Reading and was referred to the Committee on Agriculture, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 300), transmitting House Bill No. 2360-82, H.D. 2, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2360-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A STATE TAX FRAUD UNIT AND MAKING AN APPROPRIATION THEREFOR," passed First Reading and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 301), transmitting House Bill No. 2438-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2438-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENCOURAGEMENT OF FEDERALLY CERTIFIED DEVELOPMENT COMPANIES," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 302), transmitting House Bill No. 2551-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2551-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TUITION WAIVERS FOR VETERANS," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 303), transmitting House Bill No. 2653-82, H.D. 2, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2653-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE REMOVAL OF CORAL AND SEAWEED," passed First Reading and was referred jointly to the Committee on Ecology, Environment and Recreation and the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 304), transmitting House Bill No. 2674-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B.

No. 2674-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," passed First Reading and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 305), transmitting House Bill No. 2742-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2742-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX CREDIT FOR CHILD PASSENGER RESTRAINT SYSTEMS," passed First Reading and was referred to the Committee on Transportation, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 306), transmitting House Bill No. 2778-82, H.D. 2, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2778-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EXCEPTIONAL CHILDREN," passed First Reading and was referred to the Committee on Health.

A communication from the House (Hse. Com. No. 307), transmitting House Bill No. 2806-82, H.D. 2, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2806-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," passed First Reading and was referred to the Committee on Transportation, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 308), transmitting House Bill No. 2815-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2815-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REGISTRATION OF VEHICLES," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 309), transmitting House Bill

No. 2817-82, H.D. 2, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2817-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO OFF-ROAD VEHICLES," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 310), transmitting House Bill No. 2907-82, H.D. 2, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2907-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," passed First Reading and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 311), transmitting House Bill No. 2940-82, H.D. 2, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2940-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SUGAR STABILIZATION PROGRAM," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 312), transmitting House Bill No. 2965-82, H.D. 2, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2965-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 313), transmitting House Bill No. 2972-82, H.D. 1, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2972-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

QUIETING TITLE," passed First Reading and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 314), transmitting House Bill No. 3051-82, H.D. 2, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 3051-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION," passed First Reading and was referred to the Committee on Education, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 315), transmitting House Bill No. 3121-82, H.D. 2, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 3121-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE AND COUNTY HOUSING LOAN PROGRAMS," passed First Reading and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 316), transmitting House Bill No. 3143-82, H.D. 2, which passed Third Reading in the House of Representatives on March 17, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 3143-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed First Reading and was referred to the Committee on Ways and Means.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 39 and 40) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 39), entitled: "SENATE CONCURRENT RESOLUTION URGING EMPLOYERS TO DEVELOP POLICIES TO RETAIN, HIRE, AND PROMOTE OLDER WORKERS," was offered by Senator Uwaine.

By unanimous consent, S.C.R. No. 39 was referred to the Committee on Human Resources.

A concurrent resolution (S.C.R. No. 40), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE COMMISSION ON THE HANDICAPPED TO ESTABLISH AN

INTERIM COMMITTEE TO STUDY AND SUBMIT A POLICY PROPOSAL FOR A MODEL STATE LAW; PROVIDING INTERPRETER SERVICES FOR THE HEARING IMPAIRED," was offered by Senator Uwaine.

By unanimous consent, S.C.R. No. 40 was referred to the Committee on Health.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 54 to 56) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 54), entitled: "SENATE RESOLUTION URGING EMPLOYERS TO DEVELOP POLICIES TO RETAIN, HIRE, AND PROMOTE OLDER WORKERS," was offered by Senator Uwaine.

By unanimous consent, S.R. No. 54 was referred to the Committee on Human Resources.

A resolution (S.R. No. 55), entitled: "SENATE RESOLUTION REQUESTING THE COMMISSION ON THE HANDICAPPED TO ESTABLISH AN INTERIM COMMITTEE TO STUDY AND SUBMIT A POLICY PROPOSAL FOR A MODEL STATE LAW; PROVIDING INTERPRETER SERVICES FOR THE HEARING IMPAIRED," was offered by Senator Uwaine.

By unanimous consent, S.R. No. 55 was referred to the Committee on Health.

A resolution (S.R. No. 56), entitled: "SENATE RESOLUTION URGING AN INVESTIGATION CONCERNING THE REASONS WHY '800' TOLL-FREE ENTERPRISE TELEPHONE NUMBERS CANNOT BE USED BY HAWAII RESIDENTS," was offered by Senators Campbell, Toyofuku, Ushijima, Mizuguchi, Machida, O'Connor, Yamasaki, Kawasaki, Uwaine, Young, Kobayashi, Kuroda, Cayetano, Anderson, Yee, Saiki, Henderson and Ajifu.

By unanimous consent, S.R. No. 56 was referred to the Committee on Public Utilities.

STANDING COMMITTEE REPORT

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 522-82) informing the Senate that Senate Concurrent Resolution Nos. 39 and 40 and Senate Resolution Nos. 54 to 56 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report

of the Committee was adopted.

ORDER OF THE DAY

MATTER DEFERRED
FROM MARCH 17, 1982

THIRD READING

Standing Committee Report No. 233-82
(H.B. No. 798, H.D. 1, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 233-82 and H.B. No. 798, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTEREST ON UNDERPAYMENTS AND OVERPAYMENTS," was deferred until Friday, March 19, 1982.

RE-REFERRAL OF HOUSE BILL

The President re-referred the following House Bill:

House Bill No. 2174-82, H.D. 1, which was received on Wednesday, March 17, 1982, to the Committee on Human Resources, then to the Committee on Ways and Means.

At 11:45 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:47 o'clock a.m.

Senator Ajifu then rose and addressed the members of the Senate as follows:

"Mr. President, I'd like to inform the members of the Senate that today is National Agriculture Day and this is why you see the flowers and the sign before us. That was made on behalf of the Governor's Agricultural Coordinating Committee. Yesterday, the Governor proclaimed today, the 18th of March, as National Agriculture Day."

At this time, Senator Ajifu, Chairman of the Committee on Agriculture requested a waiver of the 48-hour notice of a Public Hearing on the following measures:

H.B. No. 2367-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS"; and

H.B. No. 2799-82, entitled: "A BILL FOR AN ACT RELATING TO TAXATION OF AQUACULTURE ACTIVITIES,"

and the President granted the waiver.

Senator Abercrombie then rose and stated:

"Mr. President, I'm sorry to have to rise on this occasion to make less of an announcement than to ask that the members join with me as we adjourn today in memory of Robert Beaumont, who was not only a good friend to me and to others, I'm sure, here in the Capitol, but was also known to tens of thousands if not hundreds of thousands of people throughout the state as a member of the duo Olomana.

"It is my sad duty in a sense, today, as a memorial service will be held at Hawaiian Memorial Park this evening at 7:30, to alert this body to the passing of another great musician from our midst.

"We all, I'm sure, recognize the loss with the death of Gabby Pahinui, and now one of the youngest, and most promising members of our total musical spectrum that has come to such great prominence in the last decade, has left us, and so, I would hope that when we adjourn today, that we would do so in memory of Robert Beaumont.

"And, as a reminder for those who would like to attend the service, it will be held at 7:30 at Hawaiian Memorial Park."

The Chair then stated:

"I just want to make a correction.

"I gave credit to the Department of Regulatory Agencies and specifically, the Insurance Commissioner for having introduced and having sponsored the bill to publish property insurance rates. I have since learned that the bill came into being through the initiative of Senator Cayetano. I just wanted to give credit where it belongs."

Senator Cayetano then rose and stated:

"Mr. President, thank you for the correction. It's exactly as I told you today."

The President then ordered the members of the Senate to rise on adjournment in memory of the late Robert Beaumont.

ADJOURNMENT

At 11:51 o'clock p.m., on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, March 19, 1982, in memory of Robert Beaumont.

THIRTY-SEVENTH DAY

Friday, March 19, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Philip D'Auby, Associate Pastor of the Star of the Sea Catholic Church, after which the Roll was called showing all Senators present with exception of Senators Anderson, Henderson, Machida and Young who were excused.

The President announced that he had read and approved the Journal of the Thirty-Sixth Day.

The following introductions were then made to the members of the Senate:

Senate Kuroda, on behalf of the Senators from the Fourth Senatorial District, introduced a group of 40 sixth grade students from Pearl City Highlands Elementary School and their teachers: Mrs. Jean Higashi, Mrs. Kitty Aihara, Mrs. Amy Hironaka and Miss Karen Kato.

Senator Saiki, on behalf of Senator Anderson, introduced 40 members of the Golden Age Senior Citizens Club.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 183), transmitting copies of the 1980-1981 Annual Report prepared by the Department of Taxation, in compliance with Section 231-3 (8), HRS, was read by the Clerk and was referred to the Committee on Ways and Means.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 41), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION TO IMPLEMENT CARDIO-PULMONARY RESUSCITATION TRAINING IN HIGH SCHOOLS," was offered by Senators Cayetano, Abercrombie, Carpenter, Kawasaki, Cobb, Campbell, Yamasaki, Kuroda, Uwaine, O'Connor and Saiki, and was read by the Clerk.

By unanimous consent, S.C.R. No. 41 was referred jointly to the Committee on Health and the Committee on Education.

SENATE RESOLUTION

A resolution (S.R. No. 57), entitled:

"SENATE RESOLUTION REQUESTING THE BOARD OF EDUCATION TO IMPLEMENT CARDIO-PULMONARY RESUSCITATION TRAINING IN HIGH SCHOOLS," was offered by Senators Cayetano, Kuroda, Kobayashi, Uwaine, Kawasaki, Cobb, Abercrombie, Carpenter, Yamasaki, Campbell, O'Connor and Saiki, and was read by the Clerk.

By unanimous consent, S.R. No. 57 was referred jointly to the Committee on Health and the Committee on Education.

STANDING COMMITTEE REPORTS

Senator Cobb, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 523-82) informing the Senate that Senate Concurrent Resolution 41, Senate Resolution No. 57, and Standing Committee Report No. 524-82 have been printed and distributed to all members of the Senate.

On motion by Senator Cobb, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 524-82) recommending that Senate Resolution No. 38 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 524-82 and S.R. No. 38, entitled: "SENATE RESOLUTION REQUESTING THAT THE DEPARTMENT OF THE NAVY AND RIMPAC TERMINATE THE USE OF KAHOLAWE AS A BOMBING TARGET," was deferred until Monday, March 22, 1982.

ORDER OF THE DAY

MATTER DEFERRED
FROM MARCH 18, 1982

THIRD READING

Standing Committee Report No. 233-82 (H.B. No. 798, H.D. 1, S.D. 2):

Senator Yamasaki moved that Stand. Com. Rep. No. 233-82 be adopted and H.B. No. 798, H.D. 1, S.D. 2, pass Third Reading, seconded by Senator Cobb.

Senator Kawasaki then offered the following amendment:

"SECTION 1. House Bill No. 798, H.D. 1, S.D. 2, is amended as follows:

1. By amending line 21 on page 6 to read:

'paid at the rate of [two-thirds] three fourths of one percent'

2. By amending line 14 on page 11 to read:

'on such amount at the rate of [two-thirds] three fourths of'

3. By amending line 23 on page 13 to read:

'the rate of [eight] nine per cent a year from the date of'

4. By amending line 20 on page 14 to read:

'at the rate of [twelve] nine per cent a year from the date of each pay--'

At 11:48 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:01 o'clock p.m.

Senator Kawasaki moved that the amendment be adopted, seconded by Senator Abercrombie.

At this time, Senator Kawasaki rose to state as follows:

"Mr. President, the amendment very simply changes the rate of interest that is to be charged on both overpayments and underpayments to the Tax Office from the recommended percentage of 12%, as in the original version of the bill. The amendment changes the figure 12% to 9%.

"The primary reason I'm introducing this amendment is that in this era of high interest rates, and everybody abhors the environment of high interest rates, I think it's perhaps the responsibility of government, the state government in this case, to set an example of not just compounding the situation of high interest rate cost to people.

"The amendment changes the chargeable rate of interest to people who have duly filed their taxes...they've filed their taxes; however, they simply don't have the money to pay their taxes.

"At a time when money is hard to come by in the way of borrowing from the banks and so on, I think we're just making it more difficult for literally hundreds of business people who find the economic climate very difficult.

They are unable to pay their taxes. I think we should have heart enough at the government level not add to this climate of high interest rate and perhaps increase the rate of interest chargeable to a delinquent taxpayer the rate of 9% only.

"You know, we just passed the other night, practically giveaways to agricultural enterprises, millions of dollars, literally, charging only 2%. The proposal that we give a \$50 million stabilization fund, as it is called, chargeable perhaps at the suggested rate of 6%. These are means to help businessmen who claim to be in dire straits.

"I think the businessmen who are really in trouble, who file their taxes, but simply don't have the money to pay...I think perhaps we should give them some consideration and instead of raising the interest rate to 12% as is provided in the original bill, perhaps, if we could raise it 1% to make it 9% from the existing 8%.

"I'm also concerned about the growing trend in bankruptcies that are being declared nationally and locally.

"With all these things in mind, I think we can well afford to keep the interest rates chargeable on delinquent accounts payable to the Tax Office a reasonable 9%."

Senator Cayetano, in support of the amendment, stated:

"Mr. President, it's my understanding that the Federal Government has also increased the penalty for underpayments, and if I am correct, it is my understanding that the interest rate of the federal penalty is one or two percent above prime. I don't think we should add to the woes of any person who has fallen behind in his tax payment.

"Certainly, a taxpayer who has had problems paying taxes will get it from the Federal Government for the reasons I stated. There's no need for the state to add to that taxpayer's misery."

Then, Senator Cobb rose to speak against the amendment and stated:

"Mr. President, I think we are living in a dream world if we think we can set interest rates when that in fact happens to be the function of the national economy, the Federal Reserve Board and the actions of banks, mostly on the East Coast.

"We've had continual testimony before my committee relative to what happens when you have an artificially low interest rate. People then take advantage of it as a simple means of a low interest loan. Now, we will be having a situation where a number of businessmen would be able to take advantage or taxpayers who are not in business take advantage of this situation and simply underpay their taxes and in effect create a 9% loan, and then wait for the state to catch up on them.

"It seems to me we're proceeding on a contradictory direction when we're expressing concerns on the one hand for state revenues and on the other hand creating a loophole, if you will, that will allow low interest loans, low payments at 9% instead of 12% when we're in an interest environment of anywhere from 12% to 16% in today's economy."

Senator Abercrombie then rose to speak in favor of the measure and in rebuttal of the previous speaker's remarks stated:

"Mr. President, the amendment is offered not to try to effect interest rates at the national level, but to respond to the effect of interest rates at the national level, and the other circumstances of extraordinary expenses that have been added, in particular, to small business people in their capacity to do business.

"It's because of that horrendous situation that the amendment is an attempt not to slow down the payment, but to see that some payment is made at all.

"If someone goes bankrupt, then we've lost the whole situation when we've lost the whole possibility of being paid, and also being paid down the line if a business is able to continue.

"As for the idea that this constitutes a low cost loan and so on, it by no means constitutes a low cost loan in comparison to the examples that were raised and we're talking about the individuals that are most likely to be affected from this.

"We're not talking about international corporations. We're talking about the person or persons who have small business operations and are desirous of staying in business in the State of Hawaii."

Senator Cobb, in rebuttal, stated:

"Mr. President, I was not addressing the situation of multi-national corporations

or foreign corporations. I was confining my remarks to the local situation, right here, where we have had numerous testimony before the committee that I chair relative to the fact that where you have an artificially low interest rate environment, you are in fact creating a low interest loan by the nonpayment or the delayed payment of such moneys. And, in fact, this is happening now in the wholesale market and it's one of the reasons why we passed Senate Bill 400 last year in an attempt to equalize that situation."

At 12:07 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:22 o'clock p.m.

Senator Kawasaki then responded as follows:

"Mr. President, I just want to briefly respond to the concerns expressed by the good Senator, my friend from the Seventh District, regarding his opinion that this may amount to a low cost loan to people who are delinquent in their taxes.

"That may be so, but nothing as bad as the low cost loan we passed on and I trust that the good Senator did not vote for them... the 2% loan to the independent sugar growers and the 6% recommended loan proposition to create the sugar stabilization fund.

"These are really low cost loans to people who are not in the strait that some of these people are that I am concerned about.

"I understand there is some language change, technical corrections, that should be made, so in the interest of correcting some of these things, I will withdraw my amendment."

Senator Kawasaki then moved to withdraw the amendment, seconded by Senator Abercrombie and carried.

By unanimous consent, Stand. Com. Rep. No. 233-82 and H.B. No. 798, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTEREST ON UNDERPAYMENTS AND OVERPAYMENTS," were deferred until Monday, March 22, 1982.

At this time, Senator Cayetano made the following announcement and remarked:

"Mr. President, yesterday evening I was stunned to see in the news the story about the contamination of milk

and in today's issue of the Honolulu Star-Bulletin the matter is headlined. I'm sure that other Senators in this body, like myself, have been deluged with calls from constituents who are worried about their children and families. So, this afternoon at 2:30, the Health Committee will be holding a hearing on this matter.

"We have invited the Health Department to send people to the hearing. We have contacted the University to get more information on the matter to see whether the Legislature can make any contribution in alleviating the fears of our people and, in fact, the very situation which may have led to this kind of a problem.

"The hearing is scheduled to be held in Conference Room 2 at 2:30 this afternoon.

"And there's another matter in the headlines you asked me not talk about, Mr. President, so I won't."

Senator Carpenter then rose on a point of personal privilege and stated:

"Mr. President, on the matter that you asked Senator Cayetano not to speak about, I'd like to commend the reporter for the Star-Bulletin.

"The number of copies of the Star-Bulletin that are sold on the Big Island daily...and I'm not sure if this is accurate...is approximately 500 or

less because I often see the following day, in several of the stores that I visit, many copies from the previous day that have not been purchased.

"Mr. President, I want to commend the reporter who drafted my comments because that's exactly what I said and exactly what I mean. I don't intend to change my party affiliation anymore than I intend to change my religious preference which is Protestant, even though my wife and children are all Catholics.

"Thank you very much."

The Chair then made the following remarks:

"On Wednesday night because of the lateness of the hour, the Chair was unable to go into any great length to thank every Senator. We were pressed for time and I realize that members held back their comments. The Chair appreciates that cooperation from all Senators. We got our business done on time. Whether it was good business that we passed or bad, the future will tell but I appreciate your kokua. Thank you."

ADJOURNMENT

At 12:17 o'clock p.m., on motion by Senator Cobb, seconded by Senator Yee and carried, the Senate adjourned until 11:30 o'clock, Monday, March 22, 1982.

THIRTY-EIGHTH DAY

Monday, March 22, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session 1982, convened at 11:30 o'clock a.m., with the Vice-President in the Chair.

The Divine Blessing was invoked by Ms. Samieh Labib, Member of the Baha'i Faith, after which the Roll was called showing all Senators present with the exception of Senators Abercrombie, Holt, Machida, Mizuguchi, Ushijima, Yamasaki and Wong who were excused.

The President announced that he had read and approved the Journal of the Thirty-Seventh Day.

At this time, the following introductions were made to the members of the Senate:

Senator Anderson, on behalf of the Senate, introduced 15 members of the Hui O' Neneu Senior Citizens Club from Nanakuli.

Senator Young then rose and stated:

"Mr. President, I had a request from Georgia Miller of the State Federation of Business and Professional Women to introduce a resolution commemorating the 10th anniversary of the passage of the Equal Rights Amendment in the State of Hawaii and to congratulate the currently serving legislators who were involved in the passage of this resolution.

"While we are not introducing any congratulatory resolutions this session, I would like to recognize the following Senators who, on this day 10 years ago, March 22, 1972, decisively and unanimously passed House Concurrent Resolution No. 39, ratifying an amendment to the Constitution of the State of Hawaii, granting equality under the law without regard to sex.

"The Senators are: Senators Ajifu, Anderson, Cobb, Henderson, Kawasaki, Kuroda, O'Connor, Saiki, Soares, Toyofuku, Ushijima, Wong, Yamasaki, Yee and Young.

"Please note that Senators Saiki and Ushijima really worked hard and long hours for its passage.

"Mr. President, it gives me great pleasure to introduce members of the organizations present this morning who gave their time and effort to this unanimous vote. The organizations are:

The Hawaii Federation of Business

and Professional Women's Club;

The American Association of University Women;

The League of Women Voters;

The Young Lawyers; and

The Commission on the Status of Women."

The President then stated:

"Thank you very much, Senator Young. It pleases us male chauvinists to know that we've been accepted by the Equal Rights Movement advocates.

"At this time, the Chair would like to make an introduction.

"We have, in the gallery, Mr. S. C. Chang, from the Foreign Languages Department of Kiangsi University, Nanchang, Kiangsi Province, of the Peoples' Republic of China."

HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 317), transmitting House Concurrent Resolution No. 117, which was adopted by the House of Representatives on March 22, 1982, was read by the Clerk and was placed on file.

At 11:47 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:48 o'clock a.m.

By unanimous consent, H.C.R. No. 117, entitled: "HOUSE CONCURRENT RESOLUTION COMMEMORATING THE TENTH ANNIVERSARY OF THE PASSAGE OF THE EQUAL RIGHTS AMENDMENTS IN THE STATE OF HAWAII," was referred to the Committee on Judiciary.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 42 to 45) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 42), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING PRESIDENT REAGAN AND THE CONGRESS OF THE UNITED STATES TO ESTABLISH A NATIONAL ACADEMY OF PEACE,"

was offered by Senators Abercrombie, Kawasaki, Cayetano, Mizuguchi, Yamasaki, Ushijima, Campbell and Cobb.

By unanimous consent, S.C.R. No. 42 was referred to the Committee on Government Operations and Intergovernmental Relations.

A concurrent resolution (S.C.R. No. 43), entitled: "SENATE CONCURRENT RESOLUTION URGING LANDOWNERS OF THE PEARL HARBOR AREA TO SUPPORT WETLAND AGRICULTURE," was offered by Senators Ajifu, Kuroda, Uwaine, Cayetano, Young, Kawasaki, Yamasaki, Machida, Ushijima, Holt, Henderson, Campbell and Mizuguchi.

By unanimous consent, S.C.R. No. 43 was referred to the Committee on Agriculture.

A concurrent resolution (S.C.R. No. 44), entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DEVELOP THROUGH PRIVATE DEVELOPERS AND CAPITAL CERTAIN LANDS FOR CERTAIN ENUMERATED PURPOSES," was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 44 was referred jointly to the Committee on Ecology, Environment and Recreation and the Committee on Economic Development.

A concurrent resolution (S.C.R. No. 45), entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES' INTENT TO EXPAND THE USE OF CONCESSION AGREEMENTS TO DEVELOP AND OPERATE CAMPING AND CABIN RENTAL FACILITIES IN CERTAIN STATE PARKS," was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 45 was referred jointly to the Committee on Ecology, Environment and Recreation and the Committee on Economic Development.

SENATE RESOLUTION

A resolution (S.R. No. 58), entitled: "SENATE RESOLUTION URGING LANDOWNERS OF THE PEARL HARBOR AREA TO SUPPORT WETLAND AGRICULTURE," was offered by Senators Ajifu, Kuroda, Uwaine, Cayetano, Saiki, Young, Yamasaki, Kawasaki, Machida, Ushijima, Holt, Henderson, Campbell and Mizuguchi.

By unanimous consent, S.R. No. 58 was referred to the Committee on Agriculture.

STANDING COMMITTEE REPORT

Senator Young, for the Committee on Legislative Management, presented

a report (Stand. Com. Rep. No. 525-82) informing the Senate that Senate Concurrent Resolution Nos. 42 to 45 and Senate Resolution No. 58 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

ORDER OF THE DAY

MATTERS DEFERRED FROM MARCH 19, 1982

Standing Committee Report No. 524-82 (S.R. No. 38):

By unanimous consent, Stand. Com. Rep. No. 524-82 and S.R. No. 38, entitled: "SENATE RESOLUTION REQUESTING THAT THE DEPARTMENT OF THE NAVY AND RIMPAC TERMINATE THE USE OF KAHOLAWE AS A BOMBING TARGET," were recommitted to the Committee on Ecology, Environment and Recreation.

THIRD READING

Standing Committee Report No. 233-82 (H.B. No. 798, H.D. 1, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 233-82 and H.B. No. 798, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTEREST ON OVERPAYMENTS AND UNDERPAYMENTS," was deferred until Tuesday, March 23, 1982.

RE-REFERRAL OF HOUSE BILLS

The President re-referred House Bill No. 2339-82, H.D. 1, which was received on Monday, March 15, 1982, to the Committee on Human Resources.

The President re-referred the following House Bills which were received on Wednesday, March 17, 1982:

House Bills	Referred to:
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No. 1642, H.D. 1	Committee
on Ways and Means	

No. 2049-82, H.D. 1	Committee
on Ways and Means	

No. 2359-82, H.D. 1	Committee on
Judiciary, then to the Committee	
on Ways and Means	

No. 2742-82, H.D. 1	Committee
on Ways and Means	

No. 2778-82, H.D. 2	Jointly to the
Committee on Health and the Committee	

on Education

No. 3109-82, H.D. 1 Committee on
Ecology, Environment and Recreation

RE-REFERRAL OF
SENATE CONCURRENT RESOLUTION

The President re-referred Senate
Concurrent Resolution No. 40, which
was offered on Thursday, March 18,
1982, to the Committee on Human Resources.

RE-REFERRAL OF
SENATE RESOLUTION

The President re-referred Senate
Resolution No. 55, which was offered
on Thursday, March 18, 1982, to the
Committee on Human Resources.

At this time, Senator George, Chairman
of the Committee on Transportation,
requested a waiver of the 48-hour
notice of a Public Hearing on the following
measure:

H.B. No. 1094, H.D. 1, entitled:
"A BILL FOR AN ACT RELATING TO
INSPECTION OF VEHICLES,"

and the President granted the waiver.

ADJOURNMENT

At 11:52 o'clock a.m., on motion
by Senator Cobb, seconded by Senator
Anderson and carried, the Senate
adjourned until 11:30 o'clock a.m.,
Tuesday, March 23, 1982.

THIRTY-NINTH DAY

Tuesday, March 23, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Frank Chong of the Waikiki Health Clinic, after which the Roll was called showing all Senators present with the exception of Senators Ajifu, Saiki, Ushijima and Uwaine who were excused.

The President announced that he had read and approved the Journal of the Thirty-Eighth Day.

Senator Anderson then introduced to the members of the Senate a group (29) from the Ewa Beach Senior Citizens Club.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 184), submitting for consideration and consent to the Intermediate Court of Appeals, the nomination of Arthur S.K. Fong, Judge, for a term of ten years, in accordance with Article VI, Section 3, of the Hawaii State Constitution, was read by the Clerk and was referred to the Committee on Judiciary.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 526-82) informing the Senate that Standing Committee Report Nos. 527-82 to 531-82 have been printed and distributed to all members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 527-82) recommending that the Senate advise and consent to the nomination of Eli Nahulu to the Juvenile Justice Interagency Board, term to expire December 31, 1985, in accordance with Governor's Message No. 169.

By unanimous consent, action on Stand. Com. Rep. No. 527-82 and Gov. Msg. No. 169 was deferred until Wednesday, March 24, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 528-82) recommending that the Senate advise and consent

to the nominations of Cobey Black, Sharon Y. Moriwaki, Kevin Mulligan, Lyn A. Hemmings, and Vivian Rae Hanson to the Commission on the Status of Women, terms to expire December 31, 1985, in accordance with Governor's Message No. 170.

By unanimous consent, action on Stand. Com. Rep. No. 528-82 and Gov. Msg. No. 170 was deferred until Wednesday, March 24, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 529-82) recommending that the Senate advise and consent to the nomination of Joan H. Yamamoto to the Board of Registration of Kauai and Niihau, term to expire December 31, 1985, in accordance with Governor's Message No. 171.

By unanimous consent, action on Stand. Com. Rep. No. 529-82 and Gov. Msg. No. 171 was deferred until Wednesday, March 24, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 530-82) recommending that the Senate consent to the nomination of James S. Burns, Chief Judge of the Intermediate Court of Appeals, for a term of ten years, in accordance with Article VI, Section 3, of the Hawaii State Constitution, and in accordance with Governor's Message No. 177.

By unanimous consent, action on Stand. Com. Rep. No. 530-82 and Gov. Msg. No. 177 was deferred until Wednesday, March 24, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 531-82) recommending that the Senate consent to the nomination of Arthur T. Ueoka, Judge, Second Circuit Court, for a term of ten years, in accordance with Article VI, Section 3, of the Hawaii State Constitution, and in accordance with Governor's Message No. 178.

By unanimous consent, action on Stand. Com. Rep. No. 531-82 and Gov. Msg. No. 178 was deferred until Wednesday, March 24, 1982.

At 11:40 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:52 o'clock a.m.

ORDER OF THE DAY

MATTER DEFERRED
FROM MARCH 22, 1982

THIRD READING

Standing Committee Report No. 233-82 (H.B. No. 798, H.D. 1, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 233-82 and H.B. No. 798, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTEREST ON UNDERPAYMENTS AND OVERPAYMENTS," was deferred until Wednesday, March 27, 1982.

RE-REFERRAL OF
HOUSE BILL

The President re-referred House Bill No. 2451-82 which was received on Wednesday, March 17, 1982, to the Committee on Human Resources.

At this time, Senator Abercrombie rose on a point of personal privilege and stated:

"Mr. President, I would like to direct the members' attention, if they will sometime later in the day or at their convenience, to page B-5 of The Honolulu Advertiser, to the headline 'Judge puts time-sharing rules on hold,' by Ann Harpham. I think it's very instructive for us if we just took a glance at that with respect to the wisdom of the Consumer Protection Committee moving the ban on time-sharing.

"After all the discussion about trying to make the rules work and all the assurances given to the chairman of the Consumer Protection Committee, we find that behind our backs the time-sharing people were going into court to put a hold on every single one of the rules that were so laboriously arrived at in the legislative sessions over the past several years that we struggled with it. So I would appreciate it if members would look at that because I think it will give us a real good perspective on what we can expect from the promises of these people, especially with respect to their good faith in relation to the Consumer Protection Committee in its efforts to this point.

"Thank you."

Senator Cobb, also on a point of personal privilege, added:

"Mr. President, we spent considerable hours writing the legislative findings and intent of a five-page committee report, detailing the considerable

history of the comprehensive attempts by the state to regulate this industry, and paying very close attention to the previous Attorney General's Opinion that we had received in writing where they stated that a comprehensive good faith attempt at regulation was necessary before any type of ban could be considered. And for the last three years that's exactly what we've attempted.

"In view of the noncompliance with the law, the continual evasion, particularly involving the sales practices, the bill that was reported out of the Senate I think was not only necessary, but timely, and was in effect the ultimate step taken after very careful consideration of the Attorney General's Opinion and testimony before our committee.

"I don't think anyone in this chamber can say that we didn't bend over backwards in a good faith comprehensive effort to regulate before we took the ultimate step of banning the further acquisition of time-sharing. Thank you."

Senator Cayetano, on a point of personal privilege, remarked:

"Mr. President, I'd like to discuss today the shocking headlines in this morning's Advertiser. It reads: 'More milk banned; test results worsen.'

"Last week, Mr. President, the newspapers, Advertiser and Star-Bulletin, as well as the news media carried virtually the same headlines, and the Health Committee reacted. We held a hearing and we were assured at that hearing by the Department of Health that certain steps have been taken that the milk that would be placed on the shelf for sale to the public would be safe. Now, just a few days later, we find that the test results indicate that the contamination has in fact worsened.

"This comic and tragic episode in the history of the Department of Health, Mr. President, has to be looked into. If what is represented in the newspaper article today is accurate, if it is correct, then I will say categorically that members of the Health Committee and the Senators who were present at the hearing we held last week were not told the truth.

"My telephone this morning has been ringing off the hook with calls from irate parents, calls from irate mothers, especially pregnant women, who want to know what is going on.

"Today, we are going to hold a hearing on this. We're going to get right down to the nitty-gritty and, if necessary, later on in the week I will

ask that the President commission an investigative committee to look into this whole matter of the milk contamination.

"This has to be one of the greatest examples of incompetence in the history of the Health Department, and I can tell you right now, it's costing people not only great anxiety, but, also, it's going to cost millions, if not hundreds of thousands of dollars in economic loss, and the state is going to be sued for this.

"In the end, someone will have to be held responsible for it. When we find out and determine who the person is, that person or persons should suffer no less the kind of fate that they would suffer if this were in private industry. Someone's head has to roll for this."

The Chair responded: "The meeting this afternoon by the Health Committee will be an information gathering meeting. Afterwards, we will decide on whether or not a special investigative committee will be formed to look at the matter further."

Senator Carpenter also rose on a point of personal privilege and said:

"Mr. President, when the previous speaker rose to speak to the headlines in this morning's paper, I thought he was alluding to the statistical data and the headline at the very top of the page which showed statistics on heavy smoking of marijuana by seniors in high schools on the Big Island of Hawaii.

"Mr. President, just a few minutes

ago, I met with members of the model legislature... youngsters representing all the high schools on the Big Island... and they indicated to me that these numbers seem to be fairly high. The definition that was used in the newspaper of a heavy user is one who smokes one joint or more daily. They indicated it's more like one or two, weekly.

"I'd just like to say that some of these individuals with whom I met this morning, in discussing concerns relating to consumption of marijuana, stopped me in the act of myself pulling out a cigarette and I was essentially condemned because a number of them consider that smoking cigarettes is equally pernicious as marijuana is considered by others to be.

"In essence, I'd just like to mention that the speaker of the house of the model legislature is a youngster from Hilo and the president of the senate is also a youngster from Hilo and I'd like to think that the youngsters were quite open, very candid, and are interested in finding out at this point and time just exactly what the statistics may be for the counties of Maui and Kauai and the City and County of Honolulu. We will be looking forward to those reports, and, hopefully, they will occupy the same position in the newspaper as this morning's. Thank you."

ADJOURNMENT

At 12:05 o'clock p.m., on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, March 24, 1982.

FORTIETH DAY

Wednesday, March 24, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Dean Zenei Okimura of Koboji Shingon Mission, after which the Roll was called showing all Senators present with the exception of Senators Anderson, Saiki and Ushijima who were excused.

The Chair announced that he had read and approved the Journal of the Thirty-Ninth Day.

At this time, the following introductions were made to the members of the Senate:

Senator Soares, on behalf of Senator Anderson, introduced a group of 28 senior citizens from the Makiki Senior Citizens Club.

Senator Abercrombie then recognized the President of the Makiki Senior Citizens Club, Mr. Thomas Nakashima who, accompanied by club members Mr. Robert Chang and his wife Lilly, and Ms. Bernice Loui, visited him in his office this morning.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 46 and 47) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 46), entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DEVELOP THROUGH PRIVATE DEVELOPERS AND CAPITAL CERTAIN LANDS FOR CERTAIN ENUMERATED PURPOSES," was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 46 was referred jointly to the Committee on Ecology, Environment and Recreation and the Committee on Economic Development.

A concurrent resolution (S.C.R. No. 47), entitled: "SENATE CONCURRENT RESOLUTION URGING THE COUNTIES OF THE STATE TO IMPLEMENT URGENTLY NEEDED CHANGES IN THE REAL PROPERTY TAX," was offered by Senators Kawasaki, Uwaine, Kuroda, Young, Abercrombie, Cayetano, Kobayashi, Wong and Carpenter.

By unanimous consent, S.C.R. No. 47 was referred to the Committee on Government Operations and Intergovernmental Relations.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 59 to 61) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 59), entitled: "SENATE RESOLUTION RELATING TO PEDIATRIC CARE IN HAWAII WEEK," was offered by Senators Cayetano, Abercrombie, Campbell, Kawasaki, Saiki, George, Toyofuku, Yamasaki, Soares, Kuroda, Machida, Holt, Cobb, Yee, O'Connor, Kobayashi, Wong, Young, Mizuguchi and Henderson.

On motion by Senator Cayetano, seconded by Senator Carpenter and carried, S.R. No. 59 was adopted.

A resolution (S.R. No. 60), entitled: "SENATE RESOLUTION RELATING TO POISON PREVENTION WEEK," was offered by Senators Cayetano, Abercrombie, Campbell, Kuroda, Kawasaki, Saiki, George, Cobb, Machida, Holt, Kobayashi, Mizuguchi, Henderson, Yee, Toyofuku, O'Connor, Young, Yamasaki, Soares and Wong.

On motion by Senator Cayetano, seconded by Senator Carpenter and carried, S.R. No. 60 was adopted.

A resolution (S.R. No. 61), entitled: "SENATE RESOLUTION URGING THE COUNTIES OF THE STATE TO IMPLEMENT URGENTLY NEEDED CHANGES IN THE REAL PROPERTY TAX," was offered by Senators Kawasaki, Uwaine, Kuroda, Young, Abercrombie, Cayetano, Kobayashi, Wong and Carpenter.

By unanimous consent, S.R. No. 61 was referred to the Committee on Government Operations and Intergovernmental Relations.

STANDING COMMITTEE REPORT

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 532-82) informing the Senate that Senate Concurrent Resolution Nos. 46 and 47 and Senate Resolution Nos. 59 to 61 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

At 11:44 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:50 o'clock a.m.

ORDER OF THE DAY

MATTERS DEFERRED FROM MARCH 23, 1982

Standing Committee Report No. 527-82 (Gov. Msg. No. 169):

Senator Carpenter moved that Stand. Com. Rep. No. 527-82 be received and placed on file, seconded by Senator Cayetano and carried.

Senator Carpenter then moved that the Senate advise and consent to the nomination of Eli Nahulu to the Juvenile Justice Interagency Board, term to expire December 31, 1985, seconded by Senator Cayetano.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Saiki and Ushijima).

Standing Committee Report No. 528-82 (Gov. Msg. No. 170):

Senator Carpenter moved that Stand. Com. Rep. No. 528-82 be received and placed on file, seconded by Senator Cayetano and carried.

Senator Carpenter then moved that the Senate advise and consent to the nominations of Cobey Black, Sharon Y. Moriwaki, Kevin Mulligan, Lyn A. Hemmings and Vivian Rae Hanson to the Commission on the Status of Women, terms to expire December 31, 1985, seconded by Senator Cayetano.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Saiki and Ushijima).

Standing Committee Report No. 529-82 (Gov. Msg. No. 171):

Senator Carpenter moved that Stand. Com. Rep. No. 529-82 be received and placed on file, seconded by Senator Cayetano and carried.

Senator Carpenter then moved that the Senate advise and consent to the nomination of Joan H. Yamamoto to the Board of Registration of Kauai and Niihau, term to expire December 31, 1985, seconded by Senator Cayetano.

The motion was put by the Chair and carried on the following showing of

Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Saiki and Ushijima).

Standing Committee Report No. 530-82 (Gov. Msg. No. 177):

Senator Carpenter moved that Stand. Com. Rep. No. 530-82 be received and placed on file, seconded by Senator Cayetano and carried.

Senator Carpenter then moved that the Senate consent to the nomination of James S. Burns as Chief Judge of the Intermediate Court of Appeals, for a ten-year term, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, seconded by Senator Cayetano.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Saiki and Ushijima).

Standing Committee Report No. 531-82 (Gov. Msg. No. 178):

Senator Carpenter moved that Stand. Com. Rep. No. 531-82 be received and placed on file, seconded by Senator Cayetano and carried.

Senator Carpenter then moved that the Senate consent to the nomination of Arthur T. Ueoka as Judge, Second Circuit Court, for a ten-year term, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, seconded by Senator Cayetano.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Saiki and Ushijima).

THIRD READING

Standing Committee Report No. 233-82 (H.B. No. 798, H.D. 1, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 233-82 and H.B. No. 798, H.D. 1, S.D. 2, was deferred until Thursday, March 25, 1982.

At this time Senator Cobb rose and addressed the members of the Senate as follows:

"Mr. President, on a point of parliamentary privilege, I'd like to state that the

committee report on this matter is dated March 8, 1982, almost three weeks ago.

"Just as a matter of courtesy, I think when a matter is deferred one day, that's normally a matter of courtesy. When it's two days, it begins to amount to a delay. More than two days it amounts to an obstruction.

"I think if we're looking at standards of courtesy in the matter of deferment, two weeks is considerably longer than the two or three days that we would exercise as a matter of courtesy for Senators to get additional information on this. In the future, I would hope that we would not string out bills for three or four weeks."

The President then responded:

"Mr. Floor Leader, I concur with your assessment, and I think it will be the policy of the Chair, in terms of deferment in the future, that tomorrow this measure will be voted up or down with or without amendments."

Senator Cobb then replied:

"Thank you, Mr. President."

RE-REFERRAL OF HOUSE BILLS

The President made the following re-referral of bills that were received on Wednesday, March 17, 1982:

House Bill	Referred to:
No. 2338-82, H.D. 2	Committee on
Ways and Means.	
No. 2572-82	Committee on
Ways and Means.	
No. 2947-82, H.D. 2	Committee on
Ways and Means.	

At this time, Senator Henderson, Chairman of the Committee on Economic Development, requested a waiver of the 48-hour notice of a Public Hearing on the following measures:

H.B. No. 2043-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A SOLAR ENERGY DEVICE AND HEAT PUMP LOAN FUND"; and

H.B. No. 77, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO THE LEASING OF OCEAN AND MARINE RESOURCES,"

and the President granted the waiver.

At this time, Senator Kawasaki rose and addressed the members of

the Senate as follows:

"Mr. President, I'd like to rise on a point of personal privilege.

"Mr. President, in my 16 years in this chamber, I'm at a loss as to what I should do in the way of answering some questions mailed to me, and I understand that there are several people here equally perplexed and would be eternally grateful if this august body with 25 good thinkers...22 this morning...could give us some guidance as to how we should answer these questions that came from the Sea Grant College.

"The questionnaire reads as follows:

'1. Unfortunately, a good many people with whom I have discussed important social and moral problems don't seem to understand what's going on. Agree or Disagree.'

"Another question:

'Most of the ideas which get printed nowadays aren't worth the paper they're printed on. Agree or Disagree.'

'My blood boils whenever a person stubbornly refuses to admit he's wrong. Agree or Disagree.'

"Another question:

'The highest form of government is a democracy and the highest form of democracy is a government run by those who are most intelligent. Agree or Disagree.'

"Another question runs:

'Fundamentally, the world we live in is a pretty lonesome place. Agree or Disagree.'

"I understand that some others have some questions of equal perplexity to them, that they'd like somebody to answer these questions. The last question I have is: 'What the heck has this got to do with the administration of the Marine Affairs Program at the Sea Grant College?'"

Senator Abercrombie then rose and stated:

"Mr. President, I too have a couple of questions that may be more in line with the way I think. I'm kind of perplexed by one which says:

'I believe women should have as much sexual freedom as men.'

"I don't know why Senator Kawasaki

didn't read that one. This is one perhaps you might find yourself thinking about, Mr. President:

'I often find myself thinking of a tune or phrases for days at a time.'

"And this is one that I'm sure Senator Soares would want to respond to:

'I am always careful about my manner of dress.'

"There are others, but time I realize is upon us and I wouldn't want to hold up any of the work of the Sea Grant Program."

Senator Cayetano then rose and stated:

"Mr. President, I too have a question. Here's one for all of those who are running for reelection. It says:

'It is only natural for a person to be rather fearful of the future.'

"This is one for Senator Abercrombie, and I'd like him to answer for the body, please:

'Of all the different philosophies which exist in this world, there is probably only one which is correct.'

"Senator, would you please answer that?"

Senator Abercrombie then replied:

"I'd like to defer that one day."

The President then interjected:

"Deferred one day."

Senator O'Connor then rose and stated:

"Mr. President, this I think epitomizes the bumper stickers that we see around town all the time which say, 'Divers do it deeper.'"

Senator Yee then stated:

"Mr. President, what I did with my questionnaire was that I said it was just a waste of the taxpayers' money and mailed it back."

Senator Henderson then rose and stated:

"Mr. President, I think that we have already addressed their concerns, gentlemen. I think we passed the bill out of here to get rid of the Marine Affairs Coordinator."

Senator Cobb then rose and stated:

"Mr. President, this may be the 1982 Kinsey survey that I think we should attach it to the bill for consideration by the House."

The President then stated:

"On a much more serious note, I would like to request that the Senators remain in the building because it is the day to get the bills ready for lateral movement to the final committees tomorrow, and if I could ask all Senators to remain here till at least about four or five o'clock, I'm sure the Committee Chairmen would appreciate it."

ADJOURNMENT

At 11:58 o'clock a.m., on motion by Senator Cobb, seconded by Senator Yee and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, March 25, 1982.

FORTY-FIRST DAY

Thursday, March 25, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Mr. Rick Lazor of the Nuuanu Baptist Church, after which the Roll was called showing all Senators present with the exception of Senators Ajifu, Machida and Mizuguchi who were excused.

The President announced that he had read and approved the Journal of the Fortieth Day.

The following introductions were then made to the members of the Senate:

Senator Anderson introduced 40 members of the Ewa Hui Aloha Senior Citizens Club.

Senator Toyofuku then introduced 15 members of the Kauai Community College Business Club and their advisors, Carolyn Uohara and Ray Nishikawa.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 185), transmitting copies of the Kaka'ako Community Development District Plan, February 1982, together with "A Summary of the Kaka'ako Community Development District Plan," prepared by the Hawaii Community Development Authority, was read by the Clerk and was referred to the Committee on Housing and Hawaiian Homes.

At 11:42 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:43 o'clock a.m.

HOUSE COMMUNICATIONS

The following communications (Hse. Com. Nos. 318 and 319) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 318), returning Senate Bill No. 2197-82, which passed Third Reading in the House of Representatives on March 24, 1982, was placed on file.

A communication from the House (Hse. Com. No. 319), transmitting House Concurrent Resolution No. 124 which was adopted by the House of Representatives on March 25, 1982,

was placed on file.

Senator Saiki moved that H.C.R. No. 124 be adopted, seconded by Senator Kuroda.

Senator Kawasaki then rose to remark as follows:

"Mr. President, while I'm voting for this resolution, probably, it's not accepted with much enthusiasm over in the House. I notice only one signature on the resolution... that of the chairman of the House Higher Education Committee. I suppose in the wake of some of the things that have happened over at the University of Hawaii, you can't blame some people for not being overwhelmed with enthusiasm for the adoption of this resolution."

Senator Abercrombie added:

"Mr. President, speaking in favor of the resolution, I would indicate as far as I am concerned, I will be far more happy with the University when it puts more emphasis on program rather than on building. Thank you."

The motion was put by the Chair and H.C.R. No. 124, entitled: "HOUSE CONCURRENT RESOLUTION CONGRATULATING THE UNIVERSITY OF HAWAII ON ITS SEVENTY-FIFTH ANNIVERSARY," was adopted.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 48 to 50) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 48), entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO GRANT RESTITUTION FOR AMERICANS OF JAPANESE ANCESTRY," was offered by Senator Abercrombie.

By unanimous consent, S.C.R. No. 48 was referred to the Committee on Judiciary.

A concurrent resolution (S.C.R. No. 49), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING IMMEDIATE ACTION ON THE COMPENSATION PLANS OF SECRETARIAL CLASSES WITHIN THE CIVIL SERVICE," was offered by Senator Abercrombie.

By unanimous consent, S.C.R. No. 49 was referred to the Committee on Human Resources.

A concurrent resolution (S.C.R. No. 50), entitled: "SENATE CONCURRENT RESOLUTION REGARDING THE EQUAL RIGHTS AMENDMENT TO THE HAWAII STATE CONSTITUTION AND RATIFICATION OF THE PROPOSED AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES PROVIDING FOR EQUAL RIGHTS UNDER THE LAW WITHOUT REGARD TO SEX," was offered by Senators O'Connor, Young, George, Kobayashi, Toyofuku, Mizuguchi, Yamasaki, Soares, Carpenter, Ajifu, Campbell, Holt, Kuroda, Cobb, Abercrombie, Cayetano, Yee, Henderson, Machida and Wong.

By unanimous consent, S.C.R. No. 50 was referred to the Committee on Judiciary.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 62 to 66), were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 62), entitled: "SENATE RESOLUTION REQUESTING THE GOVERNOR TO BUILD A RESIDENTIAL CARE FACILITY AT HALE MOHALU, PEARL CITY," was offered by Senator Abercrombie.

By unanimous consent, S.R. No. 62 was referred to the Committee on Health.

A resolution (S.R. No. 63), entitled: "SENATE RESOLUTION DECLARING THE WEEK OF MAY 8 THROUGH 15, 1982 HAWAII GIFTED AND TALENTED CHILDREN'S WEEK," was offered by Senators Abercrombie, Kuroda, Carpenter, Kobayashi, Campbell, Saiki, Ajifu, Anderson, Holt, Wong, Yamasaki, Kawasaki, Cayetano, Young, Toyofuku, Yee, Soares, Henderson, Machida, Mizuguchi, Cobb, Uwayne and George.

On motion by Senator Abercrombie, seconded by Senator Kuroda and carried, S.R. No. 63 was adopted.

A resolution (S.R. No. 64), entitled: "SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO EXPLORE ALTERNATIVE MEANS OF ASSURING THE CONTINUANCE OF SUMMER SESSIONS AT THE COMMUNITY COLLEGES," was offered by Senators Saiki, George, Kobayashi, Soares, Yee, Abercrombie and O'Connor.

By unanimous consent, S.R. No. 64 was referred to the Committee on Higher Education.

A resolution (S.R. No. 65), entitled: "SENATE RESOLUTION REGARDING THE EQUAL RIGHTS AMENDMENTS

TO THE HAWAII STATE CONSTITUTION AND RATIFICATION OF THE PROPOSED AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES PROVIDING FOR EQUAL RIGHTS UNDER THE LAW WITHOUT REGARD TO SEX," was offered by Senators O'Connor, Young, George, Kobayashi, Toyofuku, Mizuguchi, Yamasaki, Soares, Carpenter, Ajifu, Campbell, Holt, Yee, Kuroda, Cobb, Abercrombie, Cayetano, Henderson, Machida and Wong.

By unanimous consent, S.R. No. 65 was referred to the Committee on Judiciary.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 533-82) informing the Senate that Senate Concurrent Resolution Nos. 48 to 50, Senate Resolution Nos. 62 to 65 and Standing Committee Report Nos. 534-82 to 570-82 have been printed and distributed to all members of the Senate:

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

At 11:46 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:54 o'clock a.m.

Senator George, for the majority of the Committee on Transportation, presented a report (Stand. Com. Rep. No. 534-82) recommending that House Bill No. 2806-82, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator George, seconded by Senator Kawasaki and carried, the report of the majority of the Committee was adopted and H.B. No. 2806-82, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator George, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 535-82) recommending that House Bill No. 2637-82, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator George, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and H.B. No. 2637-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawasaki, for the Committee on Government Operations and Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 536-82) recommending that Senate Concurrent Resolution No. 15, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Kawasaki, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.C.R. No. 15, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ADOPTION OF A STATEWIDE POLICY OF CONTRACTING PUBLIC SERVICES WHENEVER IT IS COST-EFFECTIVE AND DOES NOT INVOLVE PUBLIC SAFETY," was referred to the Committee on Ways and Means.

Senator Kawasaki, for the Committee on Government Operations and Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 537-82) recommending that Senate Resolution No. 13, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Kawasaki, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.R. No. 13, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE ADOPTION OF A STATEWIDE POLICY OF CONTRACTING PUBLIC SERVICES WHENEVER IT IS COST-EFFECTIVE AND DOES NOT INVOLVE PUBLIC SAFETY," was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 538-82) recommending that House Bill No. 2010-82 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 2010-82, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 539-82) recommending that House Bill No. 2155-82, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 2155-82,

H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 540-82) recommending that House Bill No. 2359-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 2359-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WITNESS SECURITY AND PROTECTION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 541-82) recommending that House Bill No. 2559-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 2559-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PAYMENT OF SETTLEMENT BETWEEN THE STATE OF HAWAII AND DILLINGHAM CORPORATION DBA HAWAIIAN DREDGING AND CONSTRUCTION COMPANY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 542-82) recommending that House Bill No. 2674-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 2674-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 543-82) recommending that House Bill No. 2679-82 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 2679-82, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COUNSEL AND OTHER SERVICES FOR INDIGENT DEFENDANTS IN CRIMINAL AND RELATED CASES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 544-82) recommending that House Bill No. 2333-82, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 2333-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATIVE REFERENCE BUREAU," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 29, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 545-82) recommending that House Bill No. 2507-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, Stand. Com. Rep. No. 545-82 was adopted and H.B. No. 2507-82, entitled: "A BILL FOR AN ACT RELATING TO TRIALS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 29, 1982.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 546-82) recommending that House Bill No. 2113-82, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Holt and carried, the report of the Committee was adopted and H.B. No. 2113-82, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 547-82) recommending that House Bill No. 2426-82, H.D. 2, as amended in S.D. 1, pass Second

Reading and be referred to the Committee on Ways and Means.

On motion by Senator Abercrombie, seconded by Senator Kuroda and carried, the report of the Committee was adopted and H.B. No. 2426-82, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AN AUTOMATED, ONLINE CIRCULATION SYSTEM FOR THE PUBLIC LIBRARIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 548-82) recommending that House Bill No. 2767-82, H.D. 3, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Abercrombie, seconded by Senator Kuroda and carried, the report of the Committee was adopted and H.B. No. 2767-82, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 549-82) recommending that House Bill No. 3051-82, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Abercrombie, seconded by Senator Kuroda and carried, the report of the Committee was adopted and H.B. No. 3051-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 550-82) recommending that House Bill No. 765, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and H.B. No. 765, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 551-82) recommending that House Bill No. 1974-82, H.D. 2, pass Second Reading and be referred to the Committee

on Ways and Means.

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and H.B. No. 1974-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC PURCHASING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 552-82) recommending that House Bill No. 2571-82, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and H.B. No. 2571-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT OF ATTORNEYS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 553-82) recommending that House Bill No. 2850-82 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and H.B. No. 2850-82, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF AGRICULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 554-82) recommending that House Bill No. 2907-82, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and H.B. No. 2907-82, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 555-82) recommending that House Bill No. 2348-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cobb, seconded by Senator Uwaine and carried, the report of the Committee was adopted and H.B. No. 2348-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO METAL AND GEM DEALERS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 556-82) recommending that House Bill No. 2385-82, H.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cobb, seconded by Senator Uwaine and carried, the report of the Committee was adopted and H.B. No. 2385-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL LIABILITY IN MOTOR VEHICLE ACCIDENT REPARATIONS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 557-82) recommending that House Bill No. 2511-82, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Uwaine and carried, the report of the Committee was adopted and H.B. No. 2511-82, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMPLIANCE RESOLUTION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 558-82) recommending that House Bill No. 2669-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Uwaine and carried, the report of the Committee was adopted and H.B. No. 2669-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXECUTIVE DEPARTMENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 559-82) recommending that House Bill No. 2175-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the Committee was adopted and H.B. No. 2175-82, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 29, 1982.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 560-82) recommending that House Bill No. 2178-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the Committee was adopted and H.B. No. 2178-82, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES AND WILDLIFE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 29, 1982.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 561-82) recommending that House Bill No. 2208-82, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the Committee was adopted and H.B. No. 2208-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF QUALIFIED STATE APPRAISERS AS WELL AS INDEPENDENT APPRAISERS TO DETERMINE THE VALUE OF REMNANTS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 29, 1982.

Senator Saiki, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 562-82) recommending that House Bill No. 2210-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Saiki, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2210-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE HIGHER EDUCATION LOAN FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 563-

82) recommending that House Bill No. 2349-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and H.B. No. 2349-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 564-82) recommending that House Bill No. 77, H.D. 3, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the Committee was adopted and H.B. No. 77, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO LEASING OF OCEAN AND MARINE RESOURCES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 565-82) recommending that House Bill No. 1970-82, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the Committee was adopted and H.B. No. 1970-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 566-82) recommending that House Bill No. 2043-82, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the Committee was adopted and H.B. No. 2043-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A SOLAR ENERGY DEVICE AND HEAT PUMP LOAN FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Henderson, for the Committee on Economic Development, presented

a report (Stand. Com. Rep. No. 567-82) recommending that House Bill No. 2207-82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the Committee was adopted and H.B. No. 2207-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX INCENTIVES FOR SOLAR ENERGY DEVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 568-82) recommending that House Bill No. 3067-82 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the Committee was adopted and H.B. No. 3067-82, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A FEASIBILITY STUDY FOR AN AUGMENTED PACIFIC FLEET SUPPORT PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 569-82) recommending that House Bill No. 2176-82, H.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the Committee was adopted and H.B. No. 2176-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 29, 1982.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 570-82) recommending that House Bill No. 2177-82, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the Committee was adopted and H.B. No. 2177-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOREST AND WATER RESERVE ZONES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 29, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 571-82) recommending that House Bill No. 2934-82, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Uwaine and carried, the report of the Committee was adopted and H.B. No. 2934-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII BANK ACT OF 1931," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 29, 1982.

Senators Ajifu and Uwaine, for the majority of the Committee on Agriculture and the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 572-82) recommending that House Bill No. 698, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ajifu, seconded by Senator Uwaine and carried, the joint report of the majority of the Committees was adopted and H.B. No. 698, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF AGRICULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Ajifu and Uwaine, for the majority of the Committee on Agriculture and the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 573-82) recommending that House Bill No. 699, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ajifu, seconded by Senator Uwaine and carried, the joint report of the majority of the Committees was adopted and H.B. No. 699, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF AGRICULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ajifu, for the majority of the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 574-82) recommending that House Bill No. 2336-82, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ajifu, seconded by Senator Kobayashi and carried, the report of the majority of the Committee was adopted and H.B. No. 2336-82, H.D. 2, S.D. 1, entitled: "A BILL FOR

AN ACT MAKING AN APPROPRIATION FOR SUGAR RESEARCH AND DEVELOPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ajifu, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 575-82) recommending that House Bill No. 2367-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ajifu, seconded by Senator Kobayashi and carried, the report of the Committee was adopted and H.B. No. 2367-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ajifu, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 576-82) recommending that House Bill No. 2378-82, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ajifu, seconded by Senator Kobayashi and carried, the report of the Committee was adopted and H.B. No. 2378-82, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION OF AGRICULTURAL ACTIVITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ajifu, for the majority of the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 577-82) recommending that House Bill No. 2710-82, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ajifu, seconded by Senator Kobayashi and carried, the report of the majority of the Committee was adopted and H.B. No. 2710-82, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LOANS TO SUGAR GROWERS," passed Second Reading and was referred to the Committee on Ways and Means.

ORDER OF THE DAY

MATTER DEFERRED
FROM MARCH 24, 1982

THIRD READING

Standing Committee Report No. 233-82 (H.B. No. 798, H.D. 1, S.D. 2):

By unanimous consent, Stand. Com.

Rep. No. 233-82 and H.B. No. 798, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTEREST ON UNDERPAYMENTS AND OVERPAYMENTS," were recommitted to the Committee on Ways and Means.

RE-REFERRAL OF SENATE CONCURRENT RESOLUTION

The President re-referred Senate Concurrent Resolution No. 46, which was offered on Wednesday, March 24, 1982, jointly to the Committee on Ecology, Environment and Recreation and the Committee on Economic Development, then to the Committee on Ways and Means.

At this time, Senator Cayetano rose on a point of personal privilege and stated:

"Mr. President, I want to talk about the recommitment of House Bill No. 798.

"The bill, as I understand it, seeks to address a problem...and, incidentally, I respect the chairman's decision to recommit the bill...but I just want to raise this issue...the bill, as I understand it, goes to resolving a problem which the state is faced with.

"The interest rate on delinquent payments on states taxes, as I understand it, is eight percent. We all know that in money market certificates today the interest rate is 15%- 16% and that is precisely what is happening. People who are in business who have money to pay taxes have, instead of paying their state taxes, gone to the banks and invested their money in money market certificates, etc. Well, the loser, of course, is the state...eight percent interest versus sixteen percent money market certificate. Why should the guy pay his taxes, he makes eight percent on the deal. This is rather foolish and this bill was introduced to deal with that problem.

"Now that we are recommitting the bill, we're really taking the easy way out. I would have preferred that the bill was put for vote.

"There were about three different amendments and I thought this is what the process is about. You have a bill, you introduce amendments and you discuss them, then you see what happens.

"Let's not run away from the problem."

The Chair responded: "Senator Cayetano, this bill (H.B. No. 798) has been discussed for several days. There were different amendments offered.

In the best interest of all parties concerned, the chairman felt that the views were so strong on both sides it would be better to take a look at the bill during the interim and come up with something that is palatable to everyone.

"In cases like this, Senator Cayetano, we've always allowed the chairman the discretion to recommit a measure."

Senator Cayetano further responded and stated:

"Mr. President, I respect that discretion, however, whenever we exercised discretion in this chamber, it was always subject to scrutiny by anyone of us.

"All I'm saying is that now the state is left with holding the bag, so to speak, because this problem will continue for another year. I had an amendment to deal with the problem; Senator Kawasaki had one; I think Senator Cobb had one also. Eventually, one of those amendments would have won out or the bill, as the chairman wanted, would have passed.

"It is not an ordinary type of measure. It deals with tax revenues of our state, and having already given away approximately \$71 million, according to Mr. Freitas, his addition includes the bills from both houses, I think that the state should win one for once."

Senator O'Connor added his remarks and stated:

"Mr. President, I would also like to address the recommitment of the bill.

"I would urge the committee to reconsider this bill. It's an important one for the state. The revenues that could be derived in any form, if we would pass this bill, would be significant.

"There are three amendments that have been discussed. I've been part of some of those discussions. I think the bill basically is one that we should consider and pass this year. There's still time. It's a House bill with a Senate draft. There's time for the committee to look at it; think about it; even have another hearing, if necessary, and bring back a measure within the time allocated that we could look at and vote on.

"Maybe all the amendments could also be considered in such a meeting or hearing and we could look at a bill that more truly reflects the wishes of this body.

"I would strongly urge the committee chairman and the committee members

to look at this revenue source. It may not be a lottery, but there are some good things about it.

"Thank you, Mr. President."

Senator Cobb then rose to state:

"Mr. President, I'm a little surprised by the remarks of respecting the chairman's prerogative when two of the amendments were not even discussed with the chairman prior to them being offered. I think it's important to point that out for the record.

"We're talking about a very significant revenue loss in this measure and either of the two amendments would have resulted in a revenue loss estimated from four to six hundred thousand dollars, if adopted.

"Furthermore, the problem is not all related or confined to the area of business accounts.

"In 1980 we had 29,000 delinquent accounts in the State of Hawaii for a total of \$34.8 million. In 1981 we had 37,000 delinquent accounts for a total of \$42 million. That's a 20.7% increase, and that's not all due to businessmen. The problem cuts across-the-board.

"I'm going to cite testimony that I received in my own committee that points out the problem on accounts receivable or accounts payable. It's also part of the problem because of the low interest rate. People are in effect saying 'we're going to create a low interest loan.' So, I think, this needs to be discussed and rather than creating two or three or four different classes of taxpayers we need to look at addressing the problem across-the-board and I hope the Ways and Means Committee does that."

Senator Anderson then added as follows:

"Mr. President, very briefly, speaking as a businessman, while I share the concerns of what the bill is trying to address, on the other side of the coin, you ought to be a vendor to the state and see when the state pays their vendors 30, 60, 90 120 days past due and we don't have the 12% and 14% add-on; so I think if you were to wash it both ways, the abuse...when you say that businessmen are abusing...I don't think it's widespread across the community, and I don't think you can take all businessmen with it.

"Most of the businessmen in this town who would have those kinds of dollars to put into another fund to draw a higher rate of interest do business with

one government or another. And everytime we turn around we have to get a tax clearance from government to get a liquor license or to get a public bid and before we can get a bid we have to have a free and clear tax notification from all governments. So, it's not businessmen across-the-board and I would imagine it is a two-way wash which is probably about even."

Senator Cayetano again rose to state:

"Mr. President, directing my remarks to the remarks made by Senator Cobb, first of all, this amendment was finished last night...the amendment that I was going to propose...and I discussed it with the chairman very briefly this morning. I'm sorry, but nobody happened to be around last night. I think it was about midnight and I was the only guy here, so that's my explanation to Senator Cobb."

"I think, however, Senator Cobb's remarks are well-founded and he should maybe direct it to the members of the Ways and Means Committee because, as Senator O'Connor said, there's still time to consider the bill."

"Something, some bill, in whatever fashion, whether it be the bill that we have before us or an amended bill, should pass. We should not cut off our nose to spite our entire face."

Senator Cobb, in response to the remarks made by Senator Anderson, stated:

"Mr. President, in response to the Republican Floor Leader's statement, I indicated that one of the amendments seemed to be aimed at the practice of businessmen and my remarks were that the problem is not confined there at all. In fact, there are a lot of private individuals, not in business, who in effect are creating low interest loan situations by not paying their taxes on time."

"The number of delinquent accounts that I cited is convincing proof of that, and I think it would be incumbent upon the Ways and Means Committee to consider not only the problem of taxes owed, either on the basis of overpayment or underpayment, but also cut the wash both ways and consider what the state does in terms of its slow payment, and whether we ought to impose maybe interest on the state for slow payment over 60 days."

Senator Kawasaki then rose to state: "Mr. President, I did not intend speaking on this..."

The Chair interjected: "Senator Kawasaki, I wish you wouldn't because there is really no measure before this body."

Senator Kawasaki responded: "That's right. I think there is a point of order. I don't think you've ruled that debate is to be undertaken..."

The Chair answered: "This is not a debate. The bill has already been recommitted. The Chair should not have allowed this discussion to take place, but we have an uncanny ability to use personal privilege, and I think that personal privilege extends from here to New York."

"I would like to caution the body that there is no matter before the Senate relating to the comments that were given."

"The Chair hopes that any comments are saved until the next discussion that we have this bill. I happen to agree with Senator O'Connor that since it is a House bill, there is time to amend the bill or re-think it in line with what has happened today. I would implore this body that we go on with the business of the Senate."

Senator Kawasaki then rose on a point of order and stated:

"Mr. President, I just wanted to point out to this body that a motion to recommit to a committee is not debatable to begin with, according to our house rule."

The Chair thanked Senator Kawasaki.

Senator Anderson again rose to state:

"Mr. President, on a point of personal privilege for the sake of getting the floor, I guess, but speaking to House bills and apart from this one."

"I would just like to say that I don't normally reach across the House and interfere with their goings-on and their rule but I find to some alarm the comments from the majority members about bills not being on the desks for 48 hours, which would lead me to believe then it would help my inventory as I watch the House bills come over that I am in fact looking to see if those bills are coming over legally under the House Rules and the Constitution."

"I just want you to be aware that I am watching the House bills as they come over, sir, whether or not they have been clocked appropriately and maybe some of these would wash with the 48-hour timetable."

Senator Saiki then made the following introduction to the members of the Senate:

"Mr. President, the concurrent resolution passed this morning recognizes the University of Hawaii on the occasion of its Diamond Jubilee with high hopes for the continued building of an educational program of significance and excellence to serve all of the people of Hawaii.

"It is with great pleasure this morning that I present to you Dr. Fujio Matsuda, President of the University of Hawaii, and Mr. Robert Fujimoto who is chairman of the Board of Regents."

Dr. Matsuda and Mr. Fujimoto were then presented with leis by Senators George and Kobayashi.

At 12:06 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:10 o'clock p.m.

Senator Cobb then rose on a point of order and stated:

"Mr. President, in reference to the previous remarks of the Vice-President, I find in Cushing's that a motion to commit or recommit is debatable. Citing from page 148, it states, and I quote:

'A motion to commit, or recommit (which is the term used when the proposition has already been once committed), may be amended, by the substitution of one kind of committee for another, or by enlarging or diminishing the number of the members of the committee, as originally proposed, or by instructions to the committee.

'A motion to commit, resulting from debate with a view to removing objections or improving, is debatable, as the merits of the bill itself are involved.'

Senator Kawasaki then responded as follows:

"Mr. President, I'd like to respond to that statement by the Senator from the Seventh District.

"I pointed out to fellow Senators here that according to Cushing's, or Roberts' for that matter, a motion to recommit is debatable; however, by practice here in this body in due respect to the chairman's right to recommit a bill at his request, we have in the past never debated a recommittal situation. This is what I wanted to point out."

The Chair then answered:

"Fine, the Chair appreciates the point of information raised. We're very happy with it and I think we ought to go on with the business of the Senate."

Senator Yee then said: "Mr. President, the only rule I follow is 13 votes."

Senator Cobb responded: "Mr. President, that's not a rule; that's a morality."

Senator Kawasaki rose on a point of personal privilege and remarked:

"Mr. President, I'd just like to make a statement that I'm glad that I belong to this body where healthy debate takes place on every issue. It's not like the body across the hall where one man can say whether a committee chairman shall even hold a hearing on a bill passed on by it to the Senate."

Senator Abercrombie then stated:

"Mr. President, on a point of personal privilege, there are stories in the newspaper today indicating that the discussion continues the pace with respect to whether or not the state will be able to sell bonds. There is an argument made in indication, I should say, that we will be 'forced' to do so at a rate higher than that which is allowed by law at the present time.

"Mr. President, I just wish to bring it to the members' attention because it comes, I think, not just coincidentally, but maybe fortuitously, in the same issue of the Honolulu Advertiser, some of the reasons why this is taking place and what we have to take into account, most particularly with the passage of the State Plan.

"I won't belabor the point other than to indicate that Secretary of the Treasury Donald Regan announced yesterday and I'm from now quoting from combined news services out of Washington, on page C-5 of the Advertiser: '...that record-high deficits projected in President Reagan's new budget are blocking a downturn in interest rates. ...Regan conceded yesterday that the deficit projection in the president's 1983 budget is probably too low and it will be a "real challenge" just to keep the red ink at around \$90 billion. ...Regan said the major, unexpected recession caused the large deficits projected in the administration's 1983 budget proposal -- \$96.4 billion, compared to the 1981 deficit of about \$58 billion.'

"This is the projection. I trust that I would not be in any danger if I was to wager that I could eat this paper if

it stays at 96.4 and it doesn't go over a \$100 billion.

"In the same issue of the Honolulu Advertiser, on page C-7, 'Stagnation A new spectre to haunt America ... is the prospect of slow and agonizing economic decay, of America's corporate empire edging closer to the brink of bankruptcy, of a thousand or more savings and loans slipping into solvency, of unemployment that grips one in 10 workers.'

"'...The cumulative weakness of stagnation has been building with such force that in recent weeks some economists and political figures have voiced fears that the nation is headed into something far more serious than just another dip in the business cycle.'

"'...the question is not whether the current recession will end but whether another crippling recession lurks around the next bend, perhaps as soon as next year.'

"'...The U.S. Treasury is the first borrower in line for the nation's limited supply of credit, and the fear is that deficits over \$100 billion in 1983 and beyond would soak up so much credit that there won't be enough to support a business rebound.'

"Mr. President, I will submit to you that there is an alternative at the present time to simply opening up these interest rates. I will not debate it further at this time other than to put into the record that this kind of testimony, if you will, is ongoing in the newspapers of our country not only in this state, I should say, but nationwide.

"What we need to do is to take another look at the projects that we are funding rather than looking at the interest rates, per se. They may average out over the years, but the high ticket cost of projects these days in our state government requires, if we are to have a State Plan with any kind of credibility, that we review them and review them and review them again and, if necessary, cut them back to the bone. Otherwise, we are contributing exactly the same kind of mentality to this picture of gloom and possible doom for the economy in terms of this state.

"Now I know that this issue has been

raised in various form on this floor under this period of time when we can speak on the point of personal privilege and the reason that I do it once again today is to indicate that it is not a passing phase. It is not just an individual political incitement in an election year. On the contrary, it is an ongoing fundamental crisis in the American economy and in the Hawaii State economy that must be addressed not on a helter-skelter or on an isolated basis with respect to the bills that have passed before us, but requires the Senate of this state to take a responsible, comprehensive view and to take a responsible, comprehensive stand that we will not allow ourselves to slip into and contribute to the deficit situation which is destroying the capacity for American business to respond, and destroying the capacity of the taxpayers to withstand further erosion of their own financial stability.

"Thank you."

Senator Kawasaki again rose on a point of personal privilege and stated:

"Mr. President, I just want to say that I certainly concur with the statements made by the good Senator from the Sixth District. I just want to point out to him that the Advertiser really doesn't believe its own news items because I noted that they were very enthusiastic in their editorial columns about the dire need for executive pay raises."

Senator Kuroda then introduced Mr. and Mrs. Frank Perkins of Aiea who were sitting in the gallery. Senator Kuroda added: "Frank Perkins is a great athlete of yesterday with whom I had the pleasure of playing baseball. He and Mrs. Perkins are parents of present athletes and the parents of one intellectual, our Assistant Clerk Richard Perkins."

At 12:23 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:24 o'clock p.m.

ADJOURNMENT

At 12:25 o'clock p.m., on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, March 29, 1982.

FORTY-SECOND DAY

Monday, March 29, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the Vice-President in the Chair.

The Divine Blessing was invoked by Mr. Robert J. Baer of the First Church of Christ Scientist of Honolulu, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Forty-First Day.

Senator Kuroda then introduced to the members of the Senate Mr. Bobby Lee, the Chairman of the Boxing Commission.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 186 to 232) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 186), submitting for consideration and confirmation to the Board of Agriculture, the nominations of Federico Galdones and Shoichi Nagamine, terms to expire December 31, 1985, was referred to the Committee on Agriculture.

A message from the Governor (Gov. Msg. No. 187), submitting for consideration and confirmation to the Board of Agriculture, the nomination of David K. Oshiro, term to expire December 31, 1984, was referred to the Committee on Agriculture.

A message from the Governor (Gov. Msg. No. 188), submitting for consideration and confirmation to the Advisory Committee on Pesticides, the nomination of Wayne K. Ogasawara, term to expire December 31, 1984, was referred to the Committee on Agriculture.

A message from the Governor (Gov. Msg. No. 189), submitting for consideration and confirmation to the Board of Acupuncture, the nomination of Paul R. Hoffmeister, term to expire December 31, 1985, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 190), submitting for consideration and confirmation to the Board of Barbers, the nominations of Donald F. Kaye and Otto M. Ah Ching, terms to expire December 31, 1985, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov.

Msg. No. 191), submitting for consideration and confirmation to the CATV Advisory Committee, the nomination of Cecilio "Tio" Alconcel, term to expire December 31, 1985, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 192), submitting for consideration and confirmation to the Board of Chiropractic Examiners, the nomination of John T. Rathjen, D.C., term to expire December 31, 1985, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 193), submitting for consideration and confirmation to the Contractors License Board, the nominations of S. R. Schenck, Malcolm T. Koga and Marvin Sagum, terms to expire December 31, 1985, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 194), submitting for consideration and confirmation to the Board of Cosmetology, the nomination of Esther C. Izu, term to expire December 31, 1985, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 195), submitting for consideration and confirmation to the Board of Massage, the nominations of George D. Curtis and Ella Kuulei Takenouchi, terms to expire December 31, 1985 and John R. Wheat, Jr., term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 196), submitting for consideration and confirmation to the Board of Nursing, the nomination of Carole Ann Ishimaru, term to expire December 31, 1984, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 197), submitting for consideration and confirmation to the Board of Examiners in Optometry, the nomination of Dennis Kuwabara, term to expire December 31, 1985, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 198), submitting for consideration and confirmation to the Board of Pharmacy, the nomination of Garth T. Hansen, term to expire December

31, 1985, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 199), submitting for consideration and confirmation to the Board of Certification for Practicing Psychologists, the nominations of Herbert B. Weaver, term to expire December 31, 1983, and Craig H. Robinson, term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 200), submitting for consideration and confirmation to the Board of Radiologic Technologists, the nominations of Bella Ayako Nagatoshi and Akira Tanaka, terms to expire December 31, 1985, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 201), submitting for consideration and confirmation to the Board of Veterinary Examiners, the nominations of Gary Toshio Ota, D.V.M. and Zacarias Baricuatro, terms to expire December 31, 1985, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 202), submitting for consideration and confirmation to the Animal Species Advisory Commission, the nomination of Vincent Chuen-Sun Chang, term to expire December 31, 1985, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 203), submitting for consideration and confirmation to the Aquatic Life and Wildlife Advisory Committee, County of Hawaii, the nomination of Gerald H. Kang, term to expire December 31, 1985, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 204), submitting for consideration and confirmation to the Aquatic Life and Wildlife Advisory Committee, County of Maui, the nominations of Edwin K. Yokouchi and Marvin Romme, terms to expire December 31, 1985, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 205), submitting for consideration and confirmation to the Aquatic Life and Wildlife Advisory Committee, County of Kauai, the nominations of Glenn Y. Ikemoto and Herbert H. Honjo, terms to expire December 31, 1985, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 206), submitting for consideration

and confirmation to the Natural Area Reserves System Commission, the nomination of William L. Theobald, Ph.D., term to expire December 31, 1985, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 207), submitting for consideration and confirmation to the Board of Land and Natural Resources, the nomination of Moses Kealoha, term to expire December 31, 1985, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 208), submitting for consideration and confirmation to the Hawaii Education Council, the nominations of Doris Taitano, Emiko I. Kudo, Paula A. Guanzon Yano, Lydia C. Enoki and Sharon Mahoe, terms to expire December 31, 1985, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 209), submitting for consideration and confirmation to the King Kamehameha Celebration Commission, the nominations of Edward Naihe, Sr., term to expire December 31, 1982, Elizabeth L. Cockett, Antoinette L. Lee and Gwendolyn L. Joseph, terms to expire December 31, 1985, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 210), submitting for consideration and confirmation to the Library Advisory Commission, County of Kauai, the nominations of Robert A. Gahran and Marvin Tung-Loong, terms to expire December 31, 1985, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 211), submitting for consideration and confirmation to the Civil Defense Advisory Council, the nominations of Les S. Ihara, Sr. and Roy M. Seki, terms to expire December 31, 1985, was referred to the Committee on Government Operations and Intergovernmental Relations.

A message from the Governor (Gov. Msg. No. 212), submitting for consideration and confirmation to the Board of Health, the nominations of Duk Hee Murabayashi and Doris Segal Matsunaga, terms to expire December 31, 1985, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 213), submitting for consideration and confirmation to the Advisory Commission on Drug Abuse and Controlled Substances, the nominations of Robert Sing Jung Hu, term to expire December 31, 1983 and Joseph Leonard Mancinelli, term to expire December 31, 1984, was

referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 214), submitting for consideration and confirmation to the Commission on the Handicapped, the nominations of Paula C. Purington, Josephine G. Bucaneg and Ahmad Saidin, terms to expire December 31, 1985 and June K. Motokawa, term to expire December 31, 1984, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 215), submitting for consideration and confirmation to the County Hospital Management Advisory Committee, City and County of Honolulu Hospital System, the nomination of Jean L. J. Lum, Ph.D., term to expire December 31, 1985, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 216), submitting for consideration and confirmation to the County Hospital Management Advisory Committee, Hawaii County Hospital System, the nominations of Ernest Matsumura and Patricia Akuna, terms to expire December 31, 1985, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 217), submitting for consideration and confirmation to the County Hospital Management Advisory Committee, Kauai County Hospital System, the nominations of Jose S. L. Valencia, M.D. and Yolanda Liane, terms to expire December 31, 1985, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 218), submitting for consideration and confirmation to the Postsecondary Education Commission, the nomination of Leticia Tesoro Gaoing, term to expire December 31, 1985, was referred to the Committee on Higher Education.

A message from the Governor (Gov. Msg. No. 219), submitting for consideration and confirmation to the Advisory Council for Housing and Construction Industry, the nominations of Joseph A. Tanega and Howard H. Tasaka, terms to expire December 31, 1985, was referred to the Committee on Housing and Hawaiian Homes.

A message from the Governor (Gov. Msg. No. 220), submitting for consideration and confirmation to the Factory-Built Housing Advisory Board, the nominations of Donald R. Gradle, Harry H. Kiyota and Christine G. K. Dahilig, terms to expire December 31, 1985, was referred to the Committee on Housing and Hawaiian Homes.

A message from the Governor (Gov. Msg. No. 221), submitting for consideration

and confirmation to the Advisory Council for Children and Youth, the nominations of Glen Makakaualii Kila and Rodney Veary, terms to expire December 31, 1984, and Mildred Macugay and Jerry Susumu Hashimoto, terms to expire December 31, 1985, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 222), submitting for consideration and confirmation to the Policy Advisory Board for Elderly Affairs, the nomination of Raymond M. Hightower, term to expire, December 31, 1983, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 223), submitting for consideration and confirmation to the Board of Vocational Rehabilitation, the nominations of Frank E. Wherley, term to expire December 31, 1983 and Laura T. Chock, term to expire December 31, 1985, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 224), submitting for consideration and confirmation to the Campaign Spending Commission, the nomination of Linda Cravalho, term to expire December 31, 1985, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 225), submitting for consideration and confirmation to the State Ethics Commission, the nomination of Edith K. Kleinjans, term to expire December 31, 1985, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 226), submitting for consideration and confirmation to the Intake Service Center Board, the nominations of Harry H. Kanada and Theodore J. Goldman, Ph.D., terms to expire December 6, 1982, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 227), submitting for consideration and confirmation to the Board of Registration, Island of Hawaii, the nomination of Lucille W. Chung, term to expire December 31, 1985, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 228), submitting for consideration and confirmation to the Board of Registration, Maui, Molokai, Lanai and Kahoolawe, the nomination of Gertrude K. P. Frantz, term to expire December 31, 1985, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 229), submitting for consideration and confirmation to the Commission on the Status of Women, the nominations of Joan L. Husted and Teresita U. Okihara, terms to expire December 31, 1985, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 230), submitting for consideration and confirmation to the Medical Advisory Board, the nomination of Danelo R. Canete, M.D., term to expire, December 31, 1985, was referred to the Committee on Transportation.

A message from the Governor (Gov. Msg. No. 231), submitting for consideration and confirmation to the Board of Taxation Review, Second Taxation District, the nomination of Joseph G. Williams, term to expire December 31, 1985, was referred to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 232), submitting for consideration and confirmation to the Board of Taxation Review, Fourth Taxation District, the nomination of Mary H. Wong, term to expire December 31, 1985, was referred to the Committee on Ways and Means.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 66 and 67) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 66), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING WITH THE DEPARTMENT OF HEALTH TO DEVELOP A PLAN TO AMEND THE STATE'S MEDICAID PROGRAM TO INCLUDE WAIVERS FOR HOME AND COMMUNITY-BASED SERVICES," was offered by Senators Saiki and Uwayne.

By unanimous consent, S.R. No. 66 was referred jointly to the Committee on Human Resources and the Committee on Health.

A resolution (S.R. No. 67), entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO CONDUCT A MANAGEMENT AUDIT OF THE LEGAL AID SOCIETY OF HAWAII," was offered by Senators Kawasaki, Yee, Wong, Kobayashi, Saiki, Abercrombie, Cobb, Soares, Young, Toyofuku, Anderson, Kuroda, Campbell, George, Henderson, Carpenter and Ushijima.

By unanimous consent, S.R. No. 67 was referred to the Committee on Judiciary, then to the Committee on Legislative Management.

At 11:47 o'clock a.m., the Senate stood in recess subject to the call of

the Chair.

The Senate reconvened at 11:48 o'clock a.m.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 578-82) informing the Senate that Standing Committee Report Nos. 571-82 to 577-82, Senate Resolution Nos. 66 and 67, Governor's Message Nos. 186 to 232 and Standing Committee Report No. 579-82 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 579-82) recommending that Senate Resolution No. 24 be adopted.

On motion by Senator Cobb, seconded by Senator Uwayne and carried, the report of the Committee was adopted and S.R. No. 24, entitled: "SENATE RESOLUTION REQUESTING THE MERCHANTS IN THE STATE OF HAWAII TO EXTEND DISCOUNTS PRESENTLY GIVEN TO QUALIFIED SENIOR CITIZENS TO QUALIFIED HANDICAPPED CITIZENS," was adopted.

ORDER OF THE DAY

THIRD READING

House Bill No. 2333-82, H.D. 1:

By unanimous consent, action on H.B. No. 2333-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATIVE REFERENCE BUREAU," was deferred until Tuesday, March 30, 1982.

House Bill No. 2507-82:

By unanimous consent, action on H.B. No. 2507-82, entitled: "A BILL FOR AN ACT RELATING TO TRIALS," was deferred until Tuesday, March 30, 1982.

House Bill No. 2175-82:

By unanimous consent, action on H.B. No. 2175-82, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," was deferred until Tuesday, March 30, 1982.

House Bill No. 2178-82:

By unanimous consent, action on

H.B. No. 2178-82, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES AND WILDLIFE," was deferred until Tuesday, March 30, 1982.

House Bill No. 2208-82, H.D. 1:

By unanimous consent, action on H.B. No. 2208-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF QUALIFIED STATE APPRAISERS AS WELL AS INDEPENDENT APPRAISERS TO DETERMINE THE VALUE OF REMNANTS," was deferred until Tuesday, March 30, 1982.

House Bill No. 2176-82, H.D. 2:

By unanimous consent, action on H.B. No. 2176-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," was deferred until Tuesday, March 30, 1982.

House Bill No. 2177-82, H.D. 1:

By unanimous consent, action on H.B. No. 2177-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOREST AND WATER RESERVE ZONES," was deferred until Tuesday, March 30, 1982.

House Bill No. 2934-82, H.D. 1:

By unanimous consent, action on H.B. No. 2934-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII BANK ACT OF 1931," was deferred until Tuesday, March 30, 1982.

At 11:50 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:53 o'clock a.m.

At this time, Senator Henderson, Chairman of the Committee on Economic Development, requested a waiver of the 48-hour notice of a Public Hearing on the following measure:

H.B. No. 2697-82, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS,"

and the President granted the waiver.

At this time, Senator Abercrombie rose and addressed the members of the Senate as follows:

"Mr. President, I rise on a point of personal privilege.

"I will not try to keep you and the members long, but the item is of vital interest, I believe, to every voter in this state who loves democracy and

wants the widest possible choice in selecting candidates for public office.

"The recent federal court decision overturning the reapportionment of electoral district lines is a severe and possibly fatal blow to the fundamental goal of political freedom and protecting the means of retaining that freedom.

"I am speaking out because it has been reported that the Lieutenant Governor does not intend to appeal this terrible decision. I say to the Lieutenant Governor that failure to appeal will cause her to be the author of a bitter legacy for which she will be held responsible. Not to exhaust all resources available to her, including appeal, before succumbing to the federal court action is a sin against democratic procedure. To do otherwise is to ignore the fact of our legal history where time and time again higher courts have rejected the view of lower courts as the issues involved became more clearly established. Often it is found that the issues in the original presentation of the case were not weak but that the method of the argument was revealed to be weak or elements that should have been presented were neglected or made in a manner which subsequent appeal allowed to be improved upon and made convincing.

"I am speaking out because some people are trying to create the impression that this decision is somehow a victory for the voters and in particular will benefit one of the major political parties. No theory could be both more foolish and farther from the truth of the matter.

"Let me point out that the vote on the Reapportionment Commission was consistently a clear majority of both parties. To my knowledge and in my recall of events there was never an issue at point in which the Chairman was required to cast a deciding vote. In other words, both sides were forced to give in the interests of achieving their duty to redraw the district lines.

"Let me point out that cries of gerrymandering were inevitable--and I emphasize this, Mr. President--no matter what lines were ultimately drawn, cries of gerrymandering would take place, and for a very simple reason. The public was under the impression that geography and general population figures were the basis for drawing the lines when in fact the number of actual voters and a strict formula for distributing

those voters within the lines was the legal basis upon which the Commission was compelled to act under our Constitution. The Commission was acting in good faith on precedent which had been found to meet the test of fairness in previous reapportionment activities. Inevitably then, the lines would not be concentric circles or squares or rectangles, etc. which meet some cosmetic standard of neatness. The argument is made other states use general population for their districts. Yes--and look at the results! Using registered voters rather than the general population as a base is actually an advance by Hawaii over other states just as using General Funds to finance education in Hawaii is an advance over other jurisdictions which use property taxes.

"I am speaking out because there is good reason not to use geography or overall population as the basis of reapportionment. In fact, Mr. President, I will say with all the moral authority I can command on behalf of protecting our vital political freedom that such measures destroy the very concept of one person--one vote.

"Let me move from theory to reality. Modern existence which includes freeways, condominium and apartment districts, conversion of agricultural land to spot urban or residential development and intensive population increase on the same amount of limited land in Hawaii have altered significantly the nostalgic conceptions of the definition of community and its relation to geography.

"The residential patterns of the general population which emerge with respect to those who actually register and vote bear no relation to one another in terms of the political boundaries which would be drawn depending on which of the two sources you use as your reference.

"The key point is this. You would use the general population as the basis of upholding the one person--one vote principle only if every adult citizen was obligated to vote. The idea of one person--one vote evolved out of circumstances where great numbers of citizens were denied the right to vote because of race, ethnic origin, religious or party orientation. This is not the case in Hawaii. No one regardless of these factors is denied his or her voting opportunity.

"Thus, one person--one vote makes sense only if it refers to the actual registered voter. To submerge that voter in a more general population is to deliberately create a false base upon which representation is judged.

"Obviously an elected official, regardless of how many potential voters exist as opposed to actual voters, must uphold the Constitution for everyone. So we may dispense with that as a counter argument. Does anyone suppose for even a moment that candidates will divert their attention to anyone other than those registered to vote?

"The fact that candidates may attempt to increase registration of the general population base in redrawn districts serves only to make my case. It is the registered voters who constitute the sum and substance of the actual thrust of the election. A consistently successful registration campaign would be reflected in the next reapportionment which took place. The emphasis would thus remain with, and reward in effect, those who work hard to achieve high registration.

"Personally, I am an advocate of the position that every eligible voter should be required to vote. I believe it is the single most important obligation of any citizen in a democracy. Then I would have no problem whatever with using the general population of eligible voters as a base. But in the absence of universal voting or automatic registration, how can one justify discriminating against those who do take the time and make the effort to register and vote?

"This leads to the other element of this pernicious decision which in my judgment is the greatest invitation to political bossism I have encountered--the idea that this decision will lead to single member districts.

"This decision cries out for appeal and if for no other reason than that single member districts--the hope and prayer of every tightly organized, highly financed pressure group--will come into existence.

"If you want political hacks, total flunkies; if you want big money to rule your life; if you want independent minded candidates no matter what their party affiliation to be smothered and smashed in election after election; if you want to limit your political choices to the narrowest possible field--then you want single member districts.

"If there has ever been an idea which has more deceived the innocent, been the darling of the naive or more calculated to establish an oligarchy of the haves against the have-nots, it is the notion of single member districts. It is a dream come true for those who would rule

rather than govern.

"Cynical political insiders cultivate the image of true blue citizen/politicians taking a few minutes out of their work lives to drop in on their neighbors, let them know they'd like to devote some of their spare time to everyone's benefit in office and happy, smiling members of the community contentedly going into the polling booth to send substitute Jimmy Stewarts off to the local city council, the state legislature or the Congress of the United States. What a fraud! What a deception!

"They know perfectly well in the real world of limitless campaign spending which the Nixon Supreme Court has given us that pressure groups will be able to concentrate their money, their so-called volunteers and their organizational power on selected districts more easily than ever. Instead of a number of candidates to be elected, only one can emerge. The voter will be deprived of the chance to broaden the spectrum of choice. The independent voice in terms of candidates will more often than not be buried in the paper and cash onslaught of his or her well-connected opponents. Candidates will end up as they did under the Daley Machine in Chicago coming with reverential steps into the sanctorum of the machine headquarters praying for the official blessing.

"The so-called reform of single member districts is the latest and the most devious traps yet devised to undermine and eliminate the independent, free-thinking candidate of whatever political persuasion. Do you believe for a moment that less money will be spent? Such districts simply mean more money than ever will be spent in a smaller area.

"Mr. President, I do not say all the conclusions of the Reapportionment Committee were perfect. Virtually every already elected official, and those who hope to be, could have drawn a different set of lines more individually beneficial in terms of being elected. But we all came under the same chance in the outcome. As always some will have it tougher, some easier, some no difference. If some lines need to be redrawn to more adequately implement the formula in relation to registered voters, let us do so. But let us not throw out the process wholesale because there may be isolated imbalances. Let us correct them.

"Mr. President, in sum, I am saying I want a fight made to preserve the process that is the fairest in comparison to what is being proposed. I want an appeal made to preserve the chance for free men and women to battle entrenched

powers and concentrations of influence. I want to protect the capacity of the voter in a world of massive campaign spending to have a series of candidates among which to choose.

"Mr. President, Elizabeth Jackson once admonished her son, who was to become President Andrew Jackson as follows:

'Make friends by being honest, keep them by being steadfast.'

"If we are to be honest with the voters, if we are to truly be the friend of democracy, let us keep faith with them and it by steadfastly resisting this decision.

"I call on the Lieutenant Governor to fight back with an appeal--today.

"Thank you."

Senator Cobb then rose and stated:

"Mr. President, I would like to add to the previous remarks that have just been made.

"In effect, when the court made its decision, and this has been reported in the press, there was no census data available by tracts. In fact, such census data was obviously not available to the 1981 Reapportionment Commission and the newspaper accounts on this latest decision have indicated it's going to be several weeks or months before such data becomes available.

"In essence, what the court was doing was saying the standard you used violated the Constitution, but you didn't have the details or the data to follow a standard. Second, in effect, the court found the Hawaii State Constitution to be unconstitutional since it is based on registered voters, not population.

"Yet, the Supreme Court of the United States has conformed to the diminimus rule which says that if your deviation does not exceed ten percent, plus or minus, that is a valid criteria for which no explanation is necessary for drawing a reapportionment line.

"To give you an example, Mr. President, of what can happen on a basis of population, let's take a look at Schofield Barracks. We have over 25,000 individuals, but less than 1,000 registered voters. That area would qualify as a separate House District. Or, let's take the case of Iroquois Point Naval Housing and the Pearl Harbor Naval Complex, where you have over 60,000 residents,

yet less than 500 registered voters-- that area would qualify as an entire Senatorial District.

"Personally, I would love to be running from such a district. All you'd have to do is to convince 500 voters and you'd be assured that in the next election there'd be another new 500 voters to meet.

"Finally, Mr. President, I think the court's decision has utterly destroyed the spending ceiling because now no one in the Legislature or the Congress who's running from Hawaii knows what their district is. In effect, by the time the districts come out--if they come out at all--a lot of money, of preparation, will have been already spent, and in most cases it will probably exceed what the previous limit is.

"The Senator from the Sixth District is absolutely correct when he says that a single member district is an invitation to high pressure lobbying and unlimited spending. I hope this decision is appealed."

At 12:10 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:29 o'clock p.m.

ADJOURNMENT

At 12:30 o'clock p.m., on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, March 30, 1982.

FORTY-THIRD DAY

Tuesday, March 30, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Kim On Chong, Minister of the United Church of Christ, after which the Roll was called showing all Senators present with the exception of Senators Carpenter, Cayetano, Kawasaki, Kuroda, O'Connor and Ushijima who were excused.

The President announced that he had read and approved the Journal of the Forty-Second Day.

The following introductions were then made to the members of the Senate:

Senator Anderson introduced a group of 40 Pearl City senior citizens.

Senator Young, on behalf of Senator Cayetano, introduced the 1982 Cherry Blossom Queen and her Court, as follows: Queen Jody-Lee Leiko Ige; Princess Marlene Mariko Fujita; Attendants, Carol Jean Imahiro, Carla Miyuki Shimabuku and Nina Mariko Yonemura, also chosen Miss Congeniality; and Miss Popularity, Amy Arakawa.

Senator Uwaine, also on behalf of Senator Cayetano, then introduced the 1982 Nisei Week Queen and her Court, as follows: Queen Frances Shima; Miss Tomodachi, Jo Ann Wada; and Princesses, Angela Kato, Stannyvonne Oishi, Leslie Matsuo, Kelley Morikawa and Sandra Yoshimura.

At 11:45 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:47 o'clock a.m.

Senator Holt then introduced Mrs. Jean Redmond of Girwood, Alaska. Senator Holt said that Mrs. Redmond was born and raised in Hawaii; that she is one of the best fishing guides in Girwood and has taught him all about salmon fishing.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 51), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE IMPACT OF AMENDING THE DEFINITION OF 'ADEQUATE RESERVE FUND,'" was offered by Senator Uwaine,

and was read by the Clerk.

By unanimous consent, S.C.R. No. 51 was referred to the Committee on Human Resources.

SENATE RESOLUTION

A resolution (S.R. No. 68), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE IMPACT OF AMENDING THE DEFINITION OF 'ADEQUATE RESERVE FUND,'" was offered by Senator Uwaine, and was read by the Clerk.

By unanimous consent, S.R. No. 68 was referred to the Committee on Human Resources, then to the Committee on Legislative Management.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 580-82) informing the Senate that Senate Concurrent Resolution 51, Senate Resolution No. 68, and Standing Committee Report Nos. 581-82 to 587-82 have been printed and distributed to all the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 581-82) recommending that House Bill No. 1963-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 1963-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DONATION OF FOOD," passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 1, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 582-82) recommending that House Bill No. 1964-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 1964-82, entitled: "A BILL FOR AN ACT RELATING TO VITAL

STATISTICS," passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 1, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 583-82) recommending that House Bill No. 2154-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2154-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMPULSORY SCHOOL ATTENDANCE," passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 1, 1982.

Senator Carpenter, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 584-82) recommending that House Bill No. 2585-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the majority of the Committee was adopted and H.B. No. 2585-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE," passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 1, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 585-82) recommending that House Bill No. 2751-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2751-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ARRESTS GENERALLY," passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 1, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 586-82) recommending that House Bill No. 2822-82, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted

and H.B. No. 2822-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES RELATED TO DRUGS AND INTOXICATING COMPOUNDS," passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 1, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 587-82) recommending that House Bill No. 3091-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 3091-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTION REGISTRATION FOR THE OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 1, 1982.

ORDER OF THE DAY

THIRD READING

MATTERS DEFERRED FROM MARCH 29, 1982

House Bill No. 2333-82, H.D. 1:

By unanimous consent, action on H.B. No. 2333-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATIVE REFERENCE BUREAU," was deferred until Wednesday, March 31, 1982.

House Bill No. 2507-82:

By unanimous consent, action on H.B. No. 2507-82, entitled: "A BILL FOR AN ACT RELATING TO TRIALS," was deferred until Wednesday, March 31, 1982.

House Bill No. 2175-82:

By unanimous consent, action on H.B. No. 2175-82, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," was deferred until Wednesday, March 31, 1982.

House Bill No. 2178-82:

By unanimous consent, action on H.B. No. 2178-82, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES AND WILDLIFE," was deferred until Wednesday, March 31, 1982.

House Bill No. 2208-82, H.D. 1:

By unanimous consent, action on H.B. No. 2208-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF QUALIFIED STATE APPRAISERS AS WELL AS INDEPENDENT APPRAISERS TO DETERMINE THE VALUE OF REMNANTS," was deferred until Wednesday, March 31, 1982.

House Bill No. 2176-82, H.D. 2:

By unanimous consent, action on H.B. No. 2176-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," was deferred until Wednesday, March 31, 1982.

House Bill No. 2177-82, H.D. 1:

By unanimous consent, action on H.B. No. 2177-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOREST AND WATER RESERVE ZONES," was deferred until Wednesday, March 31, 1982.

House Bill No. 2934-82, H.D. 1:

By unanimous consent, action on H.B. No. 2934-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII BANK ACT OF 1931," was deferred until Wednesday, March 31, 1982.

At this time, Senator Abercrombie rose to state as follows:

"Mr. President, speaking briefly on a point of personal privilege concerning the failure of the time-sharing ban to pass the State House yesterday.

"I find it interesting that at the very time that that bill was being killed the Star-Bulletin was reporting, 'Time-sharing figure has Nevada trouble. James R. Quincy, sales consultant, linked in numerous failing time-sharing companies including a Honolulu-based firm, ran into legal problems this week when Nevada State officials shut down a company selling time-sharing in mobile homes.'

"This jackal Quincy is the one who shows up in various places like Nevada with a sales force. They got there in mid-December. He shows up with his pack of dogs and runs through the state over there, just as he did over here with a bankrupt firm.

"The New York Times, March 21st, 'Hawaii acts to curb time-share apartments.'

"It was very interesting that our bill which passed attracted the attention of James D. McGinnis, a Honolulu-based member of the National Time-

Sharing Council which has its headquarters in Washington, D.C., now, said: 'We're going to use every effort to defeat the bill before we have to go to court.' Big money coming after us poor little people in Hawaii.

"Here's the Wall Street Journal, 'the Uniform Condominium Act and the National Conference of Commissioners of Uniform State Laws trying to deal with time-sharing.'

"The time-sharing developers are in there trying to gut everything that's associated with consumer protection. As a matter of fact, Mr. James McCabe who is the Legislative Director of the Uniform Law Commission of the United States says that where the land developers act is concerned with respect to time-shares it's essentially our act, the national act, with all the consumer protection and management provisions removed...all the consumer provisions removed.

"Mr. President, I received a call from the Los Angeles Times. I just finished speaking with the head of their real estate editorial department. They solicited my views, I didn't call them. The reason given to me by the editor was that they believe that the time-sharing ban bill in Hawaii would set the pace for what would happen with time-shares all over the nation; that the Los Angeles Times real estate section editor was very interested because of the problems with time-sharing and whether we were going to be able to stop them because, and I'm quoting the editor now, 'they feel that what Hawaii does will set the pace for the rest of the country.'

"What bothers me, Mr. President, is ordinarily if you have a bill going and it doesn't make it, as you have experienced just within the last 24 hours, you do your best; you try to smile through the pain and so on. But in this particular instance, the arguments that have taken place on this floor and in this Legislature over the years about time-sharing is so well-known.

"The difficulties of trying to deal with it, as the chairman of the Consumer Protection Committee no doubt will attach to it, the agony that he's gone through in trying to deal with these regulations in this area and to have people in the House, particularly the chairman of Consumer Protection, challenge this chamber to pass the ban, saying he would pass it, and then turn tails the way he did yesterday with a lot of baloney about constitutionality and weaknesses in the bill. There's only one weakness in the House, and that resides with the chairman over there

in the Consumer Protection Committee.

"It just bugs me no end to see a situation take place where we have a public commitment by a chairman and we come through with it, trying to protect our own people, and then because of personal, political considerations and big money in this town, we see the public interest of our people in this state being subverted, and most particularly see our tourist industry that we're constantly being touted to promote and protect being undermined and attacked by this pernicious disease called time-sharing.

"What I'm hoping is that we get another opportunity to take this time-sharing ban back to the House and try and find out who's really on the side of the people in this state."

Senator Cobb also rose on a point of personal privilege and stated:

"Mr. President, I too am disappointed with the decision of the House, particularly, when the House chairman had been quoted publicly in the papers that if we send over a ban they would take action and move it out. In effect, the Senate challenged the House to live up to their word and they failed to do so. I would just remark in passing that the battle on time-sharing is far from over."

ADJOURNMENT

At 11:57 o'clock a.m., on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, March 31, 1982.

FORTY-FOURTH DAY

Wednesday, March 31, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the Vice-President in the Chair.

The Divine Blessing was invoked by the Reverend Narito Nagao of the Honpa Hongwanji Mission of Hawaii, after which the Roll was called showing all Senators present.

The Chair announced that he had read and approved the Journal of the Forty-Third Day.

At this time, the following introductions were made to the members of the Senate:

Senator Anderson, on behalf of the members of the Senate, introduced a group of 36 senior citizens from the Whitmore Senior Citizens Club.

Senator Yee, on behalf of the Senators from the Sixth Senatorial District, introduced a group of 27 fifth graders from Jefferson Elementary School, accompanied by their teacher, Mrs. Sarah Moriyama.

The President then stated:

"On behalf of the Senate, I would like to introduce a group of musicians from Nagoya who performed and gave a superb concert at the Ala Moana Hotel on Saturday.

"We have with us today, Mr. Yoshio Hiratsuka, the President of the Korei Hogaku Kai, an outstanding koto instructor and musician, who has performed with Leonard Bernstein and the New York Philharmonic and has given innumerable concerts throughout the world.

"Accompanying him today are Professor Hiroshi Ishihara of the Nagoya School of Music and the Director of the Nishikawa School of Japanese Dancing, Professor Mitsujo Nishikawa.

"At this time, I would also like to introduce the remaining members of his party. Mr. Motoharu Kojima, Professor of Music; Mrs. Yusui Reimei, koto artist; Miss Meiyu Hiratsuka, daughter of Professor Yoshio Hiratsuka and a koto artist; Mr. Yoshimichi Tamai, the Press Club President; and from Honolulu, Mr. Sozan Jack Yamada, the President of the Hawaii-Japan Cultural Entertainers Association."

HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 320), transmitting House Concurrent Resolution No. 132, which was

adopted by the House of Representatives on March 30, 1982, was read by the Clerk and was placed on file.

At 11:50 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:51 o'clock a.m.

On motion by Senator Kuroda, seconded by Senator Anderson and carried, H.C.R. No. 132, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR OCEAN FAIR WEEK, APRIL 14-16, 1982, AT THE UNIVERSITY OF HAWAII, MANOA CAMPUS," was adopted.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 52), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE REGULATION OF TRAVEL AGENCIES," was offered by Senators Kuroda, Henderson, George, Ajifu, Soares, Yamasaki, Campbell, Ushijima, Carpenter, Cayetano, Kobayashi, Kawasaki, Holt, Wong and Young, and was read by the Clerk.

By unanimous consent, S.C.R. No. 52 was referred to the Committee on Tourism.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 69 to 72) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 69), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE REGULATION OF TRAVEL AGENCIES," was offered by Senators Kuroda, Henderson, George, Ajifu, Soares, Campbell, Yamasaki, Ushijima, Carpenter, Cayetano, Kobayashi, Holt, Wong and Young.

By unanimous consent, S.R. No. 69 was referred to the Committee on Tourism, then to the Committee on Legislative Management.

A resolution (S.R. No. 70), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF RETAINAGE PRACTICES BETWEEN GENERAL AND SUBCONTRACTORS IN TRANSACTIONS INVOLVING PUBLIC CONTRACTS," was offered by Senators Kuroda and Kawasaki.

By unanimous consent, S.R. No. 70 was referred to the Committee on Government Operations and Intergovernmental Relations, then to the Committee

on Legislative Management.

A resolution (S.R. No. 71), entitled: "SENATE RESOLUTION CONCERNING A REPORT ON THE DEFERRED COMPENSATION BOARD," was offered by Senator Abercrombie.

By unanimous consent, S.R. No. 71 was referred to the Committee on Human Resources.

A resolution (S.R. No. 72), entitled: "SENATE RESOLUTION REQUESTING THE ADOPTION OF ELECTRIC CARS FOR STATE AND COUNTY VEHICLES," was offered by Senators Campbell, Machida, Abercrombie, Holt, Ajifu, Cobb, Yamasaki, Anderson, Uwaine, Yee, Mizuguchi, Young, Henderson, Kawasaki, Kuroda, George, Soares, Toyofuku and Kobayashi.

By unanimous consent, S.R. No. 72 was referred to the Committee on Ecology, Environment and Recreation.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 588-82) informing the Senate that Senate Concurrent Resolution No. 52, Senate Resolution Nos. 69 to 72 and Standing Committee Report Nos. 589-82 to 594-82 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 589-82) recommending that House Bill No. 2022-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 2022-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEFERRED ACCEPTANCE OF NOLO CONTENDERE PLEAS," passed Second Reading and was placed on the calendar for Third Reading on Friday, April 2, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 590-82) recommending that House Bill No. 2640-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report

of the Committee was adopted and H.B. No. 2640-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALOHA STADIUM," passed Second Reading and was placed on the calendar for Third Reading on Friday, April 2, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 591-82) recommending that House Bill No. 3016-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 3016-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BIRTH CERTIFICATES," passed Second Reading and was placed on the calendar for Third Reading on Friday, April 2, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 592-82) recommending that House Bill No. 2190-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Uwaine and carried, the report of the Committee was adopted and H.B. No. 2190-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MOTOR VEHICLE ACCIDENT REPARATIONS ACT," passed Second Reading and was placed on the calendar for Third Reading on Friday, April 2, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 593-82) recommending that House Bill No. 2933-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Uwaine and carried, the report of the Committee was adopted and H.B. No. 2933-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTEREST ON CREDIT CARDS," passed Second Reading and was placed on the calendar for Third Reading on Friday, April 2, 1982.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 594-82) recommending that Senate

Resolution No. 38, as amended in S.D. 1, be adopted.

Senator Kobayashi moved that Stand. Com. Rep. No. 594-82 and S.R. No. 38, S.D. 1 be adopted, seconded by Senator George.

At this time, Senator Kobayashi stated:

"Senate Resolution No. 38, introduced by Senator Patsy Young and myself, was originally scheduled for Senate consideration on March 19, and after discussion, it was recommitted to my Committee for further consideration.

"Senator Andy Anderson counseled the Committee and in consideration of his recommendations, Senate Resolution No. 38 was amended and is now before the chamber as Senate Resolution No. 38, S.D. 1.

"I did want to emphasize that it is not the intent of the resolution to be anti-military because we all recognize and appreciate the importance of the military and the contributions it has made to our state. The adoption of this resolution just apprises the Navy of our continued commitment toward achieving reduction of military activities on Kaho'olawe and to the stopping of military activities on Kaho'olawe by foreign nations.

"Thank you."

Senator Kuroda then rose and stated:

"Mr. President, I'd like to make a few comments.

"I'd like to commend the Chairman of the Committee on Ecology, Environment and Recreation for revising Senate Resolution No. 38 to accommodate some of us who are in support of the Navy agreement with the state to use some selected areas of Kaho'olawe for live ammo target practice.

"S.R. No. 38, as amended in S.D. 1, now is critical only of foreign participation to which I agree.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.R. No. 38, S.D. 1, entitled: "SENATE RESOLUTION EXPRESSING CONCERN REGARDING THE USE OF KAHŌ'OLAWĒ AS A SHELLING TARGET BY THE DEPARTMENT OF THE NAVY AND RIMPAC '82 PARTICIPANTS," was adopted.

At 11:54 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:58 o'clock a.m.

ORDER OF THE DAY

THIRD READING

MATTERS DEFERRED FROM MARCH 30, 1982

House Bill No. 2333-82, H.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, H.B. No. 2333-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATIVE REFERENCE BUREAU," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none. Excused, none.

At 12:00 o'clock noon, the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:03 o'clock p.m.

House Bill No. 2507-82:

By unanimous consent, action on H.B. No. 2507-82, entitled: "A BILL FOR AN ACT RELATING TO TRIALS," was deferred until Thursday, April 1, 1982.

House Bill No. 2175-82:

By unanimous consent, action on H.B. No. 2175-82, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," was deferred until Thursday, April 1, 1982.

House Bill No. 2178-82:

By unanimous consent, action on H.B. No. 2178-82, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES AND WILDLIFE," was deferred until Thursday, April 1, 1982.

House Bill No. 2208-82, H.D. 1:

By unanimous consent, action on H.B. No. 2208-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF QUALIFIED STATE APPRAISERS AS WELL AS INDEPENDENT APPRAISERS TO DETERMINE THE VALUE OF REMNANTS," was deferred until Thursday, April 1, 1982.

House Bill No. 2176-82, H.D. 2:

By unanimous consent, action on H.B. No. 2176-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," was deferred until Thursday, April 1, 1982.

House Bill No. 2177-82, H.D. 1:

By unanimous consent, action on H.B. No. 2177-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOREST AND WATER RESERVE ZONES," was deferred until Thursday, April 1, 1982.

House Bill No. 2934-82, H.D. 1:

By unanimous consent, action on H.B. No. 2934-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII BANK ACT OF 1931," was deferred until Thursday, April 1, 1982.

RE-REFERRAL OF HOUSE BILL

The President re-referred House Bill No. 3125-82, which was received on Tuesday, March 16, 1982, to the Committee on Consumer Protection and Commerce.

At 12:05 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:06 o'clock p.m.

At this time, Senator Cayetano rose and addressed the members of the Senate as follows:

"Mr. President, I rise to make some remarks on a point of personal privilege.

"Mr. President, all of us here today know that George Yuen, the former Director of the Department of Health, announced his retirement yesterday.

"Mr. President, I want to congratulate Mr. Yuen for realizing that his retirement was the first step necessary to clear up the cloud that is covering the Department of Health at the present time. Mr. Yuen's retirement is the first step we can take to restoring public confidence in the Department of Health, with respect to the situation involving heptachlor in milk.

"I do not want to have my remarks misconstrued because I think all of us have to recognize that Mr. Yuen has been a public servant, serving the people of this state, for 35 years, and I hope that those who judge him will judge his record over the full eight years that he served and not just on the recent events which have transpired and are still going on.

"Mr. Yuen, Mr. President, is shouldering the blame for many of his subordinates and for parties in the private sector as well. I think that we have to recognize this because in our system of government, the buck stops at his office. And it is our system of government that holds persons in his position responsible for the actions of others below him.

"I congratulate the Governor for appointing Mr. Charles Clark. I think what the Department of Health needs at this time is a strong man, a man with a good reputation, a man who is familiar with the state's bureaucracy. And we all know that Mr. Clark has had vast experience in running the Department of Education, which is no less a bureaucracy than the Department of Health.

"My committee, Mr. President, has just completed a preliminary report which would be distributed to members of the Senate sometime this afternoon and also be made available to the public or for any party who wants it. The report is the result of over two weeks of extensive investigation and meetings by my staff, the Department of Health officials, persons from the private sector, the Governor and our Attorney General.

"I also ask that our President and the Senate leadership meet to discuss other ways in which the Senate can assist the administration in bringing the milk crisis to quick resolution. The President and I have discussed this matter informally and I think that some stronger action will be forthcoming.

"In closing, I want to wish Mr. Yuen well. I think he will do well in the private sector. Certainly he has great expertise in certain areas. I wish his family well and thank him for taking this very, very courageous and necessary step.

"Thank you."

Senator O'Connor then rose and stated:

"Mr. President, I rise on the same point of personal privilege.

"I concur in part with my brother Cayetano and I differ in part in that I do not personally believe that it is in the best interest of the state that Mr. Yuen step down at this time from the Department of Health. He was going to retire this summer in any event.

"The disarray, or at least the appearance of disarray, in that department which the public today perceives would be

better corrected with Mr. Yuen in the job than with Mr. Yuen out of the job. I think that the report earlier referred to which will come to us from the Committee on Health will demonstrate that it is not Mr. Yuen as an individual or even as a leader that needs the corrective action, but that it lies elsewhere in the Department of Health.

"We know Mr. Yuen in this state as the courageous, forthright head of the Honolulu Board of Water Supply, which under a difficult administration in the City and County of Honolulu stood steadfastly on certain principles insuring this City of Honolulu an adequate water supply and an adequate administration of that supply without any political impact or political collusion at a time when such could have occurred.

"He guided that department at a time when we were debating sewer charges and sewer problems, together with water problems and water charges and a combination or the lack of combination of the two, and it was his leadership and courage that really pulled that organization through a very difficult administration and difficult time.

"I think we should not forget that, nor should we forget that Mr. Yuen has demonstrated an ability at administration in the past from which we all today live in benefit. For these reasons, I would disagree; however, I thoroughly agree with the balance of the Senator's remarks and his observations concerning this present problem.

"Thank you."

Senator Kuroda then rose and stated:

"Mr. President, I concur with the remarks of the Senator from the Seventh District. George Yuen should have stayed on until this thing blew away, but I agree with both Senators in describing George Yuen's action as being very courageous.

"I watched the telecast last night as he was interviewed, and in response

to the question, 'George Yuen, do you feel you are the fall guy?', he unhesitatingly said, 'No.' He is a good soldier and I take my hat off to him."

Senator Campbell then rose and stated:

"Mr. President, I rise on the same point of personal privilege to wish George Yuen the best of luck.

"I concur with the sentiments that have been expressed by the Senator from the Seventh Senatorial District. I think, however, that the problem which we face in the milk industry is an indication that we must concern ourselves with a more efficacious way of dealing with the problem like this, rather than putting the blame at the doorstep of any one person.

"I think I indicated at the hearing of the Health Committee that the private sector should take some of the blame of the kind of problem that we're facing. And, it's my hope that this Legislature in looking at this serious problem will re-order the direction so that a problem like this is shared not only by government, but private industry as well.

"Thank you."

The President then stated:

"Notwithstanding our agreement or disagreement with the decision taken by the Director of Health, Mr. Yuen, I think it was in the discretion of the Governor's Office either to accept or not accept his resignation and inasmuch as he has accepted the resignation, the matter is quite settled, and some of us regret the results of that decision by the Governor's Office."

ADJOURNMENT

At 12:16 o'clock p.m., on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, April 1, 1982.

FORTY-FIFTH DAY

Thursday, April 1, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Veryl Henderson of the Hawaii Baptist Convention, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Forty-Fourth Day.

The following introductions were then made to the members of the Senate:

Senator Abercrombie introduced a group of Windward Community College students and their instructor, Mr. Roy Fujimoto.

Senator Carpenter, on behalf of the Big Island Senators, introduced 19 students from the Hawaii District Legislative Experience Program, representing Hilo, Kau-Puna, Pahoa, Puna and Waiakea High Schools, who were accompanied by Mrs. Beth Fujimoto and Miss Luann Aki, coordinators; faculty adviser Mrs. Helen Kobayashi; and Department of Education specialist Mr. Wallace Aki. Senator Carpenter added that the students have been trained as lobbyists and are here to lobby the Big Island legislative delegation and to observe the Legislature in action.

Senator Anderson then introduced 40 members of Hui O'Kaala Senior Citizens Club of Waianae.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 233), informing the Senate that on March 31, 1982, he signed Senate Bill No. 2197-82 as Act 2, entitled: "MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was read by the Clerk and was placed on file.

SENATE RESOLUTION

A resolution (S.R. No. 73), entitled: "SENATE RESOLUTION ESTABLISHING A SPECIAL COMMITTEE TO INVESTIGATE THE PROBLEM OF THE PESTICIDE HEPTACHLOR IN LOCALLY PRODUCED MILK," was offered by Senator Wong, and was read by the Clerk.

On motion by Senator Cobb, seconded by Senator Anderson and carried,

S.R. No. 73 was adopted on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (O'Connor).

The President, in accordance with S.R. No. 73, then appointed Senators Cayetano, Chairman, Ajifu, Carpenter, Cobb, Kobayashi and Yamasaki as members, to serve on the Special Committee to Investigate the Problem of the Pesticide Heptachlor in Locally Produced Milk.

The Chair then remarked and directed the Special Committee as follows:

"I want to note for the record that the committee's job is to investigate the heptachlor problem; to get the facts and then to make recommendations pursuant to S.R. No. 73.

"It is not, I repeat, not intended that the committee go on a witch-hunt or to play political games.

"We've witnessed in the past few days a change in leadership in the Department of Health. That matter should be looked at but not dwelled on.

"What is most important is for the committee to gather the facts, and make a report. Of utmost importance is the restoration of public confidence in government to which I hope the committee can contribute.

"Members of the Special Committee should move expeditiously, adopt rules for the committee and then get on with its business.

"I hope that the work will begin as early as next week."

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 595-82) informing the Senate that Senate Resolution No. 73 and Standing Committee Report Nos. 596-82 to 614-82 have been printed and distributed to all members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 596-82) recommending that House Bill No. 2173-82 pass Second Reading

and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2173-82, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 597-82) recommending that House Bill No. 2339-82, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2339-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JURISDICTION OF THE HAWAII PUBLIC EMPLOYMENT RELATIONS BOARD," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 598-82) recommending that House Bill No. 2848-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2848-82, entitled: "A BILL FOR AN ACT RELATING TO SICK LEAVE EXCEPTIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 599-82) recommending that Senate Resolution No. 10, as amended in S.D. 1, be adopted.

On motion by Senator Abercrombie, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.R. No. 10, S.D. 1, entitled: "SENATE RESOLUTION RELATING TO THE HAWAII STATE LIBRARY BUILDING," was adopted.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 600-82) recommending that Senate Resolution No. 19, as amended in S.D. 1, be adopted.

On motion by Senator Kuroda, seconded

by Senator Young and carried, the report of the Committee was adopted and S.R. No. 19, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO HELP ALLEVIATE NOISE PROBLEMS AT WAIPAHU ELEMENTARY SCHOOL," was adopted.

Senator Soares, for the Committee on Public Utilities, presented a report (Stand. Com. Rep. No. 601-82) recommending that the Senate advise and consent to the nomination of Albert Q.Y. Tom to the Public Utilities Commission, in accordance with Governor's Message No. 180.

By unanimous consent, action on Stand. Com. Rep. No. 601-82 and Gov. Msg. No. 180 was deferred until Friday, April 2, 1982.

Senator Soares, for the Committee on Public Utilities, presented a report (Stand. Com. Rep. No. 602-82) recommending that House Bill No. 2230-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2230-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICITY GENERATED FROM NON-FOSSIL FUELS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Soares, for the Committee on Public Utilities, presented a report (Stand. Com. Rep. No. 603-82) recommending that House Bill No. 2889-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2889-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senators Cobb and George, for the Committee on Consumer Protection and Commerce and the Committee on Transportation, presented a report (Stand. Com. Rep. No. 604-82) recommending that Senate Resolution No. 5 be adopted.

On motion by Senator Cobb, seconded by Senator George and carried, the joint report of the Committees was adopted and S.R. No. 5, entitled: "SENATE

RESOLUTION REQUESTING A STUDY OF IMPEDIMENTS TO RIDESHARING WITH REGARD TO THE COST, AVAILABILITY, AND ADEQUACY OF MOTOR VEHICLE INSURANCE," was adopted.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 605-82) recommending that House Bill No. 1042, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 1042, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FILING OF FINANCING STATEMENTS BY CONSIGNORS AND LESSORS UNDER THE UNIFORM COMMERCIAL CODE," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 606-82) recommending that House Bill No. 1488, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 1488, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 607-82) recommending that House Bill No. 2029-82, H.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2029-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BILLIARDS AND BOWLING ALLEYS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 608-82) recommending that House Bill No. 2191-82, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2191-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLICITATION OF FUNDS FROM THE PUBLIC," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 609-82) recommending that House Bill No. 2405-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2405-82, entitled: "A BILL FOR AN ACT RELATING TO DISCLOSURE OF FINANCE COSTS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 610-82) recommending that House Bill No. 2550-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2550-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SAVINGS AND LOAN ASSOCIATIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 611-82) recommending that House Bill No. 2902-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2902-82, entitled: "A BILL FOR AN ACT RELATING TO SAFETY DEPOSIT BOXES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 612-82) recommending that House Bill No. 2935-82, H.D. 1, pass Second Reading and be placed on the calendar

for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2935-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BRANCH BANKS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 613-82) recommending that House Bill No. 3030-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 3030-82, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senators Young and Kawasaki, for the Committee on Housing and Hawaiian Homes and the Committee on Government Operations and Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 614-82) recommending that House Bill No. 473, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the joint report of the Committees was adopted and H.B. No. 473, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

At 11:53 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:56 o'clock a.m.

ORDER OF THE DAY

THIRD READING

MATTERS DEFERRED FROM MARCH 30, 1982

House Bill No. 1963-82, H.D. 1, S.D. 1:

Senator Carpenter moved that H.B. No. 1963-82, H.D. 1, S.D. 1, having

been read throughout, pass Third Reading, seconded by Senator Cayetano.

Senator O'Connor spoke against the measure and stated:

"Mr. President, I'm going to vote against this bill.

"This bill relieves from standard civil liability any person who donates food for the consumption of another. It is my belief that any person who donates food should be willing to take the same standard of care as the person who distributes food in any other way. And I think that the recent situation that we have with the milk in this state demonstrates clearly that that should be the case.

"I do not believe that simply because one donates food that that person should not stand the same liability test applied to everyone else in the processing of food or other businesses, and I will vote against this measure."

The motion was put by the Chair and H.B. No. 1963-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DONATION OF FOOD," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (O'Connor and Ushijima).

House Bill No. 1964-82:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, H.B. No. 1964-82, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS," passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2154-82, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 2154-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMPULSORY SCHOOL ATTENDANCE," was deferred until Friday, April 2, 1982.

House Bill No. 2585-82, H.D. 1, S.D. 1:

Senator Carpenter moved that H.B. No. 2585-82, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cayetano.

Senator Abercrombie, speaking in favor of the bill, stated:

"Mr. President, I will vote for the bill but, for the record, should it come to constitutional test again, that if the

judge involved or the attorneys involved can find it useful, I would like to enter remarks which reflect those that I have made previously in this area.

"The idea here, Mr. President, which the Judiciary Committee struggled with, is to increase the capacity to deal in a realistic way in the area of child abuse. Unfortunately, there was some confusion or I believe misapplication of the law as it previously existed with respect to pornography. Now, there has been a definition added by the Judiciary Committee which presumably would meet the necessary tests with respect to the establishment of what is pornographic and what is not. Unfortunately, this has the effect of moving it into the area of the First Amendment argument, as opposed to what I consider to be the essence of what we are dealing with here which is to save abused children.

"One of the reasons that I opposed, in the past, adding in the element of the establishment of the pornographic content of material with respect to whether or not child abuse has taken place is that precisely because it would generate an argument as to whether it was protected by the First Amendment. This to me is a very sad situation where the sexual assault of a child could be discussed in First Amendment terms. It becomes almost absurd on its face. I hope that this will not take place.

"I most certainly will be watching it and I hope that the Judiciary chairman will be watching it, and I hope that the prosecutor will pay close attention so that if cases are prosecuted and they turn out badly because of an argument as to what constitutes a pornographic or an element of pornography in a sense with respect to child abuse, then we can come back again and wrestle with this thing once more to make sure that we accomplish what we set out to do which is to protect children against assault by adults, and not have this degenerate into a travesty over an argument over what constitutes artistic, aesthetic content, as opposed to a violation of a child, physically or emotionally or mentally."

Senator O'Connor spoke against the measure and stated:

"Mr. President, I'm going to vote against this bill.

"This section was adopted two years ago in an attempt to take this type of child abuse out of the pornographic law. A specific attempt was made to do that because the law of pornography

in the United States, as we all know, has been a gray abyss for many years.

"For many years this state went without an anti-pornography law due to certain rulings of the Supreme Court and certain rulings of our local courts. This area was considered so important that an attempt was made to take it out of pornography entirely and never use the word. Today, we go right back into that abyss.

"There is another section of the Penal Code which specifically deals with pornography, and just in 1981 we amended that section and redefined pornography for minors which takes into consideration the very matters which this bill is now amended to address.

"We're going to have two sections of the Penal Code dealing with the same thing, namely, pornography for minors. This section was never intended to deal with pornography. And that Circuit Court ruling which had tried to place the three-step Miller decision to this section, in my mind, was wrong. And if the court has any validity in its reasoning, this section should be amended again to try to do that without using the word pornography.

"For all those reasons I'm going to vote against it. I think we're going backwards in the area of child abuse."

Senator Abercrombie responded and queried:

"Mr. President, the previous speaker seems to be making my argument for me and yet he's voting against it. I just wonder if the previous speaker would indicate from his experience, both as an attorney and in considering this bill, exactly why adding this in would not meet the test that the judge seems to require in order to make the law effective because if I have misunderstood that, then perhaps I should change my vote and urge others to do the same."

The Chair then asked Senator O'Connor if he would care to respond and Senator O'Connor answered:

"Mr. President, I'll be happy to answer that question.

"The adding of this word and the Miller definition to this section does meet the test that one Circuit Court judge sought to impose upon this section. But, simultaneously, in 1981 we did that by amending the definition of pornographic for minors and pornography in Section 712-1210. It's already been done. This section is there to address the problem of child abuse in this sexual

deviant and sadomasochistic area from a completely different angle, not tying in the law of pornography.

"Because of the problems that we've run into on appeal and in court in attempting to enforce the law of pornography, which up to this time has been essentially unenforceable in this state and in most other states, this area, having to do with child abuse through sexual means, was deemed so important that we were attempting to do it without use of the word pornography and I believe that that Circuit Court judge was wrong. The matter was never resolved by our Supreme Court, and we are reacting to a Circuit Court decision where we should not in this area.

"If we desire to clean up this section a little bit to try to make it more constitutional, it's one thing, but the minute we use the word pornography we invite the ACLU and everyone else in town to knock over this section on that issue only. That's my objection."

The motion was put by the Chair and carried, and H.B. No. 2585-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 7 (Abercrombie, Holt, Machida, Mizuguchi, O'Connor, Toyofuku and Ushijima).

House Bill No. 2751-82, H.D. 1, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, H.B. No. 2751-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ARRESTS GENERALLY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2822-82, H.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, H.B. No. 2822-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES RELATED TO DRUGS AND INTOXICATING COMPOUNDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Abercrombie).

House Bill No. 3091-82, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and

carried, H.B. No. 3091-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTION REGISTRATION FOR THE OFFICE OF HAWAIIAN AFFAIRS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

MATTERS DEFERRED FROM MARCH 31, 1982

House Bill No. 2507-82:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, H.B. No. 2507-82, entitled: "A BILL FOR AN ACT RELATING TO TRIALS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2175-82:

By unanimous consent, action on H.B. No. 2175-82, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," was deferred until Friday, April 2, 1982.

House Bill No. 2178-82:

On motion by Senator Henderson, seconded by Senator Yee and carried, H.B. No. 2178-82, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES AND WILDLIFE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2208-82, H.D. 1:

On motion by Senator Henderson, seconded by Senator Yee and carried, H.B. No. 2208-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF QUALIFIED STATE APPRAISERS AS WELL AS INDEPENDENT APPRAISERS TO DETERMINE THE VALUE OF REMNANTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2176-82, H.D. 2:

By unanimous consent, action on H.B. No. 2176-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," was deferred until Friday, April 2, 1982.

House Bill No. 2177-82, H.D. 1:

By unanimous consent, action on

H.B. No. 2177-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOREST AND WATER RESERVE ZONES," was deferred until Friday, April 2, 1982.

House Bill No. 2934-82, H.D. 1:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, H.B. No. 2934-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII BANK ACT OF 1931," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

RE-REFERRAL OF HOUSE BILL

The President re-referred House Bill No. 2318-82 which was received on Monday, March 15, 1982, to the Committee on Judiciary.

At this time, Senator Campbell rose to inquire as follows:

"Mr. President, I rise on a point of parliamentary inquiry. My point relates to the appointment of the special committee to investigate the problem of pesticides in locally produced milk.

"Mr. President, I share with you and the Senate the significance of this problem, therefore, I certainly share the feeling of many that this Senate should take the lead and in the manner in which this resolution has indicated.

"The question I have for you, Mr. President, is that should not such a committee, because the issue is so significant, shouldn't such a committee be as broadly based as possible? In other words, should not the seven minority Democrats be represented on the committee?"

The Chair answered:

"Senator Campbell, first of all, the resolution specifies the number of members on the committee. If you will examine the make-up of the committee, 'in the wisdom of the president,' I have appointed those individuals that I feel have some kind of tie-in, as chairmen of respective standing committees, to the milk problem. For example, Senator Cayetano is the chairman of the Health Committee; Senator Ajifu is the chairman of Agriculture; Senator Cobb is the chairman of the Consumer Protection and Commerce Committee;

Senator Carpenter is the chairman of the Judiciary Committee; Senator Kobayashi is chairman of the Ecology, Environment and Recreation Committee; and Senator Yamasaki is chairman of the Ways and Means Committee.

"It is the feeling of the Chair that these particular individuals represent the spectrum of the Senate's interest and concern in this particular problem.

"If one were to request of the chairman of the special committee to sit in with the committee at any of its public meetings, I feel most confident that any member of this Senate that chooses to do so will be welcome.

"Does that answer your question, Senator Campbell?"

Senator Campbell responded: "Yes, Mr. President, that answers my question but it doesn't satisfy my inquiry, though."

The Chair replied: "Sometimes you have to call it as you see it."

At 12:11 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:13 o'clock p.m.

Senator O'Connor then rose to state:

"Mr. President, just on the earlier issue which was being debated, I would like the record to reflect that there was no objection made by any member of the coalition, Democrat or Republican, for a special committee to be made up entirely of committee chairmen.

"I want these remarks to be clearly imprinted on the record for later reference, in later years, when this body comes together."

The Chair answered that the record will so note.

At 12:15 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:17 o'clock p.m.

RECONSIDERATION OF ACTIONS TAKEN

House Bill No. 2176-82, H.D. 2:

Senator Cobb moved that the Senate reconsider its action on H.B. No. 2176-82, H.D. 2, seconded by Senator Anderson and carried.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2176-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," was recommitted to the Committee on Economic Development.

House Bill No. 2177-82, H.D. 1:

Senator Cobb moved that the Senate reconsider its action on H.B. No. 2177-82, H.D. 1, seconded by Senator Anderson and carried.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2177-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOREST AND WATER RESERVE ZONES," was recommitted to the Committee on Economic Development.

Senator O'Connor then rose to state as follows:

"Mr. President, regarding those two bills that were just recommitted, I urge that committee to have an attorney look at the bills...they contain some of the most slipshod language that I've seen around lately."

Senator Henderson answered:
"That language came from the House, that's why we are recommitting the bills."

At 12:19 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:20 o'clock p.m.

At this time, the Chair addressed the members of the Senate as follows:

"Members of the Senate, if I may, I would like to make a few comments, both for the record and for the edification of our colleagues in the House.

"I speak for many Senators when I say that we are extremely disturbed by what appears to be very high-handed treatment of many worthwhile Senate bills in the House. The House has evidently killed or gutted Senate bills for banning time-sharing, for the prohibition of fireworks, for indirect initiative, for capital punishment, for a wide range of subjects. These are bills that the Senate had worked hard in developing over the past two years.

"It is very disappointing to see our efforts go down the drain in the House.

"During the last couple of weeks,

we have all seen a number of House members over here in the Senate lobbying for their bills. By and large we have tried to accommodate them. We have heard their bills. Many of these House bills are moving through the Senate.

"There doesn't appear to be the same spirit of reciprocity in the House for our Senate bills.

"Now I want to make it very clear at this point that I am not trying to leverage or pressure the House on my lottery bill. The lottery bill is dead, I accept that fact. As far as I'm concerned, the lottery issue is all pau for the session.

"I'm not talking about the lottery bill; I'm talking about what we perceive as a distinct lack of reciprocity and cooperation on the part of the House.

"The record shows that we in the Senate have been fair and open-minded in our deliberations on House bills.

"Last year, out of 325 House bills that crossed over to the Senate, we passed 224 on third reading. That's about a 70% passage rate. On the other hand, we sent 248 Senate bills to the House last year and they passed only 96 of them on third reading--that's under 40%.

"Even allowing for the fact that many of the House bills we passed were routine, noncontroversial or companions of Senate bills that came over first, I don't really think anyone can say that House bills don't generally get a fair shake in the Senate.

"All we're asking for is the same sort of fair treatment.

"Today marks the 45th day of the 1982 Legislative Session. We're three-fourths of the way through.

"As we enter into the final weeks of the session, I call on the members of the House to please be more receptive and open-minded about our Senate bills. I want us to finish our work cooperatively. I don't want to see bills--either Senate or House--killed arbitrarily and other bills killed in retaliation.

"I want us all, Senators and Representatives, to work together."

ADJOURNMENT

At 12:24 o'clock p.m., on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m.,

Friday, April 2, 1982.

FORTY-SIXTH DAY

Friday, April 2, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the Vice-President in the Chair.

The Divine Blessing was invoked by Father Arsene Daenen of St. Patrick's Church, after which the Roll was called showing all Senators present with the exception of Senator Wong who was excused.

The Chair announced that he had read and approved the Journal of the Forty-Fifth Day.

At this time, the following introductions were made to the members of the Senate:

Senator Ajifu, on behalf of the Senators from the Third Senatorial District, introduced a group of students, grades K-3, from Hale Keikilani School in Kaneohe, accompanied by their teachers, Mrs. Janet Scoggins, Mr. Edward Muramatsu and Miss Ginger Golsan.

Senator Anderson, on behalf of the Senate, introduced 40 members of the Kailua Senior Citizens Club.

Senator Campbell introduced four students, Eric Wada and William Lum from Damien High School and Melissa Murata and Karol Young from Sacred Hearts Academy, who were visiting the Capitol in honor of Father Damien Recognition Day.

The President then introduced a group of seventh and eighth grade students from Kawanakoa Intermediate School, accompanied by their advisers, Mrs. Brenda Yonamine, Mr. Richard Anbe and Mr. C. Shiraki.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 234), transmitting copies of the Annual Report for the Public Utilities Commission for Fiscal Year 1980-1981, was read by the Clerk and was referred to the Committee on Public Utilities.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 53 to 57) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 53), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF AMENDING HEALTH INSURANCE POLICIES TO INCLUDE

DOCTORS OF CHIROPRACTIC," was offered by Senators Kuroda, Cobb, Abercrombie, Cayetano, Kawasaki, Ajifu, Campbell, Kobayashi, Ushijima and Yee.

By unanimous consent, S.C.R. No. 53 was referred to the Committee on Consumer Protection and Commerce.

A concurrent resolution (S.C.R. No. 54), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE SENATE AND HOUSE TO CONSIDER THE TELEVISIONING OF IMPORTANT COMMITTEE PUBLIC HEARINGS ON CABLE TELEVISION STATEWIDE," was offered by Senators Wong, Henderson, Kobayashi, Yee, Cobb, Kawasaki, Ajifu, Soares, O'Connor, Yamasaki and Kuroda.

By unanimous consent, S.C.R. No. 54 was referred to the Committee on Judiciary.

A concurrent resolution (S.C.R. No. 55), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII CONGRESSIONAL DELEGATION TO JOIN IN A CONCERTED EFFORT TO URGE THE UNITED STATES AND THE SOVIET UNION TO NEGOTIATE AN AGREEMENT TO REDUCE NUCLEAR WEAPONS," was offered by Senators Kawasaki, Kuroda, Campbell, Cobb, Soares, Ajifu, George and Young.

By unanimous consent, S.C.R. No. 55 was referred to the Committee on Government Operations and Intergovernmental Relations.

A concurrent resolution (S.C.R. No. 56), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING TO PLAN A DEMONSTRATION PROJECT WHICH SHALL PROVIDE HOME CARE SERVICES TO PERSONS WHO ARE ELIGIBLE FOR MEDICAID BENEFITS," was offered by Senator Uwaine.

By unanimous consent, S.C.R. No. 56 was referred to the Committee on Human Resources.

A concurrent resolution (S.C.R. No. 57), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW OF DIFFERENT WAYS OF PRESERVING THE MAJOR BENEFITS OR PROVISIONS OF HAWAII'S PREPAID HEALTH CARE ACT IN VIEW OF ITS PREEMPTION UNDER FEDERAL LAW," was offered by Senator Uwaine.

By unanimous consent, S.C.R. No. 57 was referred to the Committee on Human Resources.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 74 to 79) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 74), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF AMENDING HEALTH INSURANCE POLICIES TO INCLUDE DOCTORS OF CHIROPRACTIC," was offered by Senators Kuroda, Cobb, Abercrombie, Cayetano, Kawasaki, Ajifu, Campbell, Kobayashi, Ushijima and Yee.

By unanimous consent, S.R. No. 74 was referred to the Committee on Consumer Protection and Commerce, then to the Committee on Legislative Management.

A resolution (S.R. No. 75), entitled: "SENATE RESOLUTION REQUESTING THE HAWAII CONGRESSIONAL DELEGATION TO JOIN IN A CONCERTED EFFORT TO URGE THE UNITED STATES AND THE SOVIET UNION TO NEGOTIATE AN AGREEMENT TO REDUCE NUCLEAR WEAPONS," was offered by Senators Kawasaki, Kuroda, Campbell, Cobb, Soares, Ajifu, Kobayashi, George and Young.

By unanimous consent, S.R. No. 75 was referred to the Committee on Government Operations and Intergovernmental Relations.

A resolution (S.R. No. 76), entitled: "SENATE RESOLUTION REQUESTING THE STATE DEPARTMENT OF TRANSPORTATION TO REPORT TO THE SENATE COMMITTEE ON TRANSPORTATION REGARDING A FEE FOR DELIVERIES TO THE AIRPORT," was offered by Senators George, Kobayashi, Kawasaki, Soares, Cobb, Kuroda and Toyofuku.

By unanimous consent, S.R. No. 76 was referred to the Committee on Transportation.

A resolution (S.R. No. 77), entitled: "SENATE RESOLUTION REQUESTING THE CONGRESS OF THE UNITED STATES TO PROVIDE FOR FEDERAL RESPONSIBILITY FOR ALL PUBLIC WELFARE PROGRAMS IN EXCHANGE FOR STATE RESPONSIBILITY FOR ALL EDUCATION PROGRAMS," was offered by Senator Mizuguchi.

By unanimous consent, S.R. No. 77 was referred jointly to the Committee on Human Resources and the Committee on Education.

A resolution (S.R. No. 78), entitled: "SENATE RESOLUTION REQUESTING

THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING TO PLAN A DEMONSTRATION PROJECT WHICH SHALL PROVIDE HOME CARE SERVICES TO PERSONS WHO ARE ELIGIBLE FOR MEDICAID BENEFITS," was offered by Senator Uwaine.

By unanimous consent, S.R. No. 78 was referred to the Committee on Human Resources.

A resolution (S.R. No. 79), entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF DIFFERENT WAYS OF PRESERVING THE MAJOR BENEFITS OR PROVISIONS OF HAWAII'S PREPAID HEALTH CARE ACT IN VIEW OF ITS PREEMPTION UNDER FEDERAL LAW," was offered by Senator Uwaine.

By unanimous consent, S.R. No. 79 was referred to the Committee on Human Resources, then to the Committee on Legislative Management.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 615-82) informing the Senate that Senate Concurrent Resolution Nos. 53 to 57, Senate Resolution Nos. 74 to 79 and Standing Committee Report Nos. 616-82 to 708-82 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 616-82) recommending that House Bill No. 2172-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2172-82, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE DISPOSAL," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 617-82) recommending that the Senate advise and consent to the nomination of Jack Kellner to the Environmental Council, in accordance with Governor's Message No. 123.

By unanimous consent, action on Stand. Com. Rep. No. 617-82 and Gov. Msg. No. 123 was deferred until Monday, April 5, 1982.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 618-82) recommending that the Senate advise and consent to the nominations of Ivan H. Morita and Donald K. Andrews to the Aquatic Life and Wildlife Advisory Committee, City and County of Honolulu, in accordance with Governor's Message No. 126.

By unanimous consent, action on Stand. Com. Rep. No. 618-82 and Gov. Msg. No. 126 was deferred until Monday, April 5, 1982.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 619-82) recommending that the Senate advise and consent to the nominations of William Kikuchi, Ph.D.; Herbert M. Mark; Richard Paglinawan; Betty Ann Rocha and Bernhard Hormann, Ph.D., to the Hawaii Historic Places Review Board, in accordance with Governor's Message No. 129.

By unanimous consent, action on Stand. Com. Rep. No. 619-82 and Gov. Msg. No. 129 was deferred until Monday, April 5, 1982.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 620-82) recommending that the Senate advise and consent to the nomination of Augustine S. Furumoto to the Natural Area Reserves System Commission, in accordance with Governor's Message No. 130.

By unanimous consent, action on Stand. Com. Rep. No. 620-82 and Gov. Msg. No. 130 was deferred until Monday, April 5, 1982.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 621-82) recommending that the Senate advise and consent to the nomination of Brian L. Gray to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, in accordance with Governor's Message No. 131.

By unanimous consent, action on Stand. Com. Rep. No. 621-82 and Gov. Msg. No. 131 was deferred until Monday, April 5, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep.

No. 622-82) recommending that House Bill No. 161, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 161, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WEIGHT OF BREAD," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 623-82) recommending that House Bill No. 1653, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 1653, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REQUIREMENTS FOR AMENDMENT OF THE DECLARATION AND BYLAWS OF CONDOMINIUM ASSOCIATIONS UNDER THE HORIZONTAL PROPERTY ACT," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 624-82) recommending that House Bill No. 2028-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2028-82, entitled: "A BILL FOR AN ACT RELATING TO HOTELS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 625-82) recommending that House Bill No. 2193-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading on Monday, April 5, 1982.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2193-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS,"

passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 626-82), recommending that House Bill No. 2198-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2198-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DENTAL EXAMINERS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 627-82) recommending that House Bill No. 2295-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2295-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII REGULATORY LICENSING REFORM ACT," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 628-82) recommending that House Bill No. 2408-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2408-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CREDIT UNIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 629-82) recommending that House Bill No. 2446-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted

and H.B. No. 2446-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BEAUTY CULTURE," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 630-82) recommending that House Bill No. 2870-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2870-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SENSITIVITY-AWARENESS GROUPS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 631-82) recommending that House Bill No. 2890-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2890-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INDUSTRIAL LOAN COMPANY GUARANTY ACT," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 632-82) recommending that House Bill No. 2942-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the majority of the Committee was adopted and H.B. No. 2942-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPEECH PATHOLOGISTS AND AUDIOLOGISTS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 633-82) recommending that H.B. No. 2980-82, H.D. 1, as amended in S.D. 1, pass Second Reading and

be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2980-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL CORPORATIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 634-82) recommending that House Bill No. 790, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 790, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 635-82) recommending that House Bill No. 2097-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2097-82, entitled: "A BILL FOR AN ACT RELATING TO FAIR HOUSING," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 636-82) recommending that House Bill No. 2380-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2380-82, entitled: "A BILL FOR AN ACT RELATING TO ELDERLY HOUSING," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 637-82) recommending that House Bill No. 3119-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 3119-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL GROUP LIVING," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 638-82) recommending that Senate Concurrent Resolution No. 12, as amended in S.D. 1, be referred to the Committee on Economic Development.

On motion by Senator Young, seconded by Senator Holt and carried, the report of the Committee was adopted and S.C.R. No. 12, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE HOUSING PLAN," was referred to the Committee on Economic Development.

Senator Ajifu, for the Committee on Government Operations and Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 639-82) recommending that House Bill No. 2095-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2095-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VEHICLE NUMBER PLATES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Ajifu, for the Committee on Government Operations and Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 640-82) recommending that House Bill No. 2406-82, H.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2406-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Ajifu, for the Committee on Government Operations and Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 641-82) recommending that House Bill No. 2939-82, H.D. 1,

as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2939-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CLARIFICATION OF THE DEFINITION OF STANDARD BAR," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Kuroda, for the Committee on Government Operations and Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 642-82) recommending that Senate Concurrent Resolution No. 42, as amended in S.D. 1, be adopted.

On motion by Senator Toyofuku, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.C.R. No. 42, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING PRESIDENT REAGAN AND THE CONGRESS OF THE UNITED STATES TO ESTABLISH A NATIONAL ACADEMY OF PEACE," was adopted on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Anderson, Henderson and Saiki). Excused, 1 (Ajifu).

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 643-82) recommending that House Bill No. 2251-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2215-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 644-82) recommending that House Bill No. 2224-82, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried the report of the Committee was adopted and H.B. No. 2224-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOARDS AND COMMISSIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 645-82) recommending that House Bill No. 2377-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2377-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII RIGHT TO FARM ACT," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 646-82) recommending that House Bill No. 2598-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2598-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT TO AMEND SECTION 708-833.5, HAWAII REVISED STATUTES, RELATING TO SHOPLIFTING," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Carpenter, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 647-82) recommending that House Bill No. 2629-82, H.D. 1 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the majority of the Committee was adopted and H.B. No. 2629-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CUSTODIAL INTERFERENCE," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 648-82) recommending that House Bill No. 2750-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2750-82, H.D. 1, S.D. 1,

entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 649-82) recommending that House Bill No. 2972-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2972-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO QUIETING TITLE," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 650-82) recommending that House Bill No. 3124-82, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 3124-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AUTHORIZED ABSENCE FROM A PSYCHIATRIC FACILITY," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 651-82) recommending that House Bill No. 1515, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 1515, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DUTIES OF SAFE DEPOSIT COMPANIES, TRUST COMPANIES, BANKS, ETC.," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 652-82) recommending that House Bill No. 2051-82, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the

report of the Committee was adopted and H.B. No. 2051-82, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 653-82) recommending that House Bill No. 2147-82, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2147-82, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FOUNDATION ON CULTURE AND THE ARTS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 654-82) recommending that House Bill No. 2165-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2165-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 655-82) recommending that House Bill No. 2205-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2205-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INHERITANCE TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 656-82) recommending that House Bill No. 2206-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2206-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 657-82) recommending that House Bill No. 2240-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2240-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN IN FOSTER CARE," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 658-82) recommending that House Bill No. 2241-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2241-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECOVERY OF MONEY OWED TO THE STATE," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 659-82) recommending that House Bill No. 2243-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2243-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELDERLY ABUSE OR NEGLECT," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 660-82) recommending that House Bill No. 2247-82, H.D. 1, pass Second Reading and be placed on the calendar

for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the majority of the Committee was adopted and H.B. No. 2247-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 661-82) recommending that House Bill No. 2313-82, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2313-82, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DRIVER EDUCATION AND TRAINING FUND," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 662-82) recommending that House Bill No. 2400-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2400-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INHERITANCE TAX," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 663-82) recommending that House Bill No. 2438-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2438-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENCOURAGEMENT OF FEDERALLY CERTIFIED DEVELOPMENT COMPANIES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Yamasaki, for the Committee

on Ways and Means, presented a report (Stand. Com. Rep. No. 664-82) recommending that House Bill No. 2560-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2560-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 665-82) recommending that House Bill No. 2561-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2561-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MANAGEMENT OF STATE FUNDS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 666-82) recommending that House Bill No. 2562-82, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2562-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEPOSITS OF PUBLIC FUNDS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 667-82) recommending that House Bill No. 2765-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the majority of the Committee was adopted and H.B. No. 2765-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS SPECIAL FEES AND CHARGES," passed Second Reading and was placed on the

calendar for Third Reading on Monday, April 5, 1982.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 668-82) recommending that House Bill No. 2815-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the majority of the Committee was adopted and H.B. No. 2815-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REGISTRATION OF VEHICLES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 669-82) recommending that House Bill No. 2817-82, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2817-82, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFF-ROAD VEHICLES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 670-82) recommending that House Bill No. 2879-82, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2879-82, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEES AND CHARGES COLLECTED FROM THE USERS OF SCHOOL FACILITIES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 671-82) recommending that House Bill No. 2969-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded

by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2969-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 672-82) recommending that House Bill No. 3136-82, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 3136-82, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 673-82) recommending that House Bill No. 3143-82, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the majority of the Committee was adopted and H.B. No. 3143-82, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 674-82) recommending that House Bill No. 329, H.D. 1, S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 674-82 and H.B. No. 329, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES EXCLUDED OR EXEMPT FROM COLLECTIVE BARGAINING," was deferred until Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 675-82) recommending that House Bill No. 1974-82, H.D. 2, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 675-82 and H.B. No.

1974-82, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC PURCHASING," was deferred until Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 676-82) recommending that House Bill No. 2207-82, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 676-82 and H.B. No. 2207-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX INCENTIVES FOR SOLAR ENERGY DEVICES," was deferred until Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 677-82) recommending that House Bill No. 2210-82, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 677-82 and H.B. No. 2210-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE HIGHER EDUCATION LOAN FUND," was deferred until Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 678-82) recommending that House Bill No. 2349-82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 678-82 and H.B. No. 2349-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII," was deferred until Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 679-82) recommending that House Bill No. 2511-82, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 679-82 and H.B. No. 2511-82, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COMPLIANCE RESOLUTION," was deferred until Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 680-82) recommending that House Bill No. 2674-82, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on

Stand. Com. Rep. No. 680-82 and H.B. No. 2674-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," was deferred until Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 681-82) recommending that House Bill No. 2806-82, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 681-82 and H.B. No. 2806-82, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," was deferred until Monday, April 5, 1982.

Senator George for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 682-82) recommending that House Bill No. 1094, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 1094, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSPECTION OF VEHICLES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator George, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 683-82) recommending that House Bill No. 2092-82, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2092-82, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SAFETY RESPONSIBILITY ACT," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator George, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 684-82) recommending that House Bill No. 2105-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2105-82, entitled: "A BILL FOR AN ACT RELATING TO THE TOWING OF ABANDONED VEHICLES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator George, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 685-82) recommending that House Bill No. 2232-82, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2232-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DRIVING OF MOPEDS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator George, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 686-82) recommending that House Bill No. 2975-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2975-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DRIVER IMPROVEMENT PROGRAM," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senators Kobayashi and Henderson, for the Committee on Ecology, Environment and Recreation and the Committee on Economic Development, presented a joint report (Stand. Com. Rep. No. 687-82) recommending that House Bill No. 2624-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the joint report of the Committees was adopted and H.B. No. 2624-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOREST AND WATER RESERVE ZONES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Ajifu, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 688-82) recommending that House Bill No. 2148-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2148-82, S.D. 1, entitled:

"A BILL FOR AN ACT AMENDING CHAPTER 142, HAWAII REVISED STATUTES, RELATING TO ANIMALS, BRANDS, AND FINES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Ajifu, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 689-82) recommending that House Bill No. 2150-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2150-82, S.D. 1, entitled: "A BILL FOR AN ACT AMENDING SECTION 142-12, HAWAII REVISED STATUTES, RELATING TO PENALTIES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Ajifu, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 690-82) recommending that House Bill No. 2565-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2565-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL COOP ASSOCIATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 691-82) recommending that House Bill No. 1489, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 1489, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 692-82) recommending that House Bill No. 2018-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the

report of the Committee was adopted and H.B. No. 2018-82, entitled: "A BILL FOR AN ACT RELATING TO APPLICABILITY OF GENERAL INSURANCE LAW," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 693-82) recommending that House Bill No. 2866-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2866-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESMEN," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 694-82) recommending that House Bill No. 2489-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2489-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICIANS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 695-82) recommending that House Bill No. 2057-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2057-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRUGS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 696-82) recommending that House Bill No. 2697-82 pass Second Reading and be

placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2697-82, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator George, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 697-82) recommending that House Bill No. 2698-82, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator George and carried, the report of the Committee was adopted and H.B. No. 2698-82, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF MOTOR VEHICLE EQUIPMENT," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 698-82) recommending that House Bill No. 2477-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2477-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE DISPOSAL," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 699-82) recommending that House Bill No. 2183-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2183-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MARINE AFFAIRS COORDINATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 700-82) recommending that House Bill No. 2813-82, H.D. 1, as amended in S.D.

1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2813-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Cayetano, for the Committee on Health, presented a report (Stand. Com. Rep. No. 701-82) recommending that House Bill No. 2682-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2682-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH PLANNING," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Cayetano, for the Committee on Health, presented a report (Stand. Com. Rep. No. 702-82) recommending that House Bill No. 2167-82, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 2167-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROPHYLAXIS FOR THE PREVENTION OF BLINDNESS IN THE NEWBORN," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Cayetano, for the Committee on Health, presented a report (Stand. Com. Rep. No. 703-82) recommending that House Bill No. 2444-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2444-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEATH," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Cayetano, for the majority of the Committee on Health, presented a report (Stand. Com. Rep. No. 704-82) recommending that House Bill No. 2170-82 pass Second Reading

and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the majority of the Committee was adopted and House Bill No. 2170-82, entitled: "A BILL FOR AN ACT RELATING TO SMOKING IN PUBLIC PLACES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 705-82) recommending that House Bill No. 2176-82, H.D. 2, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 705-82 and H.B. No. 2176-82, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," was deferred until Monday, April 5, 1982.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 706-82) recommending that House Bill No. 2177-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2177-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOREST AND WATER RESERVE ZONES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Kuroda, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 707-82), recommending that House Bill No. 3007-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 3007-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIABILITY OF HOTELKEEPERS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Soares, for the majority of the Committee on Public Utilities, presented a report (Stand. Com. Rep. No. 708-82) recommending that House Bill No. 2627-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the majority of the Committee was adopted and H.B. No. 2627-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT TO AMEND THE HAWAII WATER CARRIER LAW," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

ORDER OF THE DAY

THIRD READING

House Bill No. 2022-82, S.D. 1:

By unanimous consent, action on H.B. No. 2022-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEFERRED ACCEPTANCE OF NOLO CONTENDERE PLEAS," was deferred until Monday, April 5, 1982.

House Bill No. 2640-82, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 2640-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALOHA STADIUM," was deferred until Monday, April 5, 1982.

House Bill No. 3016-82, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 3016-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BIRTH CERTIFICATES," was deferred until Monday, April 5, 1982.

House Bill No. 2190-82, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 2190-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MOTOR VEHICLE ACCIDENT REPARATIONS ACT," was deferred until Monday, April 5, 1982.

House Bill No. 2933-82, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 2933-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTEREST ON CREDIT CARDS," was deferred until Monday, April 5, 1982.

ADVISE AND CONSENT

Standing Committee Report No. 601-82 (Gov. Msg. No. 180):

Senator Soares moved that Stand. Com. Rep. No. 601-82 be received and placed on file, seconded by Senator

Yamasaki.

Senator Soares then moved that the Senate advise and consent to the nomination of Albert Q. Y. Tom to the Public Utilities Commission, term to expire December 31, 1987, seconded by Senator Yamasaki.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Wong).

MATTERS DEFERRED FROM APRIL 1, 1982

THIRD READING

House Bill No. 2154-82, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 2154-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMPULSORY SCHOOL ATTENDANCE," was deferred until Monday, April 5, 1982.

House Bill No. 2175-82:

By unanimous consent, action on H.B. No. 2175-82, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," was deferred until Monday, April 5, 1982.

At 12:04 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:07 o'clock p.m.

At 12:08 o'clock p.m., on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate stood in recess until 4:00 o'clock p.m. this afternoon.

EVENING SESSION

The Senate reconvened at 6:30 o'clock p.m., with the President in the Chair and with all Senators present, with the exception of Senators Henderson, Holt, Machida, Mizuguchi, O'Connor and Ushijima who were excused.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 235), requesting passage of a bill (Senate Bill No. 1308, S.D. 2) relating to environmental protection, was read by the Clerk and was placed on file.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 321 to 323) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 321), returning Senate Bill No. 2376-82, which passed Third Reading in the House of Representatives on April 2, 1982, was placed on file.

A communication from the House (Hse. Com. No. 322), returning Senate Bill No. 2475-82, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 1982, was placed on file.

A communication from the House (Hse. Com. No. 323), returning Senate Bill No. 2520-82, which passed Third Reading in the House of Representatives on April 2, 1982, was placed on file.

STANDING COMMITTEE REPORTS

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 709-82) recommending that House Bill 1340, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 1340, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTION CAMPAIGN CONTRIBUTIONS AND EXPENDITURES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 710-82) recommending that House Bill No. 2125-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2125-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLAIN LANGUAGE IN CONSUMER TRANSACTIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 711-82) recommending that House Bill No. 2318-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2318-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTAKE SERVICE CENTERS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 712-82) recommending that House Bill No. 2355-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2355-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 713-82) recommending that House Bill No. 2606-82, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2606-82, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMITTED PERSONS, FURLOUGH, EMPLOYMENT," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 714-82) recommending that House Bill No. 2826-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2826-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WAIMANO TRAINING SCHOOL AND HOSPITAL," passed Second Reading and was placed on the calendar for Third

Reading on Monday, April 5, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 715-82) recommending that House Bill No. 2348-82, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 715-82 and H.B. No. 2348-82, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO METAL AND GEM DEALERS," was deferred until Monday, April 5, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 716-82) recommending that House Bill No. 2385-82, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 716-82 and H.B. No. 2385-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL LIABILITY IN MOTOR VEHICLE ACCIDENT REPARATIONS," was deferred until Monday, April 5, 1982.

Senator Young, for the majority of the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 717-82) recommending that House Bill No. 2733-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the majority of the Committee was adopted and H.B. No. 2733-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY LEASES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 718-82) recommending that House Bill No. 2869-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2869-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 719-82) recommending that House Bill No. 3117-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 3117-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING COOPERATIVES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 720-82) recommending that House Bill No. 34, H.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 34, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GIFTED CHILDREN," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 721-82) recommending that House Bill No. 2161-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2161-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE TRADE, VOCATIONAL AND TECHNICAL SCHOOLS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 722-82) recommending that House Bill No. 2667-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2667-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 723-82) recommending that House Bill No. 509, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 509, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 724-82) recommending that House Bill No. 1553, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 1553, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MERGERS OR CONSOLIDATIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 725-82) recommending that House Bill No. 2192-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2192-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 726-82) recommending that House Bill No. 2199-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the majority of the Committee was adopted and H.B. No. 2199-82, H.D. 1, S.D. 1, entitled: "A BILL FOR

AN ACT RELATING TO THE LANDLORD-TENANT CODE," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 727-82) recommending that House Bill No. 2270-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2270-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MOTOR VEHICLE ACCIDENT REPARATIONS ACT," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 728-82) recommending that House Bill No. 2334-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2334-82, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATORY PRICING IN SUPPLYING LIQUOR," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 729-82) recommending that House Bill No. 2404-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2404-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO USURY," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 730-82) recommending that House Bill No. 2434-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2434-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 731-82) recommending that House Bill No. 2836-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2836-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE SERVICING," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 732-82) recommending that House Bill No. 2888-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2888-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 733-82) recommending that House Bill No. 2936-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2936-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep.

No. 734-82) recommending that House Bill No. 3072-82, H.D. 1, as amended in S.D. 1, pass Second Reading and was placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 3072-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 735-82) recommending that House Bill No. 3078-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 3078-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 736-82) recommending that House Bill No. 3140-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 3140-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICINE AND SURGERY," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 737-82) recommending that House Bill No. 3176-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 3176-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LANDSCAPE ARCHITECTS," passed Second Reading and was placed on the

calendar for Third Reading on Monday, April 5, 1982.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 738-82) recommending that House Bill No. 791, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 791, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Ajifu, for the majority of the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 739-82) recommending that House Bill No. 2222-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the majority of the Committee was adopted and H.B. No. 2222-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANGUILLIFORMES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Ajifu, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 740-82) recommending that House Bill No. 2327-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

Senator Ajifu then requested that Stand. Com. Rep. No. 740-82, and H.B. No. 2327-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," be recommitted to the Committee on Agriculture, and the President, noting that there was no objection, so ordered.

Senator Ajifu, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 741-82) recommending that House Bill No. 2331-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2331-82, H.D. 1, S.D. 1,

entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senators Ajifu and Henderson for the Committee on Agriculture and the Committee on Economic Development, presented a joint report (Stand. Com. Rep. No. 742-82) recommending that House Bill No. 2332-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the joint report of the Committees was adopted and H.B. No. 2332-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND LEASES FOR AGRICULTURAL USE," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senators Ajifu and Henderson, for the Committee on Agriculture and the Committee on Economic Development, presented a joint report (Stand. Com. Rep. No. 743-82) recommending that House Bill No. 2573-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the joint report of the Committees was adopted and H.B. No. 2573-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE WITHIN AGRICULTURAL DISTRICTS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senators Cayetano and Abercrombie, for the Committee on Health and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 744-82) recommending that House Bill No. 2778-82, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the joint report of the Committees was adopted and H.B. No. 2778-82, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXCEPTIONAL CHILDREN," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senators Kobayashi and Henderson, for the Committee on Ecology, Environment

and Recreation and the Committee on Economic Development, presented a joint report (Stand. Com. Rep. No. 745-82) recommending that House Bill No. 1882, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the joint report of the Committees was adopted and H.B. No. 1882, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROTECTION OF INSTREAM USES OF WATER," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 746-82) recommending that House Bill No. 1642, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 1642, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AERONAUTICS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 747-82) recommending that House Bill No. 1948-82, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the majority of the Committee was adopted and H.B. No. 1948-82, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 748-82) recommending that House Bill No. 1949-82, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the majority of the Committee was adopted and H.B. No. 1949-82, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LOANS,"

passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 749-82) recommending that House Bill No. 1971-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the majority of the Committee was adopted and H.B. No. 1971-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 750-82) recommending that House Bill No. 2049-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2049-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE OFFICE OF ENVIRONMENTAL QUALITY CONTROL," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 751-82) recommending that House Bill No. 2086-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2086-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INCOME TAX," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 752-82) recommending that House Bill No. 2203-82, H.D. 1 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2203-82, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 753-82) recommending that House Bill No. 2204-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2204-82, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 754-82) recommending that House Bill No. 2244-82, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2244-82, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VETERAN'S RIGHTS AND BENEFITS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 755-82) recommending that House Bill No. 2312-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2312-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY BUDGET," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 756-82) recommending that House Bill No. 2407-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted

and H.B. No. 2407-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR LICENSE," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 757-82) recommending that House Bill No. 2430-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2430-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 758-82) recommending that House Bill No. 2551-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2551-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TUITION WAIVERS FOR VETERANS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 759-82) recommending that House Bill No. 2742-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the majority of the Committee was adopted and H.B. No. 2742-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX CREDIT FOR CHILD PASSENGER RESTRAINT SYSTEMS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 760-82) recommending that House Bill No. 2838-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2838-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HOUSING AUTHORITY," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 761-82) recommending that House Bill No. 2839-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the majority of the Committee was adopted and H.B. No. 2839-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TAX REVIEW COMMISSION," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 762-82) recommending that House Bill No. 2947-82, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the majority of the Committee was adopted and H.B. No. 2947-82, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AN AQUACULTURE AND LIVE-STOCK FEEDS PRODUCTION PROGRAM," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 763-82) recommending that House Bill No. 2965-82, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2965-82, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 764-82) recommending that House Bill No. 3142-82, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 3142-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 765-82) recommending that House Bill No. 3178-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 3178-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING BY COUNTIES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 766-82) recommending that House Bill No. 76, H.D. 2, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 766-82 and H.B. No. 76, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISHERIES DEVELOPMENT," was deferred until Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 767-82) recommending that House Bill No. 765, H.D. 2, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 767-82 and H.B. No. 765, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES," was deferred until Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 768-82) recommending that House Bill No. 1970-82, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 768-82 and H.B. No. 1970-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," was deferred until Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 769-82) recommending that House Bill No. 2113-82, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 769-82 and H.B. No. 2113-82, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was deferred until Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 770-82) recommending that House Bill No. 2155-82, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 770-82 and H.B. No. 2155-82, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," was deferred until Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 771-82) recommending that House Bill No. 2359-82, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 771-82 and H.B. No. 2359-82, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WITNESS SECURITY AND PROTECTION," was deferred until Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 772-82) recommending that House Bill No. 2559-82, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 772-82 and H.B. No. 2559-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PAYMENT OF SETTLEMENT BETWEEN THE STATE OF HAWAII AND DILLINGHAM CORPORATION DBA HAWAIIAN DREDGING AND CONSTRUCTION COMPANY," was deferred until Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 773-82) recommending that House Bill No. 2669-82, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 773-82 and H.B. No. 2669-82, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EXECUTIVE DEPARTMENTS," was deferred until Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 774-82) recommending that House Bill No. 2679-82, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 774-82 and H.B. No. 2679-82, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COUNSEL AND OTHER SERVICES FOR INDIGENT DEFENDANTS IN CRIMINAL AND RELATED CASES," was deferred until Monday, April 5, 1982.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 775-82) recommending that House Bill No. 2710-82, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 775-82 and H.B. No. 2710-82, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LOANS TO SUGAR GROWERS," was deferred until Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 776-82) recommending that House Bill No. 2767-82, H.D. 3, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 776-82 and H.B. No. 2767-82, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 777-82) recommending that House Bill No. 2907-82, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 777-82 and H.B. No. 2907-82, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," was deferred until Monday, April 5, 1982.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 778-82) recommending that House Bill No. 1988-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the majority of the Committee was adopted and H.B. No. 1988-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDIVIDUAL HOUSING ACCOUNTS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 779-82) recommending that House Bill No. 2070-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2070-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR THE FISCAL BIENNIIUM JULY 1, 1981 TO JUNE 30, 1983," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 780-82) recommending that House Bill No. 2090-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2090-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EXCISE TAX CREDIT," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 781-82) recommending that House Bill No. 2201-82, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2201-82, H.D. 2, S.D. 1,

entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 782-82) recommending that House Bill No. 2336-82, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 782-82 and H.B. No. 2336-82, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SUGAR RESEARCH AND DEVELOPMENT," was deferred until Monday, April 5, 1982.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 783-82) recommending that House Bill No. 3139-82, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the majority of the Committee was adopted and H.B. No. 3139-82, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE

AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST A PROCESSING ENTERPRISE," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 784-82) recommending that House Bill No. 3092-82, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 3092-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 5, 1982.

At 6:50 o'clock p.m., on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate stood in recess for the purpose of receiving Standing Committee Reports.

ADJOURNMENT

At 12:00 o'clock midnight, the Senate adjourned until 11:30 o'clock a.m., Monday, April 5, 1982.

FORTY-SEVENTH DAY

Monday, April 5, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Robert Meyer, Pastor of Trinity Lutheran Church in Wahiawa, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Forty-Sixth Day.

The following introductions were then made to the members of the Senate:

Senator Anderson, on behalf of the Senate, introduced a group of 24 student government officers from the Windward District, representing Castle, Kahuku, Kailua and Kalaheo High Schools, who were accompanied by their advisers.

Senator Yamasaki, on behalf of the Senators from the Second Senatorial District, introduced the following senior citizens from Maui: Mr. and Mrs. Francis DeMello, Mr. and Mrs. Kenzo Takumi, Mr. Wallace Miyahira, Mr. Dyke Kondo, Miss Masayo Kawabe, and Mrs. Charlotte Yoshioka.

Senator Kuroda then rose to remark as follows:

"Mr. President, I'd like to introduce an old friend. The old friend, Mr. President, and members of the Senate, is this cold, fresh milk. This fresh milk I introduce as an old friend is one that has been considered free of heptachlor.

"Each year for the past three years during the final three weeks of the legislative session, Foremost and Meadow Gold Dairies have provided milk for distribution within the Senate. There are five major groups within this Senate that work day and night and through weekends. That's the Clerk's Office, Judiciary Committee, the Ways and Means Committee, the Majority Research Office and the Minority Research Office. Each year for the past three years we have received milk from the two dairies for distribution, basically, because by this time the hardworking people have overused the water, sometimes alcoholic beverages, but mostly the carbonated water, and so milk is something that they look forward to. This morning I've been able to get the half-pint milk from Foremost and Meadow Gold Dairies.

"Meadow Gold Dairies have run out of the fresh whole milk because it's a popular drink but we have reconstituted milk here, but Foremost still has fresh milk here.

"In this way, we recognize that the milk industry is doing its part and the processors are doing their part in bringing fresh milk to us. I think it is a privilege on the part of the Senate to help bring back public confidence in milk. So, Mr. President, members of the Senate and members of the hard-working staff, the milk will be distributed this morning. Some have already been made available and when we Senators and staff go back into the caucus room, you will see the refrigerator filled with milk for our consumption.

"Thank you very much, Mr. President, for letting me introduce our old friend, good, fresh, whole milk without heptachlor."

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 236 to 266) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 236), submitting for consideration and confirmation to the Boxing Commission, the nomination of George Kaahanui, Jr., term to expire December 31, 1984, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 237), submitting for consideration and confirmation to the Credit Union Review Board, the nomination of Patrick Petti, term to expire December 31, 1985, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 238), submitting for consideration and confirmation to the Board of Electricians and Plumbers, the nomination of John H. Sakamoto, term to expire December 31, 1985, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 239), submitting for consideration and confirmation to the Board of Registration of Professional Engineers, Architects, Land Surveyors and Landscape Architects, the nominations of Armando Q. Rollolazo and Jerry Michael Hiatt, terms to expire December 31, 1985, was referred to the Committee on Consumer Protection

and Commerce.

A message from the Governor (Gov. Msg. No. 240), submitting for consideration and confirmation to the Motor Vehicle Repair Industry Board, the nomination of Toru Suzuki, term to expire December 31, 1985, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 241), submitting for consideration and confirmation to the Board of Examiners in Naturopathy, the nominations of Rodney C.Y. Chun, N.D., and Arthur K. Kusumoto, terms to expire December 31, 1985, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 242), submitting for consideration and confirmation to the Board of Examiners of Nursing Home Administrators, the nominations of Philip R. Baltch, term to expire December 31, 1983, and Janet M. Hirata, term to expire December 31, 1985, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 243), submitting for consideration and confirmation to the Real Estate Commission, the nomination of Thomas T. Nakahara, term to expire December 31, 1985, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 244), submitting for consideration and confirmation to the Board of Speech Pathology and Audiology, the nominations of the following:

Ralph Uemae, term to expire December 31, 1985;

Roland Tam, M.D., term to expire December 31, 1983; and

Sandra K. Harada, term to expire December 31, 1985,

was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 245), submitting for consideration and confirmation to the Stadium Authority, the nomination of Alfred P. Fernandez, term to expire December 31, 1985, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 246), submitting for consideration and confirmation to the Board of Land and Natural Resources, the nomination of Roland Higashi, term to expire December 31, 1985, was referred to the Committee

on Economic Development.

A message from the Governor (Gov. Msg. No. 247), submitting for consideration and confirmation to the Board of Planning and Economic Development, the nominations of Lee Gray and Peter Starn, terms to expire December 31, 1985, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 248), submitting for consideration and confirmation to the Commission on Population and the Hawaiian Future the following nominations:

Marc E. Duncan, term to expire December 31, 1985;

Evelyn Olores, term to expire December 31, 1985;

Jane H. Fukunaga, term to expire December 31, 1985; and

James E. Dannemiller, term to expire December 31, 1983,

was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 249), submitting for consideration and confirmation to the 1984 Hawaii Statehood Silver Jubilee Committee, the nominations of Elmer F. Cravalho, Francis M. Stillman, Sr., Edward J. Burns, Shigeto Murayama, Barbara Daly, Clayton K.K. Naluai, Barbara Meheula, Wayne Ishihara, Herbert E. Wolff, Sandi Eagleson and Domingo Los Banos, all terms to expire June 30, 1986, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 250), submitting for consideration and confirmation to the Library Advisory Commission, City and County of Honolulu, the nominations of Linley Chapman and Marian A. Harris-de-Ochoa, terms to expire December 31, 1985, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 251), submitting for consideration and confirmation to the State Health Planning and Development Agency, the nomination of KeNam Kim, term to expire December 6, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 252), submitting for consideration and confirmation to the East Honolulu Subarea Health Planning Council, the nomination of Hilda W. Ornitz, term to expire December 31, 1985, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 253), submitting for consideration and confirmation to the West Honolulu Subarea Health Planning Council, the nominations of Judith Ann Naniolo and Francis Okita, terms to expire December 31, 1985, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 254), submitting for consideration and confirmation to the Central Oahu Subarea Health Planning Council, the nomination of Alan K. Yoshida, D.D.S., term to expire December 31, 1985, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 255), submitting for consideration and confirmation to the Waianae Coast Subarea Health Planning Council, the nominations of Leonard F.K. Kwan, Jr., and Denise M. Jones, terms to expire December 31, 1985, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 256), submitting for consideration and confirmation to the Windward Oahu Subarea Health Planning Council, the nomination of Claudette G. Mulder, term to expire December 31, 1985, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 257), submitting for consideration and confirmation to the Maui County Subarea Health Planning Council, the nominations of Michele A. Katsutani, Mamoru Tofukugi, M.D., and Richard Higashi, terms to expire December 31, 1985, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 258), submitting for consideration and confirmation to the Kauai County Subarea Health Planning Council, the nomination of Herbert Morris, Jr., term to expire December 31, 1985, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 259), submitting for consideration and confirmation to the Hawaii Housing Authority, the nomination of Vance Cannon, term to expire December 31, 1983, was referred to the Committee on Housing and Hawaiian Homes.

A message from the Governor (Gov. Msg. No. 260), submitting for consideration and confirmation to the Hawaii Housing Authority, the nomination of Masanori Emoto, term to expire December 31, 1984, was referred to the Committee on Housing and Hawaiian Homes.

A message from the Governor (Gov.

Msg. No. 261), submitting for consideration and confirmation to the Hawaii Housing Authority, the nomination of Roy Nakamoto, term to expire December 31, 1983, was referred to the Committee on Housing and Hawaiian Homes.

A message from the Governor (Gov. Msg. No. 262), submitting for consideration and confirmation to the Advisory Commission on Manpower and Full Employment, the nominations of Donn A. Carswell, Alice H. Kim, and Roy R. Yonahara, terms to expire June 30, 1985, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 263), submitting for consideration and confirmation to the Board of Social Services and Housing, the nominations of Rose T. Ohashi and Marilyn Wong, terms to expire December 31, 1985, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 264), submitting for consideration and confirmation to the Hawaii Crime Commission, the nomination of Cora K. Lum, term to expire January 30, 1984, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 265), submitting for consideration and confirmation to the Board of Registration, Island of Oahu, the nomination of Amado Ilar Yoro, term to expire December 31, 1985, referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 266), submitting for consideration and confirmation to the State Highway Safety Council, the nominations of Keith Thomas Burley and Howard H. Tagomori, terms to expire December 31, 1985, was referred to the Committee on Transportation.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 58), entitled: "SENATE CONCURRENT RESOLUTION URGING CONGRESS TO AMEND PRESIDENT REAGAN'S NEW FEDERALISM PROGRAM," was offered by Senators Cayetano, Abercrombie, Carpenter, Kawasaki, Uwayne, Kuroda, Yamasaki, Wong, Young, Holt, Toyofuku, Machida, Cobb, Campbell, O'Connor, Ushijima and Ajifu, and was read by the Clerk.

By unanimous consent, S.C.R. No. 58 was referred to the Committee on Government Operations and Intergovernmental Relations.

SENATE RESOLUTION

A resolution (S.R. No. 80), entitled: "SENATE RESOLUTION URGING CONGRESS TO AMEND PRESIDENT REAGAN'S NEW FEDERALISM PROGRAM," was offered by Senators Cayetano, Abercrombie, Carpenter, Kawasaki, Uwaine, Kuroda, Yamasaki, Wong, Young, Holt, Toyofuku, Machida, Cobb, Campbell, O'Connor, Ushijima and Ajifu, and was read by the Clerk.

By unanimous consent, S.R. No. 58 was referred to the Committee on Government Operations and Intergovernmental Relations.

STANDING COMMITTEE REPORT

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 785-82), informing the Senate that Standing Committee Report Nos. 709-82 to 784-82, Governor's Message Nos. 236 to 266, Senate Concurrent Resolution No. 58, and Senate Resolution No. 80 have been printed and distributed to all members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

ORDER OF THE DAY

THIRD READING

House Bill No. 2173-82:

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, H.B. No. 2173-82, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2339-82, H.D. 1:

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, H.B. No. 2339-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JURISDICTION OF THE HAWAII PUBLIC EMPLOYMENT RELATIONS BOARD," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2848-82:

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, H.B. No. 2848-82, entitled: "A BILL FOR AN ACT RELATING TO SICK LEAVE EXCEPTIONS," having been read throughout, passed Third Reading on the following

showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2230-82, H.D. 1, S.D. 1:

Senator Soares, moved that H.B. No. 2230-82, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Yamasaki.

Senator Campbell spoke in favor of the measure and stated:

"Mr. President, the purpose of the bill is to authorize the Public Utilities Commission (PUC) to direct public utilities to acquire electricity generated from non-fossil fuel sources if such action, a tenet of the PUC, is in the public interest.

"I'd like to commend the committee, Mr. President, for being, and this is according to the draft, I wish to commend them for being deeply dedicated and committed to the promotion and encouragement of alternate energy. Thank you."

The motion was put by the Chair and carried, and H.B. No. 2230-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICITY GENERATED FROM NON-FOSSIL FUELS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2889-82, H.D. 1, S.D. 1:

On motion by Senator Soares, seconded by Senator Abercrombie and carried, H.B. No. 2889-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1042, H.D. 1:

Senator Cobb moved that H.B. No. 1042, H.D. 1, having been read throughout, pass Third Reading, seconded by Senator Uwaine.

Senator Cobb then rose to state as follows:

"Mr. President, I'd like to take note of the typographical error in the bill and make a Journal entry to correct it.

"The typographical error is contained on page 1, line 8, of the bill referring

to 'Section 490: 1.' It should be corrected to read: 'Section 490: 9.'"

The Chair directed that the Journal so note the correction.

The motion was put by the Chair and carried, and H.B. No. 1042, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FILING OF FINANCING STATEMENTS BY CONSIGNORS AND LESSORS UNDER THE UNIFORM COMMERCIAL CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1488, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, H.B. No. 1488, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2029-82, H.D. 2:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, H.B. No. 2029-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BILLIARDS AND BOWLING ALLEYS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2191-82, H.D. 1:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, H.B. No. 2191-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLICITATION OF FUNDS FROM THE PUBLIC," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2405-82:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, H.B. No. 2405-82, entitled: "A BILL FOR AN ACT RELATING TO DISCLOSURE OF FINANCE COSTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2550-82, S.D. 1:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, H.B. No. 2550-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SAVINGS AND LOAN ASSOCIATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Abercrombie and Anderson).

House Bill No. 2902-82:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, H.B. No. 2902-82, entitled: "A BILL FOR AN ACT RELATING TO SAFETY DEPOSIT BOXES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2935-82, H.D. 1:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, H.B. No. 2935-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BRANCH BANKS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Abercrombie).

House Bill No. 3030-82:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, H.B. No. 3030-82, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 473, H.D. 1, S.D. 1:

On motion by Senator Young, seconded by Senator Kawasaki and carried, H.B. No. 473, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

ADVISE AND CONSENT

Standing Committee Report No. 617-82 (Gov. Msg. No. 123):

Senator Kobayashi moved that Stand.

Com. Rep. No. 617-82 be received and placed on file, seconded by Senator George and carried.

Senator Kobayashi then moved that the Senate advise and consent to the nomination of Jack Kellner to the Environmental Council, term to expire December 31, 1985, seconded by Senator George.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At this time, Senator Kawasaki remarked:

"Mr. President, while I'm voting in favor of the confirmation of these appointments, I would think that the Governor, the appointing authority, would be better advised to perhaps appoint some different people to some of these boards and commissions.

"I notice some of these appointees have served as much as eight years, and two, three consecutive terms. It seems to me that we don't have a dearth of willing people to serve on some of these meaningful boards and commissions. I would hope that the Governor would attempt to find different people, qualified people to serve on some of these boards and commissions. We seem to be repeating these appointments over and over again, session after session."

Standing Committee Report No. 618-82 (Gov. Msg. No. 126):

Senator Kobayashi moved that Stand. Com. Rep. No. 618-82 be received and placed on file, seconded by Senator George and carried.

Senator Kobayashi then moved that the Senate advise and consent to the nominations of Ivan H. Morita and Donald K. Andrews, to the Aquatic Life and Wildlife Advisory Committee, City and County of Honolulu, terms to expire December 31, 1985, seconded by Senator George.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 619-82 (Gov. Msg. No. 129):

Senator Kobayashi moved that Stand. Com. Rep. No. 619-82 be received and placed on file, seconded by Senator

George and carried.

Senator Kobayashi then moved that the Senate advise and consent to the nominations of William Kikuchi, Ph.D., Herbert M. Mark, Richard Paglinawan, Betty Ann Rocha, and Bernhard Hormann, Ph.D., to the Hawaii Historic Places Review Board, terms to expire January 1, 1986, seconded by Senator George.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 620-82 (Gov. Msg. No. 130):

Senator Kobayashi moved that Stand. Com. Rep. No. 620-82 be received and placed on file, seconded by Senator George and carried.

Senator Kobayashi then moved that the Senate advise and consent to the nomination of Augustine S. Furumoto to the Natural Area Reserves System Commission, term to expire December 31, 1985, seconded by Senator George.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 621-82 (Gov. Msg. No. 131):

Senator Kobayashi moved that Stand. Com. Rep. No. 621-82 be received and placed on file, seconded by Senator George and carried.

Senator Kobayashi then moved that the Senate advise and consent to the nomination of Brian L. Gray to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, term to expire December 31, 1985, seconded by Senator George.

Ayes, 25. Noes, none.

THIRD READING

House Bill No. 2172-82:

On motion by Senator Kobayashi, seconded by Senator George and carried, H.B. No. 2172-82, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE DISPOSAL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 161, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, H.B. No. 161, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WEIGHT OF BREAD," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Anderson and Henderson).

House Bill No. 1653, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, H.B. No. 1653, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REQUIREMENTS FOR AMENDMENT OF THE DECLARATION AND BYLAWS OF CONDOMINIUM ASSOCIATIONS UNDER THE HORIZONTAL PROPERTY ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2028-82:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, H.B. No. 2028-82, entitled: "A BILL FOR AN ACT RELATING TO HOTELS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2193-82, S.D. 1:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, H.B. No. 2193-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2198-82, S.D. 1:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, H.B. No. 2198-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DENTAL EXAMINERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2295-82, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, H.B. No. 2295-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII REGULATORY LICENSING REFORM ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2408-82, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, H.B. No. 2408-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CREDIT UNIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2446-82, S.D. 1:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, H.B. No. 2446-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BEAUTY CULTURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2870-82, H.D. 1, S.D. 1:

Senator Cobb moved that H.B. No. 2870-82, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Uwaine.

Senator Cayetano spoke in favor of the measure and stated:

"Mr. President, I'm in favor of this bill but I'd like to point out for the record that on page 3, lines 7 to 13, there appears to be a contradiction to the purpose of the bill.

"Line 7 reads as follows: '...The term "sensitivity-awareness groups" does not include certified psychologists, or psychologists with a temporary permit,...' etc., etc.

"My experience has been that in these groups...these are sensitivity groups...many of them are in fact led or have been formed by certified psychologists or psychologists with this kind of permit, and it seems to me that this section of

the bill may in fact emasculate the bill from being what it is intended to do, and that is, namely, to regulate these sensitivity-awareness groups. So, I would hope that if this bill does go into conference that the conferees would take note of that problem and deal with it accordingly."

The motion was put by the Chair and carried, and H.B. No. 2870-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SENSITIVITY-AWARENESS GROUPS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Anderson, Henderson and Yee).

House Bill No. 2890-82, S.D. 1:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, H.B. No. 2890-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INDUSTRIAL LOAN COMPANY GUARANTY ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2942-82, H.D. 1, S.D. 1:

By unanimous consent, H.B. No. 2942-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPEECH PATHOLOGISTS AND AUDIOLOGISTS," was recommitted to the Committee on Consumer Protection and Commerce.

House Bill No. 2980-82, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, H.B. No. 2980-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL CORPORATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 790, H.D. 1:

On motion by Senator Young, seconded by Senator Holt and carried, H.B. No. 790, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2097-82:

On motion by Senator Young, seconded by Senator Holt and carried, H.B. No. 2097-82, entitled: "A BILL FOR AN ACT RELATING TO FAIR HOUSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (O'Connor, Toyofuku and Ushijima).

House Bill No. 2380-82:

By unanimous consent, H.B. No. 2380-82, entitled: "A BILL FOR AN ACT RELATING TO ELDERLY HOUSING," was recommitted to the Committee on Housing and Hawaiian Homes.

House Bill No. 3119-82, H.D. 1, S.D. 1:

On motion by Senator Young, seconded by Senator Holt and carried, H.B. No. 3119-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL GROUP LIVING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Cobb).

House Bill No. 2095-82, H.D. 1, S.D. 1:

On motion by Senator Kawasaki, seconded by Senator Ajifu and carried, H.B. No. 2095-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VEHICLE NUMBER PLATES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2406-82, H.D. 2:

On motion by Senator Kawasaki, seconded by Senator Ajifu and carried, H.B. No. 2406-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Cobb).

House Bill No. 2939-82, H.D. 1, S.D. 1:

By unanimous consent, H.B. No. 2939-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CLARIFICATION OF THE DEFINITION

OF STANDARD BAR," was recommitted to the Committee on Government Operations and Intergovernmental Relations.

House Bill No. 2215-82, H.D. 1, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, H.B. No. 2215-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 7 (Campbell, Holt, Machida, Mizuguchi, O'Connor, Toyofuku and Ushijima).

At this time, Senator Kawasaki rose on a point of personal privilege and stated:

"Mr. President, while we are very magnanimously, in a statesmanlike fashion, passing all these House bills on Third Reading, might I request that you send someone from the Sergeant-at-Arms staff over to the other side of the rotunda to see how many of the meritorious Senate bills are faring."

House Bill No. 2224-82, H.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, H.B. No. 2224-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOARDS AND COMMISSIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2377-82, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 2377-82, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 2598-82, H.D. 1, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, H.B. No. 2598-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT TO AMEND SECTION 708-833.5, HAWAII REVISED STATUTES, RELATING TO SHOPLIFTING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (O'Connor).

House Bill No. 2629-82, H.D. 1:

By unanimous consent, action on H.B. No. 2629-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CUSTODIAL INTERFERENCE," was deferred until Tuesday, April 6, 1982.

House Bill No. 2750-82, H.D. 1, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Cobb and carried, H.B. No. 2750-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Cayetano and O'Connor).

House Bill No. 2972-82, H.D. 1, S.D. 1:

Senator Carpenter moved that H.B. No. 2972-82, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator Ushijima then rose to ask if the chairman of the Judiciary Committee would yield to some questions.

The Chair asked Senator Carpenter if he would yield and Senator Carpenter replied in the affirmative.

Senator Ushijima asked: "Mr. President, according to the bill in Section 669-3, the first paragraph, sub-section (b), it says that '...shall be made in an English language newspaper published in and having a general circulation in the circuit...' Now, as a matter of clarification, would the paper like the Hawaii Hochi, which does have an English section, be considered an English language paper?"

Senator Carpenter answered: "Mr. President, to my knowledge the Hawaii Hochi's primary language is Japanese and would not be considered an English language newspaper, in this sense, no."

Senator Ushijima thanked Senator Carpenter and further asked: "As you go further down the paragraph, it says that '...in an English language newspaper having a general circulation in the State...' Now, what papers would be considered having general circulation in the state?"

Senator Carpenter answered: "The

two most prevelant ones are the Advertiser and the Honolulu Star-Bulletin."

Senator Ushijima further inquired: "Would there be any others?"

Senator Carpenter answered: "In the state, I'm not aware at this time if there are."

Senator Ushijima thanked Senator Carpenter then spoke against the measure as follows:

"Mr. President, the bill states that in an action to quiet title there are two things that are necessary.

"First of all, in giving notice to unknown persons, it says under subparagraph (b) that '...it shall be made in an English language newspaper, published in and having a general circulation in the circuit...' that's number one. Then it says that if the land is located in circuits other than the first circuit, the second, third and fourth, then it must also be published in a newspaper of general circulation.

"As an example, if I commence an action to quiet title in the third circuit, that's on the Island of Hawaii, there are two requirements that are necessary. First of all, it has to be published in a newspaper of general circulation in that circuit. I have to have it published right there on the Island of Hawaii.

"Then it says that in the second requirement if it is not located in the first circuit, then it has to be published again in a newspaper of general circulation throughout the state.

"In other words, for those who are outside of the first circuit, publications of actions to quieting title will have to be published twice. These expenses are pretty heavy; they go into hundreds of dollars.

"Also, it says that if land or action to quiet title is started in the first circuit, then you have to publish it only in a newspaper of general circulation. Of course, general circulation as I understand it means that everybody on the neighbor islands reads these publications.

"I'm totally opposed to the bill because what it does is that it creates an added expense insofar as these actions are concerned that are started in the circuits other than the first circuit. On that basis, I am totally opposed to this bill. Thank you."

Senator O'Connor then rose on a point

of clarification as to a conflict of interest and stated:

"Mr. President, I would like to declare a conflict. As an attorney, I have at least ten quiet title action clients where I'm personally involved in today and I'm sure, over the next five years, I'll be involved in lots more."

The Chair ruled that Senator O'Connor is not in conflict.

Senator O'Connor thanked the Chair then rose to ask: "Mr. President, I'd like to ask the chairman a question concerning Section 2 of the bill which has to do with an amendment to the adverse possession section."

The Chair inquired if the chairman would yield to a question and Senator Carpenter replied that he would.

Senator O'Connor then queried:

"Mr. President, the section seeks to amend the use of adverse possession to quieting title actions and it sets up but two requirements, as I read it. One, that you can claim adverse possession by showing that you acted in good faith under claim of right, or that you had color of title.

"My question to the chairman is, are those the only two requirements that will then be required in adverse possession in quiet title actions?"

Senator Carpenter answered: "Mr. President, my understanding is that whatever is allowed at the present time, these become additional to. That is, my understanding is that adverse title action requires some kind of hostile action on the part of the individual claiming adverse possession; that is, the setting up of a fence or boundary or some kind of edifice and the occupation of a certain property. So, these would be additive to that."

Senator O'Connor further queried: "Mr. President, today in Hawaii, we have a very distinct difference in adverse possession as between joint tenants by Supreme Court case law and adverse possession as between people who are not joint tenants. Does this seek to modify the Supreme Court case law which we presently lived by for a long time in this area?"

Senator Carpenter answered: "To my knowledge, it does not."

Senator O'Connor remarked: "In which case, Mr. President, I rise to speak against the bill."

"First of all, this is a bill which really discriminates against claimants and attorneys representing them who bring claims in the areas away from Oahu in that the double publication requirement that Senator Ushijima earlier referred to will apply. Therefore, every attorney and every claimant on any one of the other islands is going to have to publish both in a periodical in that circuit and simultaneously publish in one of the two major newspapers.

"The real problem in this area comes when you have a newspaper strike of the Hawaii Newspaper Agency, and this happened to us in the past. The body may recall that we had a strike that went on for a long, long time not too many years ago. And during that period of time legal notices and legal publications which are required by the court to be quickly published once the orders are signed must be put in some kind of newspaper. The only newspapers then available were the newspapers on the neighbor islands and the Hawaii Hochi, and they were used regularly and we are presently standing a court order in the first circuit that the Hawaii Hochi is a newspaper of general publication which can be used for this sort of publication.

"You would bring, Mr. President, the legal system of the state, insofar as quiet title action, to a halt because you don't just publish the first notice under this section but you publish every other notice that's required by the court as long as these actions go on, and there are a lot of them that require publishing.

"In addition, on Oahu which evidently is only limited to the Advertiser and the Star-Bulletin, there are other newspapers today of general circulation on Oahu, like the Press newspapers, and I would suggest that there is no reason in the world that if you're going to impose this double standard not to impose it on Oahu also. Let some other Oahu newspaper make some money out of this situation, if that's the intent of the bill.

"There simply seems to be no reason to require a double publication standard in any circuit if you're not going to make it uniform, and it appears to be discriminatory and really a violation of due process simply to require it to be done on outside islands.

"Secondly, in the area of adverse possession, the law of adverse possession in this jurisdiction today is extremely plain, made so by a series of Supreme Court decisions which are time-honored and have been hammered out for years and years.

"In some instances for adverse possession the requirements which are added to 669-1(b) are already in the law and need not be articulated again in the statute. In other instances, they are not necessarily mandated by the law for susceptible reasons which the Supreme Court has already nailed down.

"To add two areas to the statutory law where the Supreme Court decisions outline at least six or more requirements for adverse possession, to my way of thinking, is fragmenting the law of adverse possession which is already terribly fragmented by a Constitutional amendment, the statutory section on it, and all of the Supreme Court decisions to a point where we're simply not going to know eventually where to look for this basic law of this jurisdiction. And for that reason I'm going to vote against this bill."

Senator Kawasaki also rose to speak against the measure and stated:

"Mr. President, I find quite refreshing, the interesting discussion taking place on this bill. For a change we are having discussions here not to enhance the monopoly already enjoyed by the two major newspapers here and the points made by both of the speakers, Senator O'Connor and Senator Ushijima, are well taken.

"As Senator O'Connor has said, the Hawaii Hochi does in fact have an English edition, completely English as a matter of fact, that is of general circulation; that is to say, it's not limited only to subscribers here on the Island of Oahu.

"These independent newspapers like the Hochi and some of the other small newspapers have to depend quite considerably on the revenues of these legal ads that are placed in the newspapers in order to even exist and compete as a newspaper entity, and to preclude these papers from having the advantage of legal ads placed in their papers, I think, works for the monopoly and against an open, competitive situation.

"Incidentally, there was no mention made here of the fact that the advertising rates of papers like the Hawaii Times and Hawaii Hochi and Hawaii Herald are considerably less than advertising legal ads in the major newspapers and, as a consequence, saves people who have to pay for these costs of legal ads a considerable amount of money.

"I would like to have perhaps the

chairman of the Judiciary Committee reconsider, at least his personal opinion, that to advertise in a paper of general circulation in the English language does not only include the Advertiser and the Star-Bulletin. I am sure a broader liberal interpretation could also include papers like the Hawaii Hochi which does have a general circulation throughout the islands and, indeed, have an English edition."

Senator Carpenter responded:

"Mr. President, the intent of this bill certainly is not to enhance the pocketbooks of the newspapers, but rather to enhance the resolution of long standing unresolved property ownership within the State of Hawaii, particularly, by individuals who are primarily of Hawaiian extraction who own lands in undivided interest.

"Mr. President, the essence of this bill as I see it is to prevent stealing of land, i.e., making it more difficult for any party to steal land within the State of Hawaii. Thank you."

Senator Kawasaki then stated:

"Mr. President, I fully understand the intent of this bill.

"I would like to have entered into the records of the Senate Journal at least my opinion, interpretation, that to provide the requirement that legal ads be placed in a paper of general circulation in the English language does permit the Hawaii Hochi also to be used, and if that is the understanding, then I certainly can support and vote for this bill."

Senator Cayetano also rose to speak against the bill and stated:

"Mr. President, first, let me say that in response to the arguments made by Senator O'Connor regarding the newspaper strike, I don't think that's a particularly relevant or meaningful argument because I'm sure that the Hawaii Times and the Hochi may go on strike also. And this is being required in the law anyway.

"I'm opposed to this bill even though I think that the intent of the bill as to the purposes stated by Senator Carpenter are good. The problem is that this bill imposes a requirement which cuts right across-the-board. It applies to the rich, the middle class and the poor.

"The rich will be able to afford the rates, the added rates that we're talking

about, but I think this is going to hurt the small guy who will find that there is a tremendous difference in the publishing rates between the Hawaii Times and the Honolulu Advertiser or the Star-Bulletin. And for that reason, I'm opposed to this bill."

At 12:31 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:35 o'clock p.m.

At this time, Senator Carpenter rose to remark as follows:

"Mr. President, my understanding is that there are several newspapers that do print in foreign language but also have English sections; in fact, are printed all in English even though they may carry a name that may not necessarily be.

"Mr. President, I think I indicated earlier that the Honolulu Advertiser and the Honolulu Star-Bulletin are two papers of general circulation which, to my knowledge, are English language newspapers. If there are any others, certainly they will qualify under the language of this bill."

Senator Cayetano responded:

"Mr. President, if that's the case, then I think it obviates the purpose of this bill.

"The people who are pushing for this bill are primarily from OHA, I believe, who want the major papers to be the papers of general circulation that we are talking about here.

"If we are to state for the record that the Hawaii Times and some of these other papers are going to qualify as general circulation, however it's worded here, '...an English language newspaper published in and having a general circulation in the circuit,' we're back to square one because people will continue to use those papers, and the issue that the proponents of this bill were trying to push was notice to as wide a population as possible. So, I don't think that the remarks just made would resolve the problem.

"One other comment, before I sit down on this matter... the requirement regarding 'good faith under claim of right or color of title' again will go adverse, I think, to the objectives of the people who want this bill.

"We have many cases in this state

of Hawaiians living as 'squatters' on land owned by someone else, very often living there for many, many years. These people would be precluded from claiming under adverse possession if this bill passes. I don't think that's the intent of OHA, and if what people here want to do is to help the Hawaiians out, it's not going to do it."

Senator Abercrombie then rose to remark:

"Mr. President, could I ask the chairman to comment on the last remarks because that's the question that I had. I want to vote in a way that will make it easier for people, who, in my understanding, in previous times could claim land...if they met in 'good faith'...could claim that they had occupied that land for a certain period of time and had occupied it under certain circumstances, and that those who had previously claimed or are now claiming that they own that land and that therefore the people who are asking to have it could not have it would find themselves being able to assert their rights to it having gone through those procedures, like staying there 20 years, doing it in the open, etc., and no claims being made against them.

"The previous speaker had stated, and I'm assuming that he does it from his knowledge as an attorney, that with the provision in the bill on 'good faith under claim of right or color of title' that that claim will no longer be a valid one and will be turned down on the grounds that it did constitute good faith because you knew you were on land or should have known that you were on land that was not yours regardless of what you thought to be the circumstances, if you should occupy it for 10 years under the other condition.

"The gist of my question is that, will the addition of this new language with respect to good faith actually obviate or overturn the long held assumptions with respect to adverse possession for people who did not have a claim to the land in the first place?"

The Chair asked Senator Carpenter if he would care to respond to the question and Senator Carpenter replied: "I'm not sure I understood the question."

Senator Abercrombie responded:

"Mr. President, I can understand why, because I'm confused myself as to what constitutes good faith.

"In other words, as I understood it before, if you could occupy a piece

of land for a certain period of time and under certain conditions, that is to say you didn't occupy it just that night...you maybe built a house there; you maybe raised vegetables there; you live there...that after 20 years you could lay claim to that land.

"If someone else came in and said, 'Hey, wait a minute, I've held that land all this time; that's been mine all this time.' They first had a right to say either 'so what' or 'even if you did, I've occupied it under these circumstances for the past 20 years, therefore, I have a right to claim this land as my own.' Now, that has been recognized in the past and it was not acting in bad faith to do that. What I want to know is that in the language of this bill with respect to the phrase 'in good faith under claim of right or color of title' will that procedure that people have utilized in the past to lay claim to land be obviated?"

Senator Carpenter answered: "The answer is no, Mr. President."

At 12:41 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:43 o'clock p.m.

Senator Kawasaki then added as follows:

"Mr. President, I appreciate the Judiciary chairman's characteristic and gentlemanly acknowledgment of the fact that there are other papers beside the Star-Bulletin and Advertiser that publish in the English language and are of general circulation and that these papers would qualify for legal ads of this category. I can wholeheartedly support the bill, this being the case."

The motion was put by the Chair and, Roll Call vote having been requested, H.B. No. 2972-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO QUIETING TITLE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 15. Noes, 10 (Campbell, Cayetano, Henderson, Holt, Machida, Mizuguchi, O'Connor, Toyofuku, Ushijima and Yamasaki).

House Bill No. 3124-82, H.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, H.B. No. 3124-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING

TO AUTHORIZED ABSENCE FROM A PSYCHIATRIC FACILITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Soares).

House Bill No. 1515, H.D. 2, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, H.B. No. 1515, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DUTIES OF SAFE DEPOSIT COMPANIES, TRUST COMPANIES, BANKS, ETC.," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2051-82, H.D. 2, S.D. 1:

By unanimous consent, H.B. No. 2051-82, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," was recommitted to the Committee on Ways and Means.

House Bill No. 2147-82, H.D. 2, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, H.B. No. 2147-82, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FOUNDATION ON CULTURE AND THE ARTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2165-82, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, H.B. No. 2165-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2205-82, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, H.B. No. 2205-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INHERITANCE TAXATION," having been read throughout, passed Third Reading on the following showing

of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2206-82, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, H.B. No. 2206-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2240-82, H.D. 1, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, H.B. No. 2240-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN IN FOSTER CARE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2241-82, H.D. 1, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, H.B. No. 2241-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECOVERY OF MONEY OWED TO THE STATE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2243-82, H.D. 1, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, H.B. No. 2243-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELDERLY ABUSE OR NEGLECT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2247-82, H.D. 1:

Senator Yamasaki moved that H.B. No. 2247-82, H.D. 1, having been read throughout, pass Third Reading, seconded by Senator Anderson.

Senator Cayetano spoke in favor of the bill and stated:

"Mr. President, this bill is going

to cost the state about \$8.6 million in revenue annually. It's the result of conformance with the federal income tax law. The reason I'm voting for it, after having voted against all of the tax credits and other kinds of bills relating to tax exemptions, etc., in the past few weeks is that I have come to the conclusion that the only way we can stop giving away money here is to make sure that we don't have any to give away."

Senator Abercrombie also spoke for the measure and stated:

"Mr. President, speaking in favor of this, because members may note that I had voted that I do not concur. As a result of the discussion in caucus, I have changed my mind for much the same reason as Senator Cayetano has just mentioned with this addendum with which I'm sure he'll agree that to the degree that we are going to have tax reductions that this goes across-the-board to people in general, as opposed to special interests who at this time should not be receiving many of these tax breaks because of the financial situation within which we find ourselves.

"And if this is the way we're going to do it, that's fine, then we'll have to deal with it accordingly when our revenue picture is presented to us in the next biennium and those to come."

Senator Cobb added:

"Mr. President, like the Federal Government, it's predictable that within a year to 18 months, or two years at the most, we'll be considering a revenue enhancement measure to make up for some of the losses caused by this. But, I'm sure we'll be conforming that to the action of the Federal Congress as well."

Senator Abercrombie then said:

"Mr. President, for purposes of clarification of the previous speaker's remarks, revenue enhancement means a tax increase."

The motion was put by the Chair and carried, and H.B. No. 2247-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2313-82, H.D. 2, S.D. 1:

On motion by Senator Yamasaki, seconded

by Senator Anderson and carried, H.B. No. 2313-82, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DRIVER EDUCATION AND TRAINING FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2400-82, S.D. 1:

Senator Yamasaki moved that H.B. No. 2400-82, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Anderson.

Senator Cayetano then stated: "Mr. President, I am just going to say that this is going to cost us \$1.7 million and this time I'm voting for it because I don't want us to have any more money in the future to give away."

The motion was put by the Chair and H.B. No. 2400-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INHERITANCE TAX," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2438-82, H.D. 1, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, H.B. No. 2438-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENCOURAGEMENT OF FEDERALLY CERTIFIED DEVELOPMENT COMPANIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2560-82, H.D. 1, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, H.B. No. 2560-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

House Bill No. 2561-82, H.D. 1, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, H.B. No. 2561-82, H.D. 1, S.D. 1,

entitled: "A BILL FOR AN ACT RELATING TO MANAGEMENT OF STATE FUNDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Ajifu, Anderson, Henderson, Saiki and Soares).

House Bill No. 2562-82, H.D. 1:

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, H.B. No. 2562-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEPOSITS OF PUBLIC FUNDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2765-82, H.D. 1, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, H.B. No. 2765-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS SPECIAL FEES AND CHARGES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2815-82, H.D. 1, S.D. 1:

Senator Yamasaki moved that H.B. No. 2815-82, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Anderson.

Senator Campbell spoke against the measure and stated:

"Mr. President, the purpose of the bill is to give each county the option of adding to each vehicle registration a fee not to exceed 50 cents for the purposes of highway beautification and disposition of abandoned vehicles.

"Mr. President, I support the concept of having such increase in vehicle registration fee to be used for the beautification of our highways, but I strongly oppose using any part of that fee for abandoned cars because I think those who are responsible for abandoning their cars ought to pay and not the innocent consumer. Thank you."

Senator George, speaking for the measure, stated:

"Mr. President, I was going to explain briefly that up until about five years ago a very similar measure was in place. It was unfortunately, we are

given to understand, inadvertently erased from the books. Putting it back will give the counties once again an opportunity to build up their funds to use for highway beautification. If the county deems it necessary to use it to clear up unsightly accumulations of abandoned vehicles, they may, or they may use it for planting or for any other beautification purpose."

Senator O'Connor also rose to speak against the measure and stated:

"Mr. President, I'm going to vote against this bill.

"I, earlier in this session, talked a little bit about special funds and the establishment of special funds. I was one of those, several years ago, who worked hard to wipe out special funds scattered throughout the Hawaii Revised Statutes and the county ordinances.

"I tried to vote no on Senate Bill 2765 a minute ago, you missed my vote...didn't make any difference, anyway. The reason I was going to vote no is because that bill set up a brand new special fund in the public school system which we will lose track of eventually. This bill sets another new special fund called 'The Highway Beautification and Disposal of Abandoned Vehicles Revolving Fund.' And, not only do we lose track of it, but it's set up in the counties, and we allow them to get 50 cents for registration into that fund.

"The purpose of the bill is excellent. Why scatter all of these special funds through the state and the counties where we have absolutely no control over them, lose track of them, and they continue to persist for years until such time as the proliferation of them will require us to go back and do one more time what we did in the early 1970's in the Legislature.

"For that reason, I am going to vote against this bill and although I will be in favor of the intent I will vote against every other bill that creates a special fund that we have before us this session.

"Thank you."

Senator Kawasaki then spoke in favor of the measure and stated:

"Mr. President, while I will vote for this bill, I think an amendment is in order here that we exclude requiring additional fee charge to registrations from the Fourth Senatorial District. Only this morning, I noticed on H-1 that Senator Kuroda is still continuing his litter picking program. If that is to continue in the Fourth District,

I don't think we need to charge people who are registering cars from the Fourth District."

Senator O'Connor responded: "Mr. President, in doing that Senator Kuroda keeps abandoning vehicles along the highway."

Senator Abercrombie also spoke for the bill and stated:

"Mr. President, I'm in favor of this bill but reference is made by the second previous speaker to a bill we just passed with respect to a special fund and maybe it warrants comment because sometimes we try to do things blanket across-the-board then we find ourselves getting some things in trouble.

"I might say here that the reason for that special fund is so that children in school can keep their club dues.

"I hardly think it serves the purpose of the state to take dues from school clubs and put them in the General Fund. I think that they're there for the children in those schools and that's why that fund exists."

The motion was put by the Chair and carried, and H.B. No. 2815-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REGISTRATION OF VEHICLES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 6 (Campbell, Holt, Mizuguchi, O'Connor, Toyofuku and Ushijima).

House Bill No. 2817-82, H.D. 2, S.D. 1:

Senator Yamasaki moved that H.B. No. 2817-82, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Anderson.

Senator O'Connor spoke against the measure and stated:

"Mr. President, I don't know who the appropriate one is to address this question to but let me just speak against the bill and I will phrase the question as I speak against the bill and I will phrase the question as I speak and maybe someone can answer it.

"I'm concerned about this measure because in amending Section 249 which is really the key section of the bill there is no exception made for agricultural vehicles or agricultural motorized vehicles as the word is defined, and as I read the measure, all of those

will have to be registered.

"There is an exception made in the first section of the bill which has to do with Chapter 286, which is a completely different section.

"It appears to me that because that exception is not made throughout that this bill is going to have severe impact on many of our citizens who have motorized vehicles and never take them upon the highways or really off of their own properties. I believe that the impact has not been thought through except in one section.

"The committee report seems to reflect that that exception carries throughout, but in fact it does not. It only goes to one of the chapters that is modified or amended by the bill.

"For that reason, I am going to vote against the bill and I believe that the impact of this bill will be felt severely, primarily on the other islands where there is a proliferation of these vehicles which need not be registered, really, and which exist for the economic wherewithal of their owners primarily on their own properties."

Senator George then responded:

"Mr. President, as long as the previous speaker expressed some concern about not exempting, as I understand it, agricultural vehicles from one section of the bill which is amended, I think I can comment to that from the point of view that HSPA objected to the bill in its original form when we heard it as a Senate bill, testified before us when we had it as a House bill and, I believe, also before the Ways and Means Committee, supported the bill, and as a matter of fact had no complaints at all to raise by the time the bill achieved this language."

Senator Yamasaki added: "Mr. President, that's correct, the Ways and Means Committee did not receive any complaints from the Hawaiian Sugar Planters Association and they were in agreement with the amendment."

Senator O'Connor then queried: "Mr. President, maybe the prior speaker then can inform us as to why Chapter 249 wasn't amended to provide the same exception which was provided to Chapter 286?"

Senator Yamasaki answered: "Mr. President, I'm not sure why it wasn't amended, but the committee was satisfied with the explanation or the agreement by the Hawaiian Sugar Planters Association that they were excluded."

Senator O'Connor then said: "Mr. President, I would submit, again speaking against, the Hawaiian Sugar Planters Association is but one entity, and there are an awful lot of farmers and agriculturists out there who are a different entity and I'm sure would have severe impact from this bill."

At 1:02 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:05 o'clock p.m.

Senator George then stated: "Mr. President, to allay the apprehensions raised earlier, in further reference to Section 249, it refers back to the exemptions stated earlier so the same exemptions apply in that case."

The motion was put by the Chair and carried, and H.B. No. 2817-82, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFF-ROAD VEHICLES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 6 (Holt, Machida, Mizuguchi, O'Connor, Toyofuku and Ushijima).

House Bill No. 2879-82, H.D. 2, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, H.B. No. 2879-82, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEES AND CHARGES COLLECTED FROM THE USERS OF SCHOOL FACILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2969-82, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, H.B. No. 2969-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Ajifu).

House Bill No. 3136-82, H.D. 2, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, H.B. No. 3136-82, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING

TO THE ALOHA TOWER DEVELOPMENT CORPORATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 8 (Abercrombie, Anderson, Cayetano, Cobb, Kawasaki, Saiki, Soares and Wong).

House Bill No. 3143-82, H.D. 2, S.D. 1:

Senator Yamasaki moved that H.B. No. 3143-82, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Abercrombie.

Senator Anderson spoke against the measure and stated:

"Mr. President, this authority further compounds a situation that I think isn't going to work out. I don't think I have to refresh memories as to how it all started, but those days are behind us now and we have a Governor working very well with the Mayor and the City and County of Honolulu. The discussions and the dialogue, the moving around the city together, answering questions, demonstrates the closeness and the ties.

"This Kakaako bit, when I say it's outlived its usefulness is now an entity that really should be turned over to the City and County of Honolulu. Truly, we could not begin to move into this area some years ago because of the obstacle.

"We have spent well over \$5 million now, planning it, but now that we have an agreement and a working relationship with the city, it's my personal belief that we ought to hand this over... the plan and the bodies... to the City and County of Honolulu.

"Now that they have their development plans under consideration, the projections of Oahu and Honolulu, how it's going to grow, it's a very appropriate time to take this program and plug it in or delve it in to their own program so that one body, one agency, and one City Council, can plan the future and growth of this particular city.

"This super city council that's going to be established with this, that's somehow going to oversee these boundary lines, and now these proposed expanded boundary lines, are not going to work, Mr. President.

"We have gone into this bill in some depth and I'm willing to predict that we're going to see actually the core of Kakaako, the very heart, the core

of it, further deteriorate to a point through the years that only those on the perimeter are going to benefit because that's where the ingress and egress, that's where the water and the sewers are going to be. But those businessmen in the core who are going to be held in limbo as to whether or not this Legislature in fact is going to fund systematically, year after year, the millions and millions of dollars that are going to be needed to improve it.

"You've heard doomsday speeches about the lack of money and money drying up in this state, the tremendous demand for these dollars down the years. There is no assurance, Mr. President, that these businessmen who are in the core and who are going to be between the devil and the deep blue sea will not be able to go and re-fund or borrow money for his particular project because the state may or may not be here next year or the year after.

"When the businessman goes before the super city council and asks whether or not, according to some timetable, that they are in fact going to be on his block, more than likely they're going to say, 'Well, of course, it depends on the Legislature, if the Legislature funds this phase of it, then you will be there.'

"There's going to be a period of limbo, as I say, with a demand for dollars down the road, and knowing the Legislature as I do, projecting these commitments year after year is not a reality.

"Whereas, in fact, if we gave it to the City Council, and I might say Mayor Aileen Anderson totally agrees with the concept of receiving this responsibility, she then could dovetail it into her or their plans. They could then phase it in as they see it with the rest of the growth of this city. They then could come to the Legislature for grants-in-aid or kokua as the program moves on, and as our commitment and our funding so is available, we can release that money. But it's a lot more systematic and intelligent and it certainly ties into home rule.

"This looks very, very pretty on paper. This looks so nice on paper and I'm sure a lot of us are caught up with the split levels and the hanging gardens, but in reality expanding these boundaries is going to do nothing more than further aggravate it because the new boundaries are, for all practical purposes, state land and one more large estate.

"The confusion between the businessman being bounced around the City Council and super council and Kakaako core is going to be horrendous, and there's nothing but problems down the road versus an easy solution of giving it to the City and County of Honolulu. It's their responsibility, anyway, recognizing home rule and funding it intelligently in conjunction with the city.

"This is not the answer, Mr. President."

Senator Abercrombie then rose to speak in favor of the measure and stated:

"Mr. President, the previous speaker's speech could have been taken in many respects from the one I gave many years ago in the House when I voted against the establishment of the Hawaii Community Development Authority. I don't recall the exact vote but there may have been one or two but I think it was another one of my 50 to 1 votes that was operating over there at the time.

"I do not recall the vote in the Senate, but I daresay that the Senate vote was equally 'adamant,' shall we say, or equally clear in the vote. I don't know whether the previous Senator voted for the Authority at that time or not. If he did, I don't hold it against him or point backwards and say, 'Yea, you voted for something at one time and now you're changing your mind.'

"I wouldn't want to be in a position of having to stick with something year in and year out if I believed after a period of time that what I voted for was no longer applicable. However, in this particular instance, I believe that the previous speaker did submit a bill this year with respect to turning it back over to the city and I don't think it got anywhere.

"My position has been one of skepticism and votes in the negative with respect to the Hawaii Community Development Authority over the years. The problem is this, that this Legislature supported for years the Hawaii Community Development Authority appropriations. They did spend the \$6 million plus on planning that has taken place. And the Governor has now signed it into law.

"I asked the Governor, in January of this year, not to sign it into law pending at least a review with some of the business people which would include Senator Anderson, as a matter of fact, in the core.

"Some people may be familiar with Senator Anderson's business with the John Dominis Restaurant, but it's

my understanding that he also has property or an interest in property in one section of the core that was referred to. So, on his behalf and others in that area, I asked that the Governor refrain from signing the final implementation of the bill until those discussions could be held. That didn't happen, so now we have something that is in law.

"What I'm trying to do in supporting this is deal with the things as they are and as they appear to continue to be. I don't see what good it does me or anyone else to lament what happened when we have been the authors of what has happened. We've done it with full knowledge and forethought, I'm not sure of the legal term, but I think that if we were taken to court no legislator in here could deny that he or she knew what was going on all these years, now to suddenly discover that there is a super city council in the middle of Honolulu should be no news to anyone, nor to discover that they're going to ask for money.

"What do we think the planning that we voted for all these years was going to do? The 'due' bill is here now, and they want the money.

"Now, if it goes back to the City Council, this plan is not going to go forward because the City Council's already planned differently than what the Hawaii Community Development Authority has said, so if it goes back to the city then what you are saying is that all the planning that we did for the last six years is something we didn't really want to pay attention to and had no intention of carrying through on.

"The Governor has signed it, and that means that the state says that this plan is a good plan.

"I was at the hearings, all the hearings, with respect to the vote on this plan. I didn't see any legislators other than myself and a couple of other legislators there at those hearings voicing any kind of complaints about what this plan said it was going to do. That plan made very clear, almost down to the last penny, how much money they were going to ask for, so it's not as if the Authority has suddenly popped up with several millions of dollars--tens of millions of dollars, actually--a request that we didn't realize was going to be there. My God, they publish stuff in the papers and everywhere else...papers of general circulation in English and otherwise, I suppose...to let everybody know.

"If this goes back to the city and

the City Council has a different plan, they are going to end up as the good Senator says with a grant-in-aid request anyway. So, what's the difference if the Authority is asking for it or the city is asking for it because in the end drainage is drainage, the ditches are ditches, and all the rest of it.

"There may be differences in degree of terms of development, in terms of high-rises and so on, but in terms of the concentration of industrial enterprise or commercial enterprise or housing development, they will be there only to a difference in degree as I indicated. So, the grant-in-aid from the city in all likelihood is not going to be a request for any less than what the Authority is asking for right now. So, you will find, if we fail to pass this, that we will also create another problem. The way this district is drawn right now is sort of like Botswana in South Africa. It exists as an entity inside another larger entity. It's kind of a big rectangle in the core of Honolulu.

"The reason we're asking to extend the boundaries is that once you get the drainage underway...supposing that you move the money...once you get your Ala Moana Boulevard you have to cross the city street and then you get to state land.

"Now, you want to talk about limbo; you want to talk about holding business people up; just think about having to go to the city and the state and the Development Authority to try and get all your necessary permits and so on just to put a drainage ditch across the street and out to wherever the design has it going into the ocean or connecting up with other sewer facilities and so on, in connection with the city and county.

"As for the hanging gardens, I think what's happening now is you have business people hanging by their thumbs, fiscal thumbs, in the core district.

"The reason we want to extend the system is to give some possible alternative to the people involved, the small business people involved, a possible alternative for relocation. It's not an easy answer.

"I'm trying to come up with something after the fact, and the fact is that this Development Authority exists; the Governor signed it into existence and we have to deal with it now. So, unless we want to abandon these people now that we put them into this position it seems to me that the least we can do, pending a resolution of where the money is going to go, is to extend the boundaries and give them this opportunity.

"And, finally, Mr. President, I want to point out that the Ways and Means Committee and the chairman of the HHH committee have indicated very clearly that the only money we're putting forward at this particular stage is the design to see whether or not the kind of problem funding the previous speaker brought up will be resolved in some fashion that is compatible for his desires. If that isn't done within the next year then I can guarantee you that we are going to have to face this problem year in and year out and carry through on the obligation that we set right now.

"What I ask in essence to pass this bill is let's not abandon the people who are caught in this situation right now. Let's give them some breathing room. I think this bill does that."

Senator Anderson then responded and remarked:

"Mr. President, several things...number one, the alluding to Senator Anderson's piece of property in Kakaako is a leasehold with eight years to go for a piece of property that belongs to Bishop Estate and I have no key position in Kakaako at all in the existing boundaries. And, that isn't the point.

"I have heard and we've discussed this back and forth and the good Senator's concern for those in the core is misspent some place. He perceives that by expanding the boundaries we are going to have some sort of an authority to relocate those people in the core to this new area.

"This new area, Mr. President, is where the garment industry is going to go. It's where the food processing is going to go, and whether he likes it or not, it is a park that the Governor has so designated.

"There is a DAGS and a city and county refuse yard there. There is no room per se to relocate anybody from the core to that. The reason the boundaries didn't encompass that piece of property in the first place, Mr. President, was it was state land for all practical purposes, and why in the world do we need to master plan state land that has been committed to fourteen different uses.

"There is no obligation to take care of those people, Senator, in the core until the government is actually going to aggravate it or relocate them. Only when a road-widening program comes along or that person in the core is going to be aggravated by some government action, then and then only will government

have a responsibility to relocate these people by expanding these boundaries.

"While your intent and your concern is legitimate and sincere it does not in fact take care of these businessmen in this core whatsoever. Only time will tell.

"I will come back some ten years and all of us will sit around and have a beer and you're going to find Kakaako core deteriorating, waiting for government action, waiting for the roads and the sewers and the water to come into the core versus taking care of all the people on the outside.

"There is no way in the world expanding this boundary takes care of the concerns of the good Senator. This is a mistake. It should never have happened; and, yes, I supported this four or five years ago.

"If the same situation existed between our Governor and our Mayor and you had a tremendously good asset sitting there as Kakaako is, I would support it again, but times change and situations change.

"We have a good study. There's nothing wrong with the goals and objectives of this. It's just that the wrong government is going to be the implementing agency, and it shouldn't be the state. Now is the time to give it back to the city and have them delve into it.

"How in the world can Mayor Anderson and the City Council and Planning Department who are now grappling with the growth and the direction of the city sit down intelligently and not have all the cards on the table. This super city council over here is in fact holding back a tremendous pocket of people potential in downtown Honolulu when maybe all of their priorities and dollars they're talking about is going to Makakilo and West Beach.

"It doesn't make sense from a planner's standpoint. We made a mistake; we should correct it. If I were to ask the good Senator to accept everything in the Department of Education that we've done over the last three, four, five or six, seven years ago and say because we did you will live with it, you would bounce off your seat and hit the ceiling.

"You were the first Senator to look at ongoing programs in your division and your area and you have proposed not one, but a hundred changes because of the mistakes in the past. This is

no different."

Senator Abercrombie then responded and stated:

"Mr. President, first of all, if the good Senator thought I was making an allusion to the ownership of property or something in the core, I was not. It was not my intent but rather to respond to a point he had made a previous time to me that he was quite familiar with the activity in the core because he had an interest.

"I didn't mean to say that or indicate that he owned land there but rather that he was familiar with it and I recognize that.

"Secondly, with respect to the people, and I think this is very important, who are affected by government action...the reason that I am going on at some length about this, Mr. President, and I think that Senator Anderson and I are discussing this at such length, is that it is so important to what happens in the city and county and the state as a whole.

"Senator Young and I had a meeting with 76 business people...76 people representing the businesses and their employees, two weeks ago...less than two weeks ago. That was simply the largest and latest meeting that we had, all of whom have businesses in the core that we're talking about, all of whom wanted to see these boundaries extended on the simple basis that government action has already taken place by virtue of the Governor signing the bill that made the Kakaako Plan law. They are now facing, today, renegotiations on their leases and so on which have already been affected by this law being in existence and the amounts of money being asked for them to be able to continue in business are enormous. They face relocation problems today, not ten years down the future, and that's what this alternative in terms of extension of the boundaries is so vital at least for the hope of an alternative.

"Next, I think that it's quite true that times do change and mayors change, and what happens if we get a city council and mayor very shortly that go back to where we have antagonistic circumstances between the Legislature and the city and county? Do we then switch back?

"It's not so much that I'm saying then in conclusion that I'm unwilling to change. It's quite the opposite. I think the fact, and I commented on the irony of this situation to the good

Senator before...I think, my standing up and arguing to do something to further the Hawaii Community Development Authority is in fact proof of the fact that I'm willing to get into a change because I never thought, and I'm sure Mr. Suefuji the director never thought even a year ago that Senator Abercrombie would be on his feet trying to defend the Hawaii Community Development Authority.

"I not so much as changed my mind but my view is such that I have to deal with what's in front of me in a way that hopefully will be in favor of the broadest public interest and for that reason, at this stage of the game, I think the advancement of this bill is in order."

Senator Anderson then stated:

"Mr. President, I'm so confident of what I say that I would like to move this measure to the end of the calendar so that we can bring Ray Suefuji down here so that we can talk for a few minutes, and then if you can tell me that Ray Suefuji or legal counsel can tell me that the very signature, the fact that the Governor signed this into law, in fact, is going to relocate or force relocate or allow those businessmen, the 76 that came to your office, to qualify now some three, four, five, six, seven years down the road, then I'll change my vote.

"The truth of the matter is those businesses in this gray area are in a dilemma. They don't know whether they should sign or negotiate new leases with the master landowners in that area, and they are looking for some answers...should I negotiate my lease to stay for three, four, five years; what's going to happen to me when you ultimately get to this core?

"Mr. President, you bring Mr. Suefuji down here and if he can tell me with legal counsel that the signature that the Governor put to this document, in fact, has committed the state to relocate those people today, then I'll flip-flop and support it."

By unanimous consent, action on H.B. No. 3143-82, H.D. 2, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 674-82 (H.B. No. 329, H.D. 1, S.D. 2):

By unanimous consent, Stand. Com. Rep. No. 674-82 and H.B. No. 329, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES EXCLUDED OR EXEMPT

FROM COLLECTIVE BARGAINING," were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 675-82 (H.B. No. 1974-82, H.D. 2, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 675-82 was adopted and H.B. No. 1974-82, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC PURCHASING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 676-82 (H.B. No. 2207-82, S.D. 1):

Senator Yamasaki moved that Stand. Com. Rep. No. 676-82 be adopted and H.B. No. 2207-82, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Anderson.

At this time, Senator Cayetano spoke against the measure and stated:

"Mr. President, the energy crisis began sometime in 1973 and in response to the crisis our government, federal and state, passed laws which provided tax credits for energy-efficient devices, such as solar energy, etc. Now, this bill extends the tax credit to a heat pump.

"I think the time has come for us to consider doing away with the tax credit.

"Having purchased a solar heater for my home from the company that Senator Cobb works for, I have discovered to my dismay, supported by the wise words of our Tax Director George Freitas, that the tax credit on these things merely add to the price. In other words, in the end the consumer still pays the same amount that he would pay if there were not any kind of a tax credit. That's one reason that I'm against it, against continuing it.

"The second reason is that there is no longer any need for an incentive to get the solar energy devices for energy-efficient kinds of devices.

"If people don't know and understand in this day and age the need to do so when we in government are giving money for windmills and everything else, then that person is simply not keeping up with the facts of life."

The motion was put by the Chair and Stand. Com. Rep. No. 676-82 was

adopted, and H.B. No. 2207-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX INCENTIVES FOR SOLAR ENERGY DEVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 6 (Abercrombie, Carpenter, Cayetano, Kawasaki, Kobayashi and Kuroda).

Standing Committee Report No. 677-82 (H.B. No. 2210-82, H.D. 1, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 677-82 was adopted and H.B. No. 2210-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE HIGHER EDUCATION LOAN FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 678-82 (H.B. No. 2349-82, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 678-82 and H.B. No. 2349-82, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 679-82 (H.B. No. 2511-82, H.D. 2, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 679-82 was adopted and H.B. No. 2511-82, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COMPLIANCE RESOLUTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 680-82 (H.B. No. 2674-82, H.D. 1, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 680-82 was adopted and H.B. No. 2674-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (George, Kobayashi and Saiki).

Standing Committee Report No. 681-82 (H.B. No. 2806-82, H.D. 2, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 681-82 was adopted

and H.B. No. 2806-82, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1094, H.D. 1:

On motion by Senator George, seconded by Senator Kawasaki and carried, H.B. No. 1094, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSPECTION OF VEHICLES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2092-82, H.D. 2, S.D. 1:

On motion by Senator George, seconded by Senator Kawasaki and carried, H.B. No. 2092-82, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SAFETY RESPONSIBILITY ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2105-82:

On motion by Senator George, seconded by Senator Kawasaki and carried, H.B. No. 2105-82, entitled: "A BILL FOR AN ACT RELATING TO THE TOWING OF ABANDONED VEHICLES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2232-82, H.D. 1:

On motion by Senator George, seconded by Senator Cobb and carried, H.B. No. 2232-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DRIVING OF MOPEDES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Carpenter, Cayetano, Henderson, Kawasaki and Saiki).

House Bill No. 2975-82, H.D. 1, S.D. 1:

On motion by Senator George, seconded by Senator Kawasaki and carried, H.B. No. 2975-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING

TO THE DRIVER IMPROVEMENT PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Carpenter and Cobb).

House Bill No. 2624-82, H.D. 1, S.D. 1:

On motion by Senator Kobayashi, seconded by Senator Henderson and carried, H.B. No. 2624-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOREST AND WATER RESERVE ZONES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Abercrombie and Cobb).

House Bill No. 2148-82, S.D. 1:

Senator Ajifu moved that H.B. No. 2148-82, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kobayashi.

Senator Abercrombie then remarked: "Mr. President, I'm glad that we're finally seeing some tough crime bills passing, and I don't want anybody saying that we haven't done our duty."

The motion was put by the Chair and H.B. No. 2148-82, S.D. 1, entitled: "A BILL FOR AN ACT AMENDING CHAPTER 142, HAWAII REVISED STATUTES, RELATING TO ANIMALS, BRANDS, AND FINES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2150-82, S.D. 1:

Senator Ajifu moved that H.B. No. 2150-82, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator O'Connor then rose to speak against the measure and stated:

"Mr. President, I'm going to vote against this bill.

"The bill that we just passed, House Bill 2148-82, has to do with feeding of garbage to swine, and this bill says that it will take effect only if the other bill in any form passes the Legislature. I don't understand that provision.

"Further, I don't understand it because

the earlier bill has its own penalty section, as Senator Abercrombie so adequately pointed out, probably the toughest crime bill that we pass this year. And, I don't understand why we're going to change the penalty section having to do with this Chapter 142, when we are evidently going to have a penalty section all by itself having to do with cooking garbage for swine. Therefore, I'm going to vote against this bill.

"I know it's a very important measure, but the very importance of it is the reason that my vote will be no."

Senator Holt then rose to inquire if the chairman would yield to a question and Senator Ajifu replied in the affirmative.

Senator Holt asked: "Mr. President, I'm wondering if the chairman made a condition upon the previous bill's passing and if it's also retroactive because Section 3 also says, 'This act shall take effect on January 1, 1982?'"

Senator Ajifu answered: "Yes, Mr. President, the second bill is basically to keep the penalty section of this chapter the same as we have passed in House Bill 2148.

"Presently, the existing law provides for, in Chapter 142-12, where the penalty is a maximum of \$500 and six months imprisonment. This will make it uniform to the previous bill that was passed, House Bill 2148."

Senator Cayetano then rose to state as follows:

"Mr. President, I am totally confused. My counsel, Senator O'Connor, says that this bill only pertains to the pigs, yet Senator Holt raised a very, very important point about the effective date of the bill.

"The bill has a criminal penalty and all we're talking about...the bill going back to January 1, 1982...then this would qualify as an *expo facto* law which would be unconstitutional. So, may we call a recess so we can take a look at this?"

The Chair, in response, stated: "We will defer the measure to the end of the calendar, if there be no objections."

By unanimous consent, action on H.B. No. 2150-82, S.D. 1, was deferred to the end of the calendar.

House Bill No. 2565-82, S.D. 1:

On motion by Senator Ajifu, seconded

by Senator Kawasaki and carried, H.B. No. 2565-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL COOP ASSOCIATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Abercrombie and Yee).

House Bill No. 1489, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, H.B. No. 1489, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Abercrombie and Yee).

House Bill No. 2018-82:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, H.B. No. 2018-82, entitled: "A BILL FOR AN ACT RELATING TO APPLICABILITY OF GENERAL INSURANCE LAW," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Abercrombie and Yee).

House Bill No. 2866-82, H.D. 1, S.D. 1:

Senator Cobb moved that H.B. No. 2866-82, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Uwaine.

Senator Kawasaki then spoke against the measure and stated:

"Mr. President, I am voting against this bill because I think it is wrong for us, as provided in this bill, to declare void a written examination passed satisfactorily by an applicant for the real estate salesman and the broker's license if he had not taken 'the prerequisites,' one of which would be a formal course in real estate principles, at a duly constituted 'school.'

"If a man is intelligent enough, is of good enough character to have been an applicant to apply for a real estate salesman or broker's license, if he is intelligent enough without going to a duly constituted course on the basis of books and textbooks available, he was intelligent enough to have learned the subject well enough on his own

to pass an examination with a satisfactory score, then his examination scores should not be voided. For this reason, I vote against this bill."

The motion was put by the Chair and carried, and H.B. No. 2866-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESMEN," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Cayetano and Kawasaki). Excused, 2 (Abercrombie and Yee).

House Bill No. 2489-82, H.D. 1, S.D. 1:

Senator Cobb moved that H.B. No. 2489-82, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Uwaine.

Senator Kawasaki spoke against the measure and stated:

"Mr. President, I will vote against this bill primarily because I see no magic in qualifying a person to be a journeyman electrician. The magic being four years of full-time experience or 8,000 hours as a journeyman.

"I see no particular magic formula in those requirements of four years experience or 8,000 hours of instruction."

The motion was put by the Chair and carried, and H.B. No. 2489-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICIANS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Anderson, Cayetano and Kawasaki). Excused, 1 (Yee).

House Bill No. 2057-82, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, H.B. No. 2057-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRUGS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

House Bill No. 2697-82:

On motion by Senator Henderson, seconded by Senator Carpenter and

carried, H.B. No. 2697-82, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

House Bill No. 2698-82, H.D. 2, S.D. 1:

By unanimous consent, H.B. No. 2698-82, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF MOTOR VEHICLE EQUIPMENT," was recommitted to the Committee on Transportation.

House Bill No. 2477-82, H.D. 1, S.D. 1:

On motion by Senator Kobayashi, seconded by Senator George and carried, H.B. No. 2477-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE DISPOSAL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

House Bill No. 2183-82, H.D. 1, S.D. 1:

On motion by Senator Henderson, seconded by Senator Carpenter and carried, H.B. No. 2183-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MARINE AFFAIRS COORDINATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

House Bill No. 2813-82, H.D. 1, S.D. 1:

On motion by Senator Henderson, seconded by Senator Carpenter and carried, H.B. No. 2813-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

House Bill No. 2682-82, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Cobb and carried,

H.B. No. 2682-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH PLANNING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Abercrombie, Carpenter and Kawasaki). Excused, 1 (Yee).

House Bill No. 2167-82, H.D. 1:

On motion by Senator Cayetano, seconded by Senator Carpenter and carried, H.B. No. 2167-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROPHYLAXIS FOR THE PREVENTION OF BLINDNESS IN THE NEWBORN," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

House Bill No. 2444-82, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Carpenter and carried, H.B. No. 2444-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEATH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Ajifu). Excused, 1 (Yee).

House Bill No. 2170-82:

By unanimous consent, action on H.B. No. 2170-82 was deferred to the end of the calendar.

Standing Committee Report No. 705-82 (H.B. No. 2176-82, H.D. 2, S.D. 1):

On motion by Senator Henderson, seconded by Senator Carpenter and carried, Stand. Com. Rep. No. 705-82 was adopted and H.B. No. 2176-82, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Campbell, Holt and O'Connor). Excused, 1 (Yee).

Standing Committee Report No. 706-82 (H.B. No. 2177-82, H.D. 1, S.D. 1):

Senator Henderson moved that Stand. Com. Rep. No. 706-82 be adopted and H.B. No. 2177-82, H.D. 1, S.D. 1, having been read throughout, pass

Third Reading, seconded by Senator Carpenter.

Senator O'Connor then rose to speak against the measure and stated:

"Mr. President, I rise to speak against this bill and my remarks will also go to House Bill 2176 which we just passed.

"These bills have to do with additional penalties for people who encroach upon state land under any circumstances, and they have to do with sanctions or penalties for such encroachment.

"House Bill 2177 adds administrative costs and damages to state lands to a fine which is to be imposed, as I read the section, by the court when the department enforces the regulations having to do with encroachment.

"Mr. President, the difficulty, and this is of course the difficulty we have argued before on the very section we have before us and it was modified when we had our earlier arguments, is that when you combine criminal and civil sanctions in a matter, which this bill does, you combine apples and oranges.

"Secondly, of course, you must have hearings to prove damage. You must have hearings to prove administrative costs and those things are things which in this kind of context are illusory.

"Further, when you talk about a fine of \$500 per day for someone who's lived adjacent to state land for say 40 years and has inadvertently used it for that period of time, you may be talking about a substantial sum of money.

"I think that there has been little thought given to these measures when it comes to the everyday problem of people living adjacent to state land. For example, in my district there are homes abutting state land where the boundaries are not necessarily clearly defined and there is a case where they built three houses upon state land adjacent to their backyards. This can cause all kinds of problems.

"I vote against this measure and I voted against House Bill 2176 for the problems I've explained."

Senator Henderson spoke in favor of the measure and stated:

"Mr. President, the language that the previous speaker alluded to already existed in the law. As far as the fine, it was mandatory in the old language.

"We changed 'shall' to 'may' and

have included in addition to that the administrative cost and damages to state land.

"I urge the support of this measure."

Senator Kawasaki then spoke against the measure and stated:

"Mr. President, I think the points made by the Senator from the Seventh District is well taken.

"The chairman of the committee from which this bill emanated very liberally did change the language to substitute the word 'may' for 'shall.' But, I think, the fact that the bill did exist as statute doesn't particularly detract from the points made by Senator O'Connor that perhaps this bill and the statute that is in existence should be amended. Certainly, we would be working a hardship on those people who live adjacent to state land and might be encroaching in a minimal way.

"Perhaps the Committee on Economic Development could, in the next session or in conference committee, alter the language...amend the language to make it a little more livable."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 706-82 was adopted and H.B. No. 2177-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOREST AND WATER RESERVE ZONES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 15. Noes, 8 (Campbell, Cayetano, Holt, Kawasaki, Machida, Mizuguchi, O'Connor and Ushijima). Excused, 2 (Saiki and Yee).

House Bill No. 3007-82, H.D. 1, S.D. 1:

On motion by Senator Kuroda, seconded by Senator Soares and carried, H.B. No. 3007-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIABILITY OF HOTELKEEPERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (O'Connor). Excused, 2 (Saiki and Yee).

House Bill No. 2627-82, H.D. 1, S.D. 1:

By unanimous consent, H.B. No. 2627-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT TO AMEND THE HAWAII WATER CARRIER LAW," was

recommitted to the Committee on Public Utilities.

House Bill No. 1340, H.D. 1, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, H.B. No. 1340, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTION CAMPAIGN CONTRIBUTIONS AND EXPENDITURES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Holt). Excused, 2 (Saiki and Yee).

House Bill No. 2125-82, H.D. 1, S.D. 1:

Senator Carpenter moved that H.B. No. 2125-82, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cayetano.

Senator O'Connor then spoke on the measure and stated:

"Mr. President, I'm going to vote in favor of this bill but I'd like to make some comments about it.

"We have a statute which unfortunately is derived from a recent amendment to our Constitution requiring plain language in legal transactions. This bill does exactly what I thought would eventually happen in this matter. It guts, probably entirely, that provision by creating three pages of exceptions to what plain language is.

"I would anticipate, as we go on in this jurisdiction, plain language will come to mean what it meant before that constitutional provision in the statutes, for which a statutorily effective measure was passed.

"I think that we've all reached the point where we understand that plain language doesn't mean trying to turn into simple English that is talked on the street corner, some of the most complicated documents and procedures in our jurisdiction.

"This bill recognizes that but there are an awful lot more not listed on these three pages, and I hope that someday somebody comes along and adds all of those also."

The motion was put by the Chair and H.B. No. 2125-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLAIN LANGUAGE IN CONSUMER TRANSACTIONS," having been read

throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Kobayashi, Saiki and Yee).

At 1:50 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:59 o'clock p.m.

House Bill No. 2318-82, S.D. 1:

Senator Carpenter moved that H.B. No. 2318-82, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cayetano.

Senator Abercrombie rose to speak against the measure and remarked:

"Mr. President, having failed to prevail upon the chairman of the committee despite my knowledgeable, articulate, inciteful and adamant presentation based on my vast fund of experience and academic background as well as my obvious sincerity, I rise, nonetheless, in a spirit of democratic interchange to urge everyone, save the chairman unless I can convince him in this one last speech, to vote against the Intake Service Center propositions that are put before you in this bill.

"Briefly, Mr. President, I believe that the Intake Service Center to the degree that it should exist at all, that is to say, that the personnel associated with the Intake Service Center and their duties should exist at all, should exist within the Judiciary.

"The Intake Service Center is an aberration, the origin of which is obscured in the midst of planning time in the Correctional Master Plan and those individuals and those duties which are not necessarily a part of the Judiciary should be a part of a department of corrections and subject to the department of corrections such as has been proposed but at the very least if not in a separate department of corrections in that division of the Department of Social Services and Housing which has authority over the prison system.

"To have intake service centers under the proposition put forward here, in my belief, in my judgment, will lead only to another year's existence with nothing really accomplished for them and that eventually, I am certain, we must move back to the proposition that these duties and obligations come under the Judiciary and under the

department or division of corrections itself."

Senator O'Connor also spoke against the measure and stated:

"Mr. President, this bill places the primary function of the probation office of the Judiciary under the Intake Service Center and would place the work presently done by that office in pre-trial reports, pre-sentence diagnosis and reports under the Intake Service Center.

"That office does a good job. It is there to do the job. It is fully staffed. We've staffed it over the years, and if you shift these functions, you must shift dozens of people with the functions in order to have them carried out appropriately.

"We went through this debate two or three years ago and decided that it was simply not worthwhile to shift the probation section of the Judiciary under the Intake Service Center.

"The grades didn't correspond; the man in charge of that division is a higher grade today than the man in charge of the Intake Service Center and all down the line they don't mesh.

"There are so many good reasons not to do that that I can't go into them here. The debate has been ongoing. For those reasons I would vote against this bill."

By unanimous consent, action on H.B. No. 2318-82, S.D. 1, was deferred to the end of the calendar.

House Bill No. 2355-82, H.D. 1, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, H.B. No. 2355-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Saiki, Uwayne and Yee).

House Bill No. 2606-82, H.D. 2, S.D. 1:

Senator Carpenter moved that H.B. No. 2606-82, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cayetano.

Senator Abercrombie then spoke in favor of the bill and stated:

"Mr. President, for the purposes

of the record, I would like to indicate that I would hope that should this bill be in conference...I'm hoping that this bill will be in conference...that the provision for the 30-day written notice could be examined in light of what is likely to take place in an ongoing work-furlough program and that with respect to the references to housing, clothing, recreational activities and training expenses, etc., that a reasonable proportion of the earnings be directed to those expenses of the state so that the individual involved may devote some portion of his or her income from the work-furlough program to paying rent, to paying other bills, and to acquiring some means of support in terms of reserve when they leave the prison system."

The motion was put by the Chair and carried, and H.B. No. 2606-82, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMITTED PERSONS, FURLOUGH, EMPLOYMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Saiki, Uwaine and Yee).

House Bill No. 2826-82, H.D. 1, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, H.B. No. 2826-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WAIMANO TRAINING SCHOOL AND HOSPITAL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Saiki, Uwaine and Yee).

Standing Committee Report No. 715-82 (H.B. No. 2348-82, H.D. 1, S.D. 2):

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, Stand. Com. Rep. No. 715-82 was adopted and H.B. No. 2348-82, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO METAL AND GEM DEALERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Saiki, Uwaine and Yee).

Standing Committee Report No. 716-82 (H.B. No. 2385-82, H.D. 1, S.D. 1):

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, Stand. Com. Rep. No. 716-82 was adopted and H.B. No. 2385-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL LIABILITY IN MOTOR VEHICLE ACCIDENT REPAIRATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Saiki, Uwaine and Yee).

House Bill No. 2733-82, H.D. 1, S.D. 1:

On motion by Senator Young, seconded by Senator Holt and carried, H.B. No. 2733-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY LEASES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 2 (Ajifu and Henderson). Excused, 3 (Saiki, Uwaine and Yee).

House Bill No. 2869-82, H.D. 1, S.D. 1:

On motion by Senator Young, seconded by Senator Holt and carried, H.B. No. 2869-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Saiki, Uwaine and Yee).

House Bill No. 3117-82, H.D. 1, S.D. 1:

On motion by Senator Young, seconded by Senator Holt and carried, H.B. No. 3117-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING COOPERATIVES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Saiki, Uwaine and Yee).

House Bill No. 34, H.D. 2:

On motion by Senator Abercrombie, seconded by Senator Kuroda and carried, H.B. No. 34, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GIFTED CHILDREN," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Saiki, Uwaine and Yee).

House Bill No. 2161-82, H.D. 1, S.D. 1:

Senator Abercrombie moved that H.B. No. 2161-82, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kuroda.

At this time, Senator Campbell asked if the chairman would yield to a question and Senator Abercrombie replied in the affirmative.

Senator Campbell inquired as follows:

"Mr. President, this bill will exempt from the jurisdiction of the Department of Education private trade, vocational and technical schools that are licensed by the Department of Regulatory Agencies. The committee has amended the bill by substituting registered for licensed to more accurately reflect the Department of Regulatory Agencies' function of registering, not licensing, of schools.

"I wonder if the chairman would indicate to me the difference between, in this particular instance, registered and licensed."

Senator Abercrombie answered:

"Mr. President, the reason for this bill is to separate them for administrative purposes.

"There are elements in the private trade, vocational and technical schools that are involved with the Regulatory Agencies as opposed to what the Department of Education regularly handles and this is to make the differentiation clear."

Senator Campbell thanked Senator Abercrombie for the answer then spoke against the measure, as follows:

"Mr. President, I intend to vote against this bill because I am opposed to the Department of Education being relieved of the responsibility of licensing any kind of institution that has students who get a diploma or a certificate indicating that they have completed a certain body of knowledge, thereby making them prepared to go into society and perform certain jobs. I think that kind of responsibility ought to be a responsibility of our Department of Education, and, if anything, this bill ought to be requiring our Department of Education to do a more diligent job in monitoring these schools so that they will have a curriculum that will be more to the best interests of our public."

Senator Abercrombie responded in support of the bill and stated:

"Mr. President, not so much in rebuttal, but in explanation.

"Mr. President, what would happen is that the board will simply become, as it is now, a pro forma organization monitoring, if you will.

"The reason this is in is that no school, private trade, vocational, technical school, as defined in the bill, can exist unless it meets all the standards with respect to courses and teaching and equipment and services that are required, either under the Department of Regulatory Agencies or the board or commission that we have set up to oversee these operations.

"If we want to double up the oversight, why we can, but if we do, then I suggest that we get rid of the boards and commissions and get rid of the Regulatory Agencies' activity and give it to the Board of Education, at which point you will have the Board of Education coming in and asking for personnel to do these kinds of things that are now done either on what we call a voluntary basis by virtue of boards and commissions, and I suppose they get their per diem or something for their meetings, or by the Department of Regulatory Agencies itself. So, this does not diminish the requirements associated with either the academic content or other aspects of the trade schools, vocational schools, or technical schools, but rather deals with the reality that the Board of Education would be performing a pro forma oversight."

Senator Cobb also spoke in favor of the measure and stated:

"Mr. President, one observation in addition, in favor of the measure.

"To support partially what the chairman said is that the Department of Regulatory Agencies in its boards and commissions meet either the vocational or professional standards so I'm sure those standards are met in either accrediting or licensing a school or supervising a school. And there is an active ongoing regulatory program now going on and has been going on for some time within the Department of Regulatory Agencies and I'll be alluding to that in some further bills that we will be discussing."

Senator Campbell, in rebuttal, stated:

"Mr. President, I do not see the Department of Regulatory Agencies in the same light as I see the Department of Education as setting up curriculum and setting up programs of education, and that is the basis upon which I take the position that the Department of Education should not be relieved of

this kind of jurisdictional responsibility."

The motion was put by the Chair and carried, and H.B. No. 2161-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE TRADE, VOCATIONAL AND TECHNICAL SCHOOLS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 3 (Campbell, O'Connor and Toyofuku). Excused, 2 (Saiki and Yee).

House Bill No. 2667-82, H.D. 1, S.D. 1:

On motion by Senator Abercrombie, seconded by Senator Kuroda and carried, H.B. No. 2667-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Saiki and Yee).

House Bill No. 509, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, H.B. No. 509, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Kawasaki). Excused, 2 (Saiki and Yee).

House Bill No. 1553, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, H.B. No. 1553, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MERGERS OR CONSOLIDATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Saiki and Yee).

House Bill No. 2192-82, S.D. 1:

Senator Cobb moved that H.B. No. 2192-82, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Uwaine.

Senator O'Connor then rose to inquire as follows:

"Mr. President, I notice that the last section of this bill is identical to the last section of the bill we just passed,

occupying a major portion of both bills.

"I wonder if there is some good reason for that. I know it's clever draftsmanship, I just wondered if there is some good reason for it."

The Chair then requested the chairman of the Consumer Protection and Commerce Committee to respond to the inquiry and Senator Cobb answered:

"Mr. President, there's a very good reason. Because the House didn't bother hearing the Senate bill on this same subject of corporations that went over, we took the provisions of this bill and inserted it into two House bills. They'll have their choice...which one they want to accept in conference. But, I will not accept the discourtesy of the House refusing to hear a Senate bill, and letting that go unchallenged. That's why it's in both of these bills."

The motion was put by the Chair and carried, and H.B. No. 2192-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Saiki and Yee).

House Bill No. 2199-82, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, H.B. No. 2199-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LANDLORD-TENANT CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 5 (Anderson, George, Kawasaki, Kobayashi and Soares). Excused, 2 (Saiki and Yee).

House Bill No. 2270-82, H.D. 1, S.D. 1:

Senator Cobb moved that H.B. No. 2270-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MOTOR VEHICLE ACCIDENT REPARATIONS ACT," having been read throughout, pass Third Reading, seconded by Senator Uwaine.

Senator Campbell then rose to speak against the bill and stated:

"Mr. President, this bill relates to the cancellation of no-fault insurance policies. It states that 'if the insurer has manifested in writing an offer to renew to the named insured at least

thirty days prior to the end of the policy period and the offer is not accepted before the expiration of the policy term, the policy shall lapse upon that expiration date.'

"Mr. President, I feel that this bill will work an undue hardship on the consumer, particularly the automobile owners who get a notice of a sizeable increase in the cost of their premiums. A person in that position, in my judgment, needs some time to try to negotiate a reduction in that premium. Also, if such a person does not succeed, that individual needs some time to try to find a new insurance agency.

"Mr. President, I think this issue is of critical importance in light of the fact that the state requires that every car owner have auto insurance.

"If the insured were not required by the state to have car insurance he or she would have some more available time to negotiate a better auto policy or to find a new insurance company.

"The passage of this bill just further tightens the screws on the insurance consumer, therefore, I'm going to vote against the bill."

Senator Kawasaki added: "Mr. President, I think the comments made by the previous speaker are well taken. I will vote against the bill for the same reason."

Senator Abercrombie also rose to speak against the measure and stated:

"Mr. President, speaking against the bill, with reference to the previous two speakers, I found myself in exactly the same kind of situation as Senator Campbell mentioned, and as a result I feel that this is an anti-consumer bill as well."

At 2:19 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:20 o'clock p.m.

By unanimous consent, action on H.B. No. 2270-82, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 2334-82:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, H.B. No. 2334-82, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATORY PRICING IN SUPPLYING LIQUOR," having been read throughout, passed

Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (O'Connor, Saiki and Yee).

House Bill No. 2404-82, H.D. 1, S.D. 1:

Senator Cobb moved that H.B. No. 2404-82, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Uwaine.

Senator Kawasaki spoke against the bill and stated:

"Mr. President, I must say that this title is very appropriate. It relates to usury.

"While we all inveigh against the ill effects of high interest rates and the high interest rate climate that all consumers find themselves in, enactment of bills like this, I think, just adds to the hardship of an ordinary consumer, and perhaps we should take stock of what's happening here; study some of the effects of these bills more carefully and then perhaps introduce bills like this.

"While it may be the fashion today to talk about adjustable interest rate mortgages, this certainly is not helping the ordinary consumer. I will vote against this bill."

The motion was put by the Chair and carried, and H.B. No. 2404-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO USURY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 4 (Abercrombie, Cayetano, Kawasaki and Young). Excused, 3 (O'Connor, Saiki and Yee).

House Bill No. 2434-82, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, H.B. No. 2434-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 2 (Abercrombie and Anderson). Excused, 3 (O'Connor, Saiki and Yee).

House Bill No. 2836-82, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, H.B. No. 2836-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE SERVICING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (O'Connor, Saiki and Yee).

House Bill No. 2888-82, H.D. 1, S.D. 1:

Senator Cobb moved that H.B. No. 2888-82, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Uwaine.

Senator Abercrombie then spoke against the bill and stated:

"Mr. President, from the point of view of so-called time-sharing which is, as I have indicated on this floor as far as I am concerned, nothing more than organized mugging of tourists who come here and any people who live here who happen to get trapped in the vicinity of the people who do this, especially in Waikiki, I don't see that these refinements, if you will, will do anything in any way to offset the rapacious nature of these people. They will ignore any and all restrictions upon them.

"One part of the bill, from my point of view, actually is going to increase the possibility of these things because if you come in with a whole project, that is to say, a fully developed finance project from the beginning, it will actually probably increase the number of time-sharing units that we're going to have. We're not just going to hold the line on them. And, as far as the projects be 'situated in the areas zoned by the county for hotel, transient vacation rental or resort use' and so on, considering how small Waikiki is, in particular, this will in effect be a cosmetic change and will not get at the core of our problem.

"I think we should be sending the ban back to the House and forcing them to deal with it or not deal with it, if they will, because then, every kind of attempt that we make with respect to so-called regulation is doomed to failure."

Senator Cobb responded and stated:

"Mr. President, I cannot let that go unchallenged.

"In the last year five companies

involved in time-sharing have gone out of business because of the stringent regulations that are already on the books. One of the individuals complained about by the Senator from the Sixth District on the floor of this Senate less than a week ago left town because of the strong regulatory environment that's here in Hawaii.

"This bill will, in effect, impose a geographic ban on any area except that zoned for hotel and resort by the county and it will require that in such an area the project be either a hotel or a wholly-owned building within that very limited zoning.

"Less than ten percent of Waikiki is zoned hotel which will allow this. It will put a stop to areas of various projects or, if you will, scams such as Paradise Palms that failed.

"This and the other bill on the subject of escrow and OPC and telephone solicitations are going to make even more stringent the regulation. I would reject, utterly, the concept that there is either no regulation or that it's not having an impact.

"I've seen that impact. The number of complaints are down dramatically. The number of people who are now licensed and who are now following the regulations is dramatic compared to a year ago.

"The strong regulatory aspects of the law have been in effect not since January as claimed by the time-sharing industry but since May of last year. Every handbill I have seen this year now has the disclosure requirement being met. And, I've been down there personally at least twice a week, checking on it myself, and I know others have been doing the same thing.

"I know it takes time to work. I would like to see a ban, and I'm going to press for a complete ban in a conference committee, but if the House rejects that, I want to achieve at least a geographic ban on any area except a hotel or wholly-owned building in a resort area.

"Thank you."

Senator Kawasaki then rose to inquire if the Senator from the Seventh District would yield to a question and Senator Cobb answered in the affirmative.

Senator Kawasaki asked: "I'd like to ask the Senator, whatever happened to the commitment of sorts that I understood was given to you by the chairman of the comparable committee in the House...that if we pass in the Senate here a bill banning

time-sharing, then he will help shepherd it to acceptance over in the House?"

Senator Cobb replied: "Mr. President, he made such a public statement in the newspapers and then in the House, after it had a hearing, turned around and killed the bill. I cannot answer for the House chairman."

Senator Kawasaki retorted: "Very consistent with the House position."

Senator Abercrombie spoke against the measure and stated:

"Mr. President, any of these people leaving town is because they are crooks and they're afraid they are going to get arrested. It doesn't have anything to do with regulation. They get around it whatever way they can. Fraud is another thing; that's illegal regardless of what the regulations are.

"As for the ten percent, I'm familiar with that. I travel to Waikiki quite regularly myself, both because I have friends there... I go to see them... I have business friends there whose premises I frequent. And, Waikiki, as you know, is about seven-tenths of a mile long, and you can practically throw a coin across the width of Waikiki from the ocean to the canal.

"The question here is people being harrassed and I submit to you that the bad impressions that people are going to have of Hawaii and in particular with Waikiki are going to continue and that... at least when you are dealing with a hooker on Kuhio Avenue you know what you're dealing with and possibly going to get value received, but if you deal with a time-share you are really going to be screwed."

Senator Cobb responded and said: "Mr. President, I think his last remarks should be directed towards House Bill 3078 which is on the regulatory aspects rather than the geographic ban being addressed in this bill because, regardless of whether it is a geographic ban or total ban, those units that are grandfathered in would still be subject to sale. They could not be invalidated by statute."

Senator Abercrombie added: "Mr. President, that does remind me of the hookers even more."

The motion was put by the Chair and carried, and H.B. No. 2888-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING," having been read throughout, passed Third Reading on the following showing

of Ayes and Noes.

Ayes, 21. Noes, 1 (Abercrombie).
Excused, 3 (O'Connor, Saiki and Yee).

House Bill No. 2936-82, H.D. 1, S.D. 1:

Senator Cobb, moved that H.B. No. 2936-82, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Uwayne.

Senator Kawasaki spoke against the bill and said: "Mr. President, it's another one of those usury bills, the provisions of which if implemented five years ago would have thrown the proprietors of these company practitioners into jail. But, today, we sanction this in a rather blase fashion. We accept this.

"This is a bad bill."

Senator Cobb, speaking in favor of the measure, then stated:

"Mr. President, I'm not going to let that go unchallenged either.

"A lot of the provisions in this bill reflect a practice that has been going on for some time and has been recognized, at least on the federal level, and is now being addressed at the state level, particularly in the area of points.

"I think we need to get one thing straight on the whole question of interest and usury, and that is, if we still had stated a twelve percent ceiling, as has been advocated by some members of this body, there wouldn't be any business going on in the State of Hawaii. There wouldn't be any mortgages being made. There wouldn't be very few loans at all being made. That's the reality.

"We don't set interest rates here in Hawaii. That's done as a function of the national economy.

"I wish that wasn't the case but wishful thinking isn't going to change reality.

"As far as this particular measure here, we did have a problem in the committee with the so-called point system that's being imposed where points plus interest could exceed 24%, so the first draft that came out of my committee said, 'No, we're not going to allow that at all.' Then, in fairness to the lender they came back and said, 'What if they guy pays off the contract in less than 90 days?' We compromised as a detail and said, 'If the consumer pays it off in 90 days or less, then and only then could point plus interest

exceed the 24%, but if it's longer than 90 days it could not.'

"Mr. President, I think when we look at the whole subject of interest and usury we are living in a dream world if we think that the old days of 10% or 12% have any relationship at all to the reality of what's happening in the American economy."

The motion was put by the Chair and carried, and H.B. No. 2936-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 3 (Abercrombie, Kawasaki and Young). Excused, 3 (O'Connor, Saiki and Yee).

House Bill No. 3072-82, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator Uwayne and carried, H.B. No. 3072-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 2 (Abercrombie and Ajifu). Excused, 3 (O'Connor, Saiki and Yee).

House Bill No. 3078-82, H.D. 1, S.D. 1:

Senator Cobb moved that H.B. No. 3078-82, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Uwayne.

Senator Abercrombie rose to speak against the measure and stated:

"Mr. President, I guess this bill is what the chairman referred to with respect to regulation as opposed to geography before. I notice one of the elements involved is a telephone solicitation.

"I wonder if the chairman could explain how telephone solicitation will be prohibited with respect to the First Amendment of the United States Constitution and applicable sections of the Hawaii State Constitution with regard to free speech and the conducting of commerce."

Senator Cobb then responded and stated:

"Mr. President, a declaratory ruling

of the Real Estate Commission in 1978 regulated telephone solicitation as it applied to real estate. In that ruling, they specified very clearly that permissible regulation is entirely legal in regulating telephone solicitation. This bill strictly regulates such solicitation, if it's not outrightly prohibited.

"It says that if there is a written permission of the hotel manager to solicit and there is a disclosure within each room of the offering, then and only then may solicitation take place. It is entirely consistent with the Real Estate Commission ruling of 1978."

Senator Abercrombie added: "Mr. President, I wasn't aware that the Real Estate Commission in the State of Hawaii had subsumed the duties and obligations of the Supreme Court of the United States. But, I'm very pleased to learn that and I'm sure the time-sharing salesman will be delighted to know that the Real Estate Commission has such awesome power, and I'm sure it will be ignored just about as fast as it is put into effect to the degree that it's put into effect at all.

"With respect to the definitions of 'booth' and an 'invitee,' could the chairman indicate to me the difference between an 'invitee' and an 'invitor' with respect to the 'booths' and what constitutes an 'outside public contact'?"

Senator Cobb answered: "Mr. President, an 'invitor' is the one who does the inviting and 'invitee' is one who is invited."

Senator Abercrombie thanked the chairman then spoke against the bill and stated:

"Mr. President, I speak against because we now have the euphemism called the invitee, which I think is an interesting phrase for the word victim. We have outside public contacts and booths and what that means and of course what that refers to is the hustling of the victim with time-sharing. So, what all this is going to do is to add another series of ostensible regulations which will be overthrown or ignored by the time-sharing industry.

"I would remind this body that at the very time testimony was being taken in the Consumer Protection Committee and assiduously recorded by a stenographer for future reference that the time-sharers were...and in the course of this testimony indicating how anxious they were to obey all the rules and regulations, if only they be given a chance, were preparing for a court case to overturn all the regulations that we've put into effect so far. I don't see any reason to believe

they wouldn't try to do the same thing here."

Senator Cobb responded: "Mr. President, as I understood the presence of the stenographer during the hearing we had at that particular time was to prepare a legal case to overturn the proposed ban that this Senate passed."

The motion was put by the Chair and carried, and H.B. No. 3078-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 5 (Abercrombie, Campbell, Cayetano, Mizuguchi and Toyofuku). Excused, 3 (O'Connor, Saiki and Yee).

House Bill No. 3140-82, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, H.B. No. 3140-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICINE AND SURGERY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (O'Connor, Saiki and Yee).

House Bill No. 3176-82, H.D. 1, S.D. 1:

By unanimous consent, H.B. No. 3176-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LANDSCAPE ARCHITECTS," was recommended to the Committee on Consumer Protection and Commerce.

House Bill No. 791, H.D. 1, S.D. 1:

On motion by Senator Young, seconded by Senator Holt and carried, H.B. No. 791, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 2 (Abercrombie and Cayetano). Excused, 3 (O'Connor, Saiki and Yee).

House Bill No. 2222-82, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 2222-82, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 2331-82, H.D. 1, S.D. 1:

Senator Ajifu moved that H.B. No. 2331-82, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kobayashi.

Senator Anderson spoke against the measure and stated:

"Mr. President, I'm not sure what pre-qualification might be defined as by the Department of Land and Natural Resources, but I find this bill as it's written with the pre-qualification kind of a closed-shop affair.

"I don't know who would be able to tell me and for what reason that Andy Anderson couldn't become a farmer or a rancher, if he so decided.

"If I want to become a farmer tomorrow and I want to get a piece of land and bid openly in the fair market, and I want to hire the most competent farmer to be my manager and I can demonstrate that maybe I have no qualification but that my commitment to farming would be carried out, this bill would disqualify me.

"If I decided to be a country-gentleman and get a ranch and I want to lease four or five thousand acres of land on public auction and hire, which is very common in this state, a well-qualified ranch manager, this bill would disqualify me.

"I don't know what the intent of this is except to keep out anybody from getting into this area and as I say, it's a closed-shop. The content, I think, is very narrow and I happen to find the bill very offensive."

The motion was put by the Chair and carried, and H.B. No. 2331-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 5 (Abercrombie, Anderson, George, Henderson and Kawasaki). Excused, 3 (O'Connor, Saiki and Yee).

House Bill No. 2332-82, H.D. 1, S.D. 1:

Senator Ajifu moved that H.B. No. 2332-82, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Henderson.

Senator Kawasaki spoke against the measure and stated:

"Mr. President, this bill by amendment now changes our laws regarding the use of state land for intensive agricultural use. We now specify by statute that these leases would be no less than a minimum of 20 years' term and no more than 35 years for certain categories of leases.

"It's one thing for us to put a maximum length of time that one person can lease state land...35 years in this particular case...but it's quite another to say that in no way can the state lease out these lands for a term no less...at a minimum of 20 years. There may be very good reasons why the state may want to lease an agricultural use land for a term shorter than 20 years, many reasons. By enacting to statute a minimum of 20 years, I think, we give the state less flexibility, and I think this bill is unnecessary."

The motion was put by the Chair and carried, and H.B. No. 2332-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND LEASES FOR AGRICULTURAL USE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 4 (Abercrombie, Anderson, Cayetano and Kawasaki). Excused, 3 (O'Connor, Saiki and Yee).

At this time, the Chair made the following announcement:

"Members of the Senate, we will be taking a recess and will reconvene at 6:00 p.m. this evening. Hopefully, we will finish the business of the Senate at such time when all matters have been voted on."

At 2:42 o'clock p.m., on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate stood in recess until 6:00 o'clock p.m., this evening.

EVENING SESSION

The Senate reconvened at 6:00 o'clock p.m., with all Senators present.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 267 and 268) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 267), transmitting copies of the final reports on Alternative I, Work Products No. 5, Part I, No. 5, Part II, No. 6, No. 7, Part I, No.

7, Part II, Nos. 8, 9 and 10, and Alternative II, Work Products No. 5, Part II, Nos. 6, 7, 8 and 9, of the Hawaii Community Development Authority's Phase III planning process for the Kakaako Community Development District plan project, was referred to the Committee on Housing and Hawaiian Homes.

A message from the Governor (Gov. Msg. No. 268), informing the Senate that on April 1, 1982, he signed House Bill No. 2319-82 as Act 3, entitled: "RELATING TO THE JUDICIARY," was placed on file.

HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 324), transmitting House Concurrent Resolution No. 141, which was adopted by the House of Representatives on April 5, 1982, was read by the Clerk and was placed on file.

On motion by Senator Kuroda, seconded by Senator Anderson and carried, H.C.R. No. 141, entitled: "HOUSE CONCURRENT RESOLUTION COMMENDING LEIMOMI MO'OKINI LUM FOR THE OPERATION AND MANAGEMENT OF THE MO'OKINI HEIAU," was adopted.

STANDING COMMITTEE REPORTS

Senator Ajifu, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 786-82) recommending that Senate Concurrent Resolution No. 3, as amended in S.D. 1, be referred to the Committee on Economic Development.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.C.R. No. 3, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE AGRICULTURE PLAN," was referred to the Committee on Economic Development.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 787-82) recommending that Senate Concurrent Resolution No. 7, as amended in S.D. 1, be referred to the Committee on Economic Development.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.C.R. No. 7, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE RECREATION PLAN," was referred to the Committee on Economic Development.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation,

presented a report (Stand. Com. Rep. No. 788-82) recommending that Senate Concurrent Resolution No. 8, as amended in S.D. 1, be referred to the Committee on Economic Development.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.C.R. No. 8, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE CONSERVATION LANDS PLAN," was referred to the Committee on Economic Development.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 789-82) recommending that Senate Concurrent Resolution No. 9, as amended in S.D. 1, be referred to the Committee on Economic Development.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.C.R. No. 9, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE HISTORIC PRESERVATION PLAN," was referred to the Committee on Economic Development.

Senator Saiki, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 790-82) recommending that Senate Concurrent Resolution No. 14, as amended in S.D. 1, be referred to the Committee on Economic Development.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.C.R. No. 14, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE HIGHER EDUCATION PLAN," was referred to the Committee on Economic Development.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 791-82) recommending that Senate Concurrent Resolution No. 4, as amended in S.D. 1, be referred to the Committee on Economic Development.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.C.R. No. 4, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE EDUCATION PLAN," was referred to the Committee on Economic Development.

Senator George, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 792-82) recommending that Senate Concurrent Resolution No. 13, as amended in S.D. 1, be referred

to the Committee on Economic Development.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.C.R. No. 13, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE TRANSPORTATION PLAN," was referred to the Committee on Economic Development.

Senator Cayetano, for the Committee on Health, presented a report (Stand. Com. Rep. No. 793-82) recommending that Senate Concurrent Resolution No. 5, as amended in S.D. 1, be referred to the Committee on Economic Development.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.C.R. No. 5, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE HEALTH PLAN," was referred to the Committee on Economic Development.

At 6:23 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 6:24 o'clock p.m.

ORDER OF THE DAY

THIRD READING

House Bill No. 2573-82, S.D. 1:

On motion by Senator Ajifu, seconded by Senator Carpenter and carried, H.B. No. 2573-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE WITHIN AGRICULTURAL DISTRICTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Abercrombie, Henderson, Uwayne and Yee).

House Bill No. 2778-82, H.D. 2, S.D. 1:

By unanimous consent, action on H.B. No. 2778-82, H.D. 2, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1882, H.D. 1, S.D. 1:

On motion by Senator Kobayashi, seconded by Senator Carpenter and carried, H.B. No. 1882, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROTECTION OF INSTREAM USES OF WATER," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Abercrombie, Henderson, Uwaine and Yee).

House Bill No. 1642, H.D. 2, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, H.B. No. 1642, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AERONAUTICS," having been read throughout, passed Third Reading by not less than two-thirds vote of all the members to which the Senate is entitled, on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Abercrombie, Henderson, Uwaine and Yee).

House Bill No. 1948-82, H.D. 2, S.D. 1:

Senator Yamasaki moved that H.B. No. 1948-82, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Carpenter.

Senator Kawasaki spoke against the measure as follows:

"Mr. President, I'm voting against this bill primarily because I think the raising of the ceiling on these agricultural loans is too extensive. For that reason, I will vote 'no' on this bill."

Senator Anderson also rose to speak against the measure and stated:

"Mr. President, I'd like to clarify a point that I think is very important.

"About four or five days ago, the Ways and Means Committee, based on the discussions we had for several weeks on the milk question, sat around and discussed the farm loan program standby fund that we might create for the milk industry because we anticipate that there's going to be millions of dollars lost. We don't want to see the industry closed down. We quickly calculated what it will cost and came up with a \$3 million figure.

"At that time, before us was the 'Ag' loan fund bill which was at the current service of \$2 million. We increased it to \$5 million...\$3 million for milk as a commitment to that problem... as our Committee on Health resolved the problem...and we finally hammered out a package for resolving it to an end and keeping the milk industry strong.

"Somewhere in the last four or five days this \$3 million standby loan fund

for the milk industry has gotten diluted, so to speak, into the overall 'Ag' loan bill, and before us we have a \$5 million bill but it does not specify that \$3 million is for milk. They can qualify under the 'Ag' loan.

"I'm concerned, Mr. President, because this bill also talks about emergencies and lending money to 'Ag' people or farmers.

"We also have a problem with papayas. Papayas under the emergency could qualify for part of this money.

"It could be the 'Med' fly or it could be anthuriums.

"The point I'd like to make is that by the time the milk people get there to make their applications it could...I'm not saying it will...but it could in all practical application not be there.

"Further, the 'Ag' loan program in this state has always been a sad program of high delinquency, poor procedures, no accountability, and I don't think anybody who has sat on Ways and Means for two years in a row hasn't been exposed to the terrible mishandling of the 'Ag' loan program, however good it was meant to be.

"Now, they have really gone so far as to authorize the Board of Agriculture to delegate authority to its chairman to approve loans where the requested amount plus any balance on existing loans does not exceed \$25,000. I don't think anybody in this state has the kind of authority to sit there and grant \$25,000 loans to anybody without applications, review, credit, ability to repay. I can just see the director sitting there with \$25,000 checks, ready to parcel out to be it cronies or legitimate farmers. This could be a terrible way to abuse what we already criticized so drastically.

"It's kind of hard to speak against this kind of measure because the farming community, in all sincerity, needs help, and I think the commitment by the state, the Constitution, right on down has been in this area. But when you take a bill and dilute its commitment from it, when you authorize the director to grant \$25,000 checks carte blanche, when you allow the farm loan program to continue on as it has in past practices without checking the quality or the credibility of the person they are lending money to, thus compounding the delinquency beyond reason, it makes it awfully hard to support this kind of measure.

"I support the \$3 million for the milk industry, no question, but I cannot

in all good conscience support this bill. Thank you."

Senator Kawasaki added his objections and stated:

"Mr. President, I just wanted to point out one particular sentence I object to.

"I think this is consistent with your concern about the \$50 million stabilization fund that the sugar industry was talking about. I think you and I both agreed that some collateral is required, but let me call your attention to item (c) on the third page of this bill.

"The Department of Agriculture, and I quote, 'The Department of Agriculture shall make loans to independent sugar growers under this section at an interest rate not to exceed 2% per year for which no collateral shall be required and there shall be no limit on the amount of a loan to an independent sugar grower as defined in this section.'

"I don't think there's any segment of our entire state population that is privy to such terms in the way of any kind of state commitment on loans, subsidies or whatever you want to call it... 2% a year, no collateral and no amount to the limit of the loan. This is just unheard of in this day and age when everybody else, the average citizen, is suffering from the burden of high interest rates that he has to pay for money he has to borrow as a necessity."

Senator Ajifu, on a point of clarification and in support of the measure, stated:

"Mr. President, I think the previous speaker was speaking to another bill which pertains to the \$2 million appropriation for the independent sugar growers. This bill only pertains to the Department of Agriculture Agricultural Loan Program which is in the revolving fund.

"The last speaker was, I believe, making reference to the \$2 million appropriation which is contained in another bill.

"But, speaking in favor of this bill, Mr. President, this bill addresses the problem that we have today, particularly with the dairy industry.

"If we are to assist the dairy industry in any way we must come up with this bill because under the Class 'D' emergency loan, there's no provision for this kind of emergency that exists today which the dairy farmers are faced with. And so what we have come

up with is an amendment which provides for the Department of Agriculture to determine during other emergencies.

"Also, in this part of the amendment, we have lifted the loan ceilings by allowing the Board of Agriculture to determine the maximum amount.

"For the first speaker's information, this bill does not lift the loan ceilings as it exists in Class 'A,' 'B,' and 'C.' It only lifts the loan amounts in this emergency section by authorizing the Board of Agriculture to determine the amounts.

"Thank you, Mr. President."

Senator Kawasaki then responded: "Mr. President, I apologize to the chairman of the Agriculture Committee. He is absolutely correct. I was one bill ahead of everyone."

Then, Senator O'Connor rose to speak against the measure and stated:

"Mr. President, in reviewing this bill I find that the arguments urged by the Republican coalition leader to be very persuasive and I'm surprised that this bill in its present form emerged when the intent was to provide the \$3 million fund for the dairymen whom we know are hard-pressed.

"It seems to me that we should have done that and not fool around with the entire agricultural loan program to the detriment of those dairymen.

"I intend to vote against this bill."

Senator Yamasaki, on clarification and in support of the measure, stated:

"Mr. President, I would like to clarify the subject matter that was just discussed previously and also by the first speaker on the separation of the benefits... loans to the sugar industry as well as to the milk industry.

"The speakers are correct that the understanding that we had in the Ways and Means Committee was that \$2 million shall go to the sugar loan program and, also, \$3 million to the milk industry program. However, as I sat down and analyzed the whole situation it appeared to me that if we had the \$5 million in a flexible loan program for both the sugar and milk industries the Board of Agriculture, through its chairman, could very well determine the best use of the total amount of money where the need is.

"For that reason, I will assume

full responsibility for the change that was made over the decision made by the committee."

The motion was put by the Chair and carried, and H.B. No. 1948-82, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 6 (Anderson, Campbell, Holt, Kawasaki, O'Connor and Saiki). Excused, 1 (Abercrombie).

House Bill No. 1949-82, H.D. 2, S.D. 1:

Senator Yamasaki moved that H.B. No. 1949-82, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Anderson.

Senator Kawasaki, in opposition to the measure, stated:

"Mr. President, I would like the Journal to reflect my opposition to House Bill No. 1949-82 as I have discussed the 2%, no collateral, no limit."

The motion was put by the Chair and carried, and H.B. No. 1949-82, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LOANS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Kawasaki). Excused, 1 (Abercrombie).

House Bill No. 1971-82, H.D. 1, S.D. 1:

By unanimous consent, H.B. No. 1971-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS," was recommitted to the Committee on Ways and Means.

At this time, Senator O'Connor rose on a point of parliamentary inquiry and asked:

"Mr. President, House Bill 1971-82 relating to Hawaiian affairs, which we just passed on the calendar, has just been recommitted. That bill has to do with the budget of the Office of Hawaiian Affairs. Are we going to pick that up at some other point, Mr. President?"

The Chair answered: "Senator O'Connor, my understanding is that the bill has been recommitted to Ways and Means and they will dispose of the bill in whatever manner they deem necessary."

House Bill No. 2049-82, H.D. 1, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, H.B. No. 2049-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE OFFICE OF ENVIRONMENTAL QUALITY CONTROL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Abercrombie).

House Bill No. 2086-82, H.D. 1, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, H.B. No. 2086-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INCOME TAX," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Abercrombie).

House Bill No. 2203-82, H.D. 1:

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, H.B. No. 2203-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Abercrombie).

House Bill No. 2204-82:

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, H.B. No. 2204-82, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Abercrombie).

At 6:38 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 6:40 o'clock p.m.

House Bill No. 2244-82, H.D. 2, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, H.B. No. 2244-82, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING

TO VETERAN'S RIGHTS AND BENEFITS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2312-82, H.D. 1, S.D. 1:

Senator Yamasaki, moved that H.B. No. 2312-82, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Anderson.

Senator Kawasaki then rose to express his concern regarding the measure and stated:

"Mr. President, while I support passage of this bill, I have a little concern about the \$25,000 set aside for fiscal years '82, '83, and another \$35,000 set aside for the following biennium. I just wondered whether we need to set aside this kind of money for the Judicial Selection Commission.

"Why do they require such large amounts of money for the administration of...for their selection of judge candidates to be appointed by the Governor?

"I can't see the logic of such a fund of \$60,000 for a four-year period being set aside as part of the Judicial Selection Commission. Otherwise, I can support the bill, but I do want to raise this point as a reflection of our concern to be noted by the administrator in the Judiciary."

Senator Yamasaki responded and said: "Mr. President, just to clarify the amount that was raised by the previous speaker, that fund that he raised was for litigation purposes that we have provided to the Judiciary."

The motion was put by the Chair and carried, and H.B. No. 2312-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY BUDGET," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2407-82, H.D. 1, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, H.B. No. 2407-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR LICENSE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2430-82, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, H.B. No. 2430-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2551-82, H.D. 1, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, H.B. No. 2551-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TUITION WAIVERS FOR VETERANS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2742-82, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 2742-82, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 2838-82, H.D. 1, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, H.B. No. 2838-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HOUSING AUTHORITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2839-82, H.D. 1, S.D. 1:

By unanimous consent, H.B. No. 2839-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TAX REVIEW COMMISSION," was recommitted to the Committee on Ways and Means.

House Bill No. 2947-82, H.D. 2, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, H.B. No. 2947-82, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AN AQUA-CULTURE AND LIVE-STOCK FEEDS PRODUCTION PROGRAM," having been read throughout, passed Third Reading

on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Abercrombie).

House Bill No. 2965-82, H.D. 2, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, H.B. No. 2965-82, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 3142-82, H.D. 1:

By unanimous consent, H.B. No. 3142-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM," was recommitted to the Committee on Ways and Means.

House Bill No. 3178-82, H.D. 1, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, H.B. No. 3178-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING BY COUNTIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 766-82 (H.B. No. 76, H.D. 2, S.D. 1):

Senator Yamasaki moved that Stand. Com. Rep. No. 766-82 be adopted and H.B. No. 76, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Anderson.

Senator O'Connor then remarked: "Mr. President, I'm going to vote in favor of this bill but I find a very strange figure inserted, an amount of \$1.00. I'm sure that if it passes and becomes law we'll want it to be something different from \$1.00, but, in any event, it sounds like a good idea."

Senator Cobb responded: "Mr. President, the conferees will probably consider the amount excessive but at least it ought to get to conference."

Then, Senator Yee added: "Mr. President, the reason for the \$1.00 is because there is an ongoing discussion between the State of California and Hawaii on a possibility of a joint venture

for a ship at Midway. At this point, we do not know how much it will cost and in order to keep this venture alive, we felt that a \$1.00 figure would be adequate."

Senator O'Connor then said: "Mr. President, echoing the earlier speaker, I think it is a commendable bill and I urge the chairman to keep it in its present form."

"California is going to pay the entire tab except for \$1.00. It will be of outstanding significance in this state, and I would urge the chairman and the conference committee to keep it exactly as it is and have it come out that way."

"Thank you, Mr. President."

The Chair remarked: "We're all praying for miracles."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 766-82 was adopted and H.B. No. 76, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISHERIES DEVELOPMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 767-82 (H.B. No. 765, H.D. 2, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 767-82 was adopted and H.B. No. 765, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 768-82 (H.B. No. 1970-82, H.D. 1, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 768-82 was adopted and H.B. No. 1970-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 769-82 (H.B. No. 2113-82, H.D. 2, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 769-82 was adopted and H.B. No. 2113-82, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 770-82 (H.B. No. 2155-82, H.D. 2, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 770-82 was adopted and H.B. No. 2155-82, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 771-82 (H.B. No. 2359-82, H.D. 1, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 771-82 was adopted and H.B. No. 2359-82, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WITNESS SECURITY AND PROTECTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 772-82 (H.B. No. 2559-82, H.D. 1, S.D. 1):

Senator Yamasaki moved that Stand. Com. Rep. No. 772-82 be adopted and H.B. No. 2559-82, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Anderson.

Senator O'Connor rose to speak on the measure and remarked:

"Mr. President, I'm going to vote in favor of this measure, but I do so with some hesitation.

"The total amount that we're paying seems excessive under the circumstances. I know that supposedly we're settling a \$1.8 million suit for half a million dollars. I never saw anything myself

that would justify the payment of a half a million dollars for this particular claim and it's my humble personal opinion that if we're going to pay this much and, of course, this goes for a lot of other things paid over the last few years, we're better off litigating these claims than we are settling them in these large amounts of money. But I would vote in favor of it, if it is what the Attorney General wants to do."

The motion was put by Chair and carried, and Stand. Com. Rep. No. 772-82 was adopted and H.B. No. 2559-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PAYMENT OF SETTLEMENT BETWEEN THE STATE OF HAWAII AND DILLINGHAM CORPORATION DBA HAWAIIAN DREDGING AND CONSTRUCTION COMPANY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Abercrombie).

Standing Committee Report No. 773-82 (H.B. No. 2669-82, H.D. 1, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 773-82 was adopted and H.B. No. 2669-82, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EXECUTIVE DEPARTMENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (O'Connor).

Standing Committee Report No. 774-82 (H.B. No. 2679-82, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 774-82 was adopted and H.B. No. 2679-82, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COUNSEL AND OTHER SERVICES FOR INDIGENT DEFENDANTS IN CRIMINAL AND RELATED CASES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Ajifu).

Standing Committee Report No. 775-82 (H.B. No. 2710-82, H.D. 2, S.D. 2):

By unanimous consent, Stand. Com. Rep. No. 775-82 and H.B. No. 2710-82, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LOANS TO SUGAR GROWERS," were recommitted

to the Committee on Ways and Means.

Standing Committee Report No. 776-82 (H.B. No. 2767-82, H.D. 3, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 776-82 was adopted and H.B. No. 2767-82, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 777-82 (H.B. No. 2907-82, H.D. 2, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 777-82 was adopted and H.B. No. 2907-82, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1988-82, H.D. 1, S.D. 1:

Senator Yamasaki moved that H.B. No. 1988-82, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Anderson.

Senator Kawasaki asked if the chairman of the Ways and Means Committee would yield to a question and Senator Yamasaki replied in the affirmative.

Senator Kawasaki asked: "Mr. President, is there a figure as to the revenue loss to the state that is to be the end result of the passage of this bill?"

Senator Yamasaki answered: "No, I don't think I have any figures on the revenue loss."

Senator Kawasaki then remarked and asked:

"Mr. President, my concern is that perhaps this is unequal treatment, particularly in regard to the hundreds of thousands of residential homeowners who have not had the benefit of this kind of \$25,000 out of their gross income...adjusted gross income not being taxable, that he can set aside over the years for the purchase of his first home.

"However commendable this idea may be, what about those people who struggled to pay for their first home or are still paying for their first home and have not had the benefit of this kind of legislation.

"Is there any legal problem that we might encounter in the future because of special legislation like this for a certain category of our population? This bothers me, and for that reason I will not be able to support this bill."

Senator Cayetano then rose to respond to Senator Kawasaki's question and said: "Mr. President, in answer to Senator Kawasaki's question as to the cost, I have a figure of \$1.7 million per year."

Senator O'Connor rose to inquire and remark as follows:

"Mr. President, since Senator Kawasaki rose a rhetorical question, I shall also.

"I am opposed to the bill because I read it as meaning that the first principal residence of all of us, after the passage of this bill, will be covered by the bill. I cannot see how it cannot be interpreted that way and not be discriminatory, and if it is interpreted in that fashion, then the cost of this bill is phenomenal.

"I cannot see any way that we can pass legislation of this nature and not have it applicable across-the-board and have it applied to the first principal residence of each taxpayer after the passage of the bill, and the definition section for first principal residence and the wording of the bill does not lead one to a solution which is contrary to the one that I expressed."

Senator Cayetano then said: "Mr. President, I'd like to have a short recess so I could figure out what Senator O'Connor is talking about."

At 6:53 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 6:58 o'clock p.m.

By unanimous consent, action on H.B. No. 1988-82, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 2070-82, H.D. 1, S.D. 1:

Senator Yamasaki moved that H.B. No. 2070-82, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Anderson.

Senator Campbell rose to speak

in favor of the measure and remarked:

"Mr. President, I rise to commend the chairman of the Ways and Means Committee for a job well done. He has proved to be hard-working, hard-nosed, hard-headed, hard-hitting, hard-bidding, hard-boiled, hard-cast and sometimes hard-mouthed. The record shows, though, that he's been dedicated and fair.

"I have a few reservations about the budget in spite of the fact that I'm going to vote for it. One of my primary concerns is that in this budget we have not adequately funded human services agencies to take care of the mentally ill, the handicapped, bi-cultural, the alienated, and the needy.

"Mr. President, it's a fact of considerable note, in my judgment, that the House has provided approximately \$3 million more for these services than we have done here in this Senate. It is my fervent hope that the issue of providing more funds to our human services agencies will be addressed in conference.

"The cutbacks imposed by the Federal Administration puts a heavy responsibility on this Legislature to do so.

"With those expressed reservations, Mr. President, I urge each of my colleagues to vote in favor of this measure. Thank you."

Senator Abercrombie also rose to speak in favor of the measure and stated:

"Mr. President, I rise in favor of the bill with my annual reservations.

"Approximately a year ago I stood here and stated that the appropriation for the so-called Ft. Ruger School in the University system should not go forward because I was confident that I would stand the following year without a single penny having been spent of that money and not a single step forward taken as far as that school was concerned, except more delays, inevitable delays because of the ill-conceived nature of the project.

"I stand here one year later and I see that my prediction which didn't take all that much to foresee has come true.

"I indicate to you again and to the members that I will be here a year, hopefully, from today, that we'll be exactly in the same situation if we go forward with the appropriation.

"Hopefully, next year we will see

the error of our ways and appropriate sums of money for the community college, commonly known as Kapiolani Community College, which will see to it that we have a new and useful facility for that institution and perhaps even a resolution of the conflict with respect to an extension of the school up at the Ft. Ruger site that does not involve the kind of awesome and burdensome expenses now associated with it, which in my judgment doom the possibility of it ever being started, let alone completed."

Senator Saiki, speaking in support of the measure, responded:

"Mr. President, I'm speaking in support of the budget and speaking in support of that very well conceived plan called the Kapiolani Community College at Ft. Ruger.

"I have before me the implementation plans with the construction date set at November of 1982.

"I guess I am much more of an optimist and a believer than the previous speaker. I recognize all of the problems that bureaucracy has created to some extent in holding this project up to a limited degree; however, I join the Senator in that if I am back next year and things are not moving according to schedule, I assure you that even I will take a second look. In the meantime, I will support this project wholeheartedly and urge them on."

Senator O'Connor, although in support of the measure, stated:

"Mr. President, I wish I could incorporate the speech I gave last year on the budget because it seems that 'deja vu' has struck again in looking at the budget of this year. I don't know why this Senate always seems or has seemed for the last two years to take a position that we must trim grants-in-aid to a point where people who have good projects and good programs bleed for lack of support, but we do.

"Fortunately, last year, most of the wide-sweeping cuts we made in grants-in-aid were restored in conference, but a couple this year are of direct and significant impact and I would recite them and urge that they be restored. One closest to my heart is the Kapahulu Senior Center which has been trimmed of its entire request; others such as the Susannah Wesley Community Center, the Kalihi-Palama Youth Intake Center, the Liliha Library After School Program, the Special Education Center of Oahu, the Adult Day Treatment Center, and most particularly

the one that we've seen nurtured and grow and become really a part of the Makiki community, the Neighborhood Justice Center of Honolulu which has been trimmed entirely from the House position to nothing.

"Some of these things...and I could go on...there are just a raft of them that have been trimmed in excess of \$3 million.

"I would urge that many of these be looked at again. I notice that two of my cohorts, immediately to my right, are appalled at one of the trims, which I am also, and with that reaction I'm sure we may get some of these things back in.

"Really, I think this year some of these grants-in-aid are more meritorious than in other years.

"The other two areas in this budget, Mr. President, that I, although voting for it, am somewhat skeptical of...first of all the emphasis and location of what's supposed to be our new general aviation airport at Dillingham Field.

"Dillingham Field, Mr. President, has been there for use of general aviation for in excess of 20 years that I know. General aviation has not used Dillingham Field. One glider school has used it extensively for some time. If general aviation was going to use it, they would have used it, and use would have dictated additional hangars, additional upkeep for maintenance out there to make the place a more viable airfield. It simply isn't used; hasn't been used except for touch-and-go landing; and any belief that it will be, I think, is a mistaken belief. And I think we're better off putting the general aviation field on Molokai than putting it at Dillingham Field...just a personal belief.

"Secondly, I see nothing in this budget...and the chairman may correct me if I'm wrong...to address the problem that we have with Washington.

"We were told and I believed that at the end of March of this year we would have the bills for the fiscal year '81-'82 passed by Congress which addressed health, education, welfare and those areas. These are four anticipated bills...none of them to my knowledge have passed. We haven't even seen drafts of them. We are still existing on a continuing resolution which was supposed to run out at the end of March and it's still continuing. I'm not sure that there's anything in this budget that addresses that problem.

"The next problem that we have with the budget is that this is the budget for next fiscal year. Of course, Congress in its wisdom hasn't even really come to grips with that budget but we do know that there will be substantial cuts in certain areas. I find nothing in this budget to address the problems that may arise and that we know will arise in those areas.

"Of course, the future based upon President Reagan's anticipated budget and the budget deficits and the cuts in social programs which have been widely broadcast are not addressed.

"I would hope that some of these things may be looked at in conference.

"I'm going to vote for this bill, Mr. President, because there are many things in it that I do support...the things that I mentioned, I cannot. I am also rather taken aback by the fact that we don't have, and I said this last year and I'll say it again this year, hardly any CIP in the Seventh Senatorial District, but I guess that's one of those things.

"Thank you, Mr. President."

Senator Cayetano also rose to speak in support of the bill and stated:

"Mr. President, I'd like to respond to some of the remarks made by Senator O'Connor. I'm not the chairman of the committee which handles the Kapahulu Senior Citizens Center or the Liliha Library After School Project, nor the Neighborhood Justice Center; however, the SECO which is the organization I believe Senator O'Connor refers to, their grant application was in my committee, and we have a policy to approach the grants cautiously for some of the reasons mentioned by Senator O'Connor himself.

"But, with respect to SECO, we have not shut them out. It's true that we did not grant their application because they were a new program, but we put money in the health budget for Waimano Home, I believe it was, which would enable the Health Department to purchase services from SECO. So, that is an arrangement that they can work out together.

"Now, regarding the general aviation airport, let me say that I think general aviation should be happy to get Dillingham Field.

"Recently, in the Honolulu Advertiser, I found the remarks of a Federal Aviation administrator very, very interesting. The gist of his remarks was something

like this.

"He said, you cannot force general aviation out of Honolulu International Airport because you cannot discriminate against classes of aircraft unless the airport is considered unsafe, and to directly quote this man, he said, 'FAA does not consider Honolulu International Airport unsafe.'

"If that's the case, maybe we shouldn't build an airport at all. If the FAA does not consider Honolulu International Airport unsafe, then why should we consider Honolulu International Airport unsafe. If the FAA considers Honolulu International Airport unsafe, it would begin to discriminate against classes of airplanes by excluding certain classes, namely, general aviation classes of airplanes.

"The Fourth Senatorial District, Mr. President, has more than its share of airports. We have Honolulu International Airport; we have an airport at Barbers Point, a military airport; we also have one at Dillingham Field; we have another one at Wheeler Field. We're carrying quite a load and I think our people are not resistant to the idea of building another airport, but I think Dillingham Field should be sufficient. Poamoho would take some very valuable agricultural land; moreover, it would open up that entire area, which is pristine at the present time, to urban sprawl. That is why we are opposed to it.

"The Department of Transportation, I think the Ways and Means Committee makes reference to this, can take many steps to curtail the growth of general aviation. It can begin to charge more reasonable fees for hangar space. It can begin to limit the number of tied-on spaces that we have available at Honolulu International Airport. Moreover, those who are crying for another airport are relying on growth figures for general aviation which I think are somewhat outdated.

"The Kentron report, which is kind of the Bible in this whole issue, once projected that if general aviation traffic was to grow at its present rate, and this was in 1977 that the report came out, I believe, that we would need two airports. We could build one tomorrow and we would need another one by 1995.

"Since that Kentron report came out, a lot of things have happened. For example, the student pilot enrollment at Honolulu International Airport has dropped by about 30%, and the reason

for this is because the veterans' benefits have run out, and veterans are no longer using the benefits to learn how to fly. Another reason is just the general state of the economy.

"It is simply becoming more and more expensive to fly. Gasoline, I don't know if they use gasoline, but fuel is becoming more expensive. Everything is becoming more expensive and the state of the economy itself has acted as a depressant on the growth of general aviation at Honolulu International Airport.

"Finally, there is the impact of deregulation, and also the impact of the air controllers strike.

"Actually, the situation at Honolulu International Airport has improved. Our traffic has been reduced, as I understand it, to the levels it was in 1975. So, I think a good case can be made for not building an airport at all at the present time. But, I'm willing to compromise. I hope other people in this Senate are willing to compromise. As far as I am concerned, Dillingham is sufficient.

"Now, what bothers me about the FAA... I'll wrap up my remarks now on the airport... is that in that same article that I mentioned this fellow from the FAA made the remark that he thought Dillingham was too far; it was not reasonably convenient, if you can believe that. Poamoho, he said, would be reasonably convenient.

"Those of us who live and intend to die here... I think we're pretty familiar with the island... I don't know where this guy comes from; I think his stay here is quite temporary... but we all know, Mr. President, that it is not too much farther to Dillingham than it is to Poamoho. So, while I feel for the pilots, I suppose they may have to spend a few more dollars driving out to Dillingham Airport in Mokuleia... I think it's better than us putting an airport in Poamoho, taking valuable agricultural land and putting that added burden on that community out there of having two airports, one at Wheeler and the other one, which would be at Poamoho, virtually less than ten miles apart. That's too much a price or burden to ask any community to bear."

Senator George, speaking in favor of the bill and responding to the previous speakers' remarks, stated:

"Mr. President, if I may address myself to the question of the general aviation airport and to the remarks of the two previous speakers, I think it's important for us to remember that

we don't...I'm speaking in favor of the budget, I beg your pardon, Mr. President. I've no intention of voting against the budget. I intend only to remark in somewhat rueful way about the item which appears on page 19 of said budget.

"An airport, a reliever airport or any other kind of airport is not built for today. An airport is built for predicted future needs, I think I'm most certainly not an expert...I've learned a little bit more about airports and reliever airports in my services as chairman of your Committee on Transportation, Mr. President, but I am most certainly still not an expert.

"I think, for me, the most convincing argument that some place down the line and probably fairly soon we're going to need another airport. A reliever airport is rooted in the very interesting premise that the users, those who contribute to the airport special fund, which is airport industry as well as those who use the airport in other ways, the concessionaires and so on, they are willing to pay for it. They're so eager to get general aviation out; to get somebody out into some place that will satisfy the FAA requirements that they are willing to pay for it. They're even willing to pay \$20 or \$25 million for it, and that to me is a statement of very real concern.

"Some place down the line and some place pretty soon we're going to have to have it.

"As long as the FAA gentleman has been quoted, perhaps it's important for me to say that the FAA is after all one of the authorities that is a policeman for us, and I'd like to send up a red signal flag. I'm not going to talk about Poamoho. I'm not going to talk about Bellows. I'm not going to talk about Wheeler, although we've shed a lot of tears and a lot of blood over all those places.

"What I am going to talk about is the...maybe I'd like to set up a signal flag that we don't march too swiftly down the path toward a reliever airport at Dillingham because a very strong signal has been sent to me and, I believe, only recently to the chairman of the Ways and Means Committee, that we may find ourselves in violation of the grant agreements which we signed at the time that Honolulu International Airport was constructed.

"We constructed that airport partly with the assistance of federal funds. In order to receive those federal funds

to pave those runways to accommodate our aircraft industry which feeds our tourist industry and which is terribly important to us, we signed agreements that said the FAA would be the arbiter and the one to say, if it became too crowded, who would move out and where they should move.

"I urge that we not move too swiftly towards implementation of this particular item. Thank you, Mr. President."

Senator Yamasaki also spoke in support of the measure and stated:

"Mr. President, I would like to also discuss this subject on the general aviation field which was referred to by the first two speakers.

"In regard to a communication that the chairperson of the Transportation Committee received and also a copy of which was sent to me, the communication refers to the question raised by the Department of Transportation on the subject of the general aviation field, naming of the general aviation field at Dillingham Field, and the FAA has responded in a letter dated April 5th. It is to the Deputy Director of the Department of Transportation and the Director of the Department of Transportation has transmitted a copy of the communication from Washington to the Ways and Means Committee.

"The letter states that the FAA does not consider Dillingham Airfield capable of functioning as a reliever airport.

"This is going to be a public matter anyway, so I thought that I should make this matter known to everyone in this body because we already have a decision to name Dillingham Field as the reliever general aviation airfield. When we take this subject matter to conference we will have to consider the question raised by the federal people.

"Thank you."

Senator Cayetano then asked if the chairman of the Ways and Means Committee would yield to a question and Senator Yamasaki replied in the affirmative.

Senator Cayetano asked: "Mr. Chairman, do you have the letter in front of you? Will you state to the Senators here the reason the FAA does not consider Dillingham Field appropriate?"

Senator Yamasaki answered: "Mr. President, I'd like to read the letter from H.C. McClure, Director, FAA, Western Pacific Region, to Mr. Jonathan

K. Shimada, Deputy Director, Department of Transportation, as follows:

'Dear Mr. Shimada:

Your letter of March 31, 1982 to Mr. Shea concerning a general aviation reliever airport for Honolulu International Airport (HIA), has been referred to this office for reply.

The Federal Aviation Administration (FAA) does not consider Dillingham Airfield capable of functioning as a reliever. Due to capacity limitations in addition to its location, it would not be able to provide the operational capabilities necessary to relieve HIA.

The primary function of a reliever airport is to provide the general aviation user with a suitable alternative to the airport to be relieved. A major consideration in determining suitability is that reasonable surface travel time be provided for the majority of potential users. We consider a surface travel time of 30 minutes or less as reasonable. Any travel time over 30 minutes seriously lessens an airport's ability to function as a reliever. The joint-use facilities at Dillingham do not meet this criteria.

If the State of Hawaii prohibits use of HIA by private light general aviation aircraft and those facilities which serve these aircraft, without providing a suitable alternative, the State would be in violation of the terms of its grant agreements with the FAA.

If found to be in violation of its grant agreements, the following actions could be taken by the FAA:

1. Suspend or cancel all FAA controlled programs presently provided.
2. Discontinue programming additional grant-in-aid projects.
3. Institute suit to enjoin certain practices or for specific performance.

We trust this satisfies your inquiry.

Sincerely,

H.C. McClure
Director"

Senator Cayetano further remarked:

"Mr. President, I've been through this before with the FAA and let me say that as far as I'm concerned this letter is another outrageous example of how the Federal Government deals with the states.

"Basically, the opinion stated in the letter read by Senator Yamasaki deals with the question of something that's reasonably convenient. They're talking about distance and travel time. As far as I'm concerned I don't want to see this state bow to an arbitrary type of decision set by some bureaucrat in Washington that tells us that we can't put a general aviation airport at some place that it takes 35 or 40 minutes to drive to and we can put another one in Wahiawa or some place like that because it only takes 30 minutes to drive to. That is totally unreasonable. It's ridiculous and it's outrageous. It's another example of how the Federal Government puts its foot on our necks here in the State of Hawaii.

"Now, if the FAA has not declared, does not feel that HIA is unsafe, as far as I'm concerned, there is no danger...no danger in the sense that all of the newspapers and the performance of the second general aviation airport have been talking about.

"I don't think we have to build another airport at this time.

"I've talked to pilots including one who is a member of this Senate. He doesn't believe a second general aviation airport has to be built at this time.

"If we want to be doomed to our fate in terms of accepting the projected growth of general aviation airport, then we deserve to be faced with this problem year after year after year. But, if we want to do something about it, then we can do as this Senate has stated in the budget...we can take those steps by limiting the number of spaces at HIA. We've done it in the boat harbors.

"We can start to charge fees which will make it expensive for people to fly in and out of HIA. And once we do all of these things, then the economic forces will take its toll and people will be moving to wherever the second general aviation airport will be built."

Senator George responded to the previous speaker's remarks and stated:

"Mr. President, just one additional small comment in response to the remarks of the previous speaker.

"I think in paraphrasing what we have just heard in this letter, he referred to only one of the two reasons that was cited by the FAA which was convenience and the second one which was referred to very distinctly in this was capacity.

"The FAA does not feel that Dillingham

has the capacity to handle any substantial portion of general aviation or any other kind of traffic beyond its present construction. Thank you."

Senator Cayetano then responded as follows:

"Mr. President, one final note on this.

"The Senator from the Third District is correct. I only referred to one of the elements. But the second ground mentioned by the FAA is based on projections in general aviation which has been used and outdated. It's like the Honolulu Rapid Transit System that we were trying to build here at one time. Outdated population figures were used until somebody decided to check on those figures and decided those figures were indeed outdated and that project no longer exists.

"Now, if the FAA is willing to re-evaluate the data that it's using to support its position, then I think it may be in for a pleasant surprise."

Senator Kuroda then stated:

"Mr. President, I'd just like to enter this discussion inasmuch as I also have an interest in this matter of aviation.

"With reference to the second word which was used, capacity, I think to understand what capacity means...it means the space available, landing strip, runways, and areas for supportive facilities. Dillingham has plenty of that.

"If the FAA is making reference to capacity with regard to aviation activities, the FAA is correct that the aviation activities don't exist. However, when we designate Dillingham as a general aviation field and light aviation does utilize the place, then there is every reason for FAA to now seek federal funds and with the support of some state funds provide resources and facilities.

"Now, we all know that Molokai Airport for many years used to be operated through our Honolulu radio. In other words, whenever aircraft lands or takes off from Molokai Airport, the pilot talks to the air controller on Diamond Head who is on Honolulu radio on a certain frequency. Until such time that Molokai Airport began to have more aviation activities did the FAA take steps to provide certain resources. This is also true of Keahole. Therefore, as the airfields are used, FAA responds, if resources are provided.

"I support the statements made by my good colleague from the Fourth Senatorial District. Those of us with interest in the Fourth Senatorial District feel that Dillingham is an appropriate place.

"Now that I have the floor, I'd like to make reference to the fact that we need to call our attention to a very recent tragedy in the town of Wahiawa.

"As a result of turbulent winds, cyclonic winds, a tornado passed through there...if you will recall, last year about this same time, atmospheric conditions caused a tornado to go through Palisades. I make reference to Palisades, Pearl City Palisades, I make reference to Poamoho.

"Poamoho is 800 feet above sea level. Pearl City Palisades is approximately 600 feet above sea level, and whenever we have certain atmospheric conditions, areas in Wahiawa become a very bad place for aviation activities.

"If you look through the information that can be made available, the Wheeler Field activities have undergone much damage through the years because of atmospheric conditions that occur every now and then. Poamoho is very vulnerable to that type of activity.

"I think that the choice of Dillingham is a good one."

Senator O'Connor then stated:

"Mr. President, I guess I initiated this by saying that I didn't think Dillingham was such a crack-a-jack place to have a reliever airport, and I will end on that note.

"The word capacity also includes other matters. It includes prevailing wind and the ability of pilots to use a field because of prevailing winds. Dillingham was built as a fighter strip during World War II. The prevailing wind comes from the ocean, across the field.

"To make an adequate field of it, there would have to be a strip built into the prevailing wind which could also be used when that prevailing wind turned, as it often does, 180 degrees and blows the other way. The wind at Dillingham today never blows up and down the strip; it blows across the strip.

"I could tell you an interesting story about when I soloed out there, but I won't do that because it wasn't too happy, but, nevertheless, to build such

a strip at Dillingham, into and out of the wind, we'd have to move a portion of the Waianae mountains. I think the capacity has something to do with that and I don't believe we're about ready to move the Waianae mountains to build an adequate reliever strip at Dillingham.

"Thank you, Mr. President."

Senator Henderson also added his remarks and stated:

"Mr. President, if I might state a current case.

"I happened to land an airplane yesterday at Honolulu International Airport and there was a 50-degree crosswind on fore right, and I don't think that a crosswind landing in today's aircraft is something that is that bad, frankly."

Senator Cobb then rose to remark on the bill and stated:

"Mr. President, getting away from aircraft and dive bombers, very briefly, I guess the discussion is a parochial one depending on whose ox is getting gored. I'd like to turn parochial for a minute and direct our attention to the project in the Seventh Senatorial District, euphemistically called Kapiolani Community College.

"I recall hearing a year ago when the President of the University of Hawaii testified publicly before our committee that the increase in parking and traffic and the increase in the number of students would require a considerable improvement in the road system...all four roads bordering the college...and that it would be the state's responsibility, not the city's I reiterate, the state's responsibility to pick up the tab for those kinds of improvements.

"When pressed further with questions as to when that tab should be picked up he indicated, obviously, in the early phases of the college development, either phase 1 or phase 2.

"I see now appropriations putting us well into phase 1 and not one word mentioned relative to the cost of road improvements or the state's meeting its obligation, or any ceiling on the number of students that would be at Kapiolani Community College at Ft. Ruger and would be impacting on the surrounding community.

"Like my colleague from the Seventh Senatorial District who serves as the chairman of the Higher Education Committee, I'm going to be watching for

this very closely next year because if there is no progress on this issue, I intend to bring the whole matter up again."

Senator Campbell then rose to inquire:

"Mr. President, the remarks of the previous speaker force me to rise and ask the chairman of the Higher Education Committee a question because I'm confused at this point as to who is responsible for the improvement of the roads, whether it's the state or the City and County of Honolulu.

"I thought at the hearing of the Ways and Means Committee, at which time the issue was thoroughly discussed, that it was the city and county's responsibility for those improvements and I'd like to have the chairman of the committee at least clarify this for me?"

The Chair asked the chairman if she would yield to the question and Senator Saiki replied that she would.

Senator Saiki answered:

"Mr. President, before I address the question, the whole matter of the roads that abutt KCC, a subject fully discussed in my committee on Higher Education at the time that the CIP budget was put on public hearing, . . . and we missed you, Senator Cobb. . . as far as the Ways and Means Committee meeting was concerned, an overview of the CIP budget was presented and it was a conclusion of the University that in the first phase of the project, which will involve two academic buildings in that area, it will not be necessary at this time to increase the capacity of the roads that abutt KCC at Ruger. The primary responsibility of those roads is the responsibility of the city and county.

"Now what Senator Cobb is referring to is improving the portion of the road that is directly part of the campus, and that includes the sidewalks, for instance, on Kilauea Avenue. That matter is being considered for future appropriations, but for the first phase which we are addressing in this budget the roadway capacity will not be affected."

Senator Cobb then stated:

"Mr. President, last year's comments of the President of the University of Hawaii, if he is backing off from that position relative to the state being responsible not just for the sidewalks, but for the four surrounding roads immediately abutting the campus of KCC, I would have great difficulty supporting any improvement or construction costs for

that campus, particularly if there's been a change in his position from the public testimony of last year."

The motion was put by the Chair and carried, and H.B. No. 2070-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR THE FISCAL BIENNium JULY 1, 1981 TO JUNE 30, 1983," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 7:39 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:15 o'clock p.m.

House Bill No. 2090-82, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 2090-82, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 2201-82, H.D. 2, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, H.B. No. 2201-82, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Uwaine).

Standing Committee Report No. 782-82 (H.B. No. 2336-82, H.D. 2, S.D. 2):

Senator Yamasaki moved that Stand. Com. Rep. No. 782-82 be adopted and H.B. No. 2336-82, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Anderson.

Senator Kawasaki spoke against the bill and stated:

"Mr. President, I'm voting against this bill. It seems to me that an industry that's been in existence over a century now most certainly should on its own resources, have been doing constant research without requiring at this late stage in year 1982, any government subsidy for research in sugar.

"I think this is absurd, and for that reason I'm going to vote against it."

Senator O'Connor then stated:

"Mr. President, I guess the concern all of us have is whether or not this research will benefit Hawaii or benefit Peru or Chile or the Philippines or all those other places that have benefited from our research in the past."

Senator Anderson then remarked as follows:

"Mr. President, to that point, I had a couple of notes on that very subject and I would like to enter into Journal that I believe from all the discussions that Senators had on this and its willingness to help, that the research that is done pertains to the Hawaii problem and better productivity as to growing sugar on Hawaiian land and not delving into the area where we might in fact be helping a foreign country to be our competitor in the years down the road."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 782-82 was adopted and H.B. No. 2336-82, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SUGAR RESEARCH AND DEVELOPMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Abercrombie and Kawasaki).

House Bill No. 3139-82, H.D. 2, S.D. 1:

By unanimous consent, H.B. No. 3139-82, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST A PROCESSING ENTERPRISE," was recommitted to the Committee on Ways and Means.

House Bill No. 3092-82, H.D. 1, S.D. 1:

Senator Carpenter moved that H.B. No. 3092-82, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cayetano.

Senator O'Connor spoke against the bill and stated:

"Mr. President, this bill has to do with the Reapportionment Commission, and as I understand the effect of the change, the heart and soul of the matter is to attempt to require courts which review reapportionment plans to put back into the Reapportionment Commission the plan if it is invalidated.

"I would suggest that the usual circumstance of review of reapportionment plans rarely lends itself to that situation. The review is made on constitutional grounds...at least all reviews that we've ever had in the United States reapportionment plans...and the federal court maintains jurisdiction of the review until such time as the court resolves the matter.

"The court, historically, has either appointed a master or itself has reapportioned a plan which itself, for some reason or another did not fit the constitutional standards.

"I would suggest that this change which is proposed by this bill essentially is meaningless. I will vote against the measure."

Senator Carpenter, in support of the measure, remarked:

"Mr. President, I just would like to read a very short section in Article IV on reapportionment which prompts this bill.

"In Section 2 regarding the Reapportionment Commission, one of the paragraphs, about the third or fourth one down, reads: 'Not more than one hundred fifty days from the date on which its members are certified, the commission shall file with the chief election officer a reapportionment plan for the state legislature and a reapportionment plan for the United States congressional districts which become law after publication as provided by law. Members of the commission shall hold office until each reapportionment plan becomes effective or until such time as may be provided by law.'

"Mr. President, this bill attempts to provide that by law. Thank you."

Senator O'Connor then further remarked:

"Mr. President, I would suggest that the bill is not required. No reapportionment plan becomes effective and is law until the federal court, if it is taken to a federal court, so decides.

"And if the federal court decides that the plan is not effective and is not law, then this Reapportionment Commission of ours can be reconvened to re-do the plan. Unfortunately, in the last go-around we just had in federal court, the court decided to go with the master rather than the Reapportionment Commission for purposes of its own.

"The Constitution is plain and can mandate the commission to come back

into effect if the plan is not effective or legal after review by the court. We don't need this bill."

Senator Cayetano supported the measure and stated:

"Mr. President, I was privileged to be at the meeting with the counsel for the Reapportionment Commission and the Lt. Governor, and this bill was suggested by the counsel, Mr. Funaki, as a safety measure, so to speak, to deal with the question raised by Senator Carpenter. That's all it is."

The motion was put by the Chair and carried, and H.B. No. 3092-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (O'Connor).
Excused, 1 (Campbell).

House Bill No. 2022-82, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, H.B. No. 2022-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEFERRED ACCEPTANCE OF NOLO CONTENDERE PLEAS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (O'Connor).

House Bill No. 2640-82, H.D. 1, S.D. 1:

Senator Carpenter moved that H.B. No. 2640-82, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cayetano.

Senator O'Connor remarked: "Mr. President, just to make a point, the title of this bill is 'Relating to Aloha Stadium' and the content is vastly larger than the title."

The motion was put by the Chair and carried, and H.B. No. 2640-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALOHA STADIUM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 3016-82, H.D. 1, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and

carried, H.B. No. 3016-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BIRTH CERTIFICATES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2190-82, H.D. 1, S.D. 1:

Senator Cobb moved that H.B. No. 2190-82, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Uwaine.

Senator Campbell then asked if the chairman would yield to a question and Senator Cobb replied in the affirmative.

Senator Campbell asked: "Mr. President, the purpose of this bill is to allow open rating system for determining no-fault insurance premium due to expire August 30, 1983 to become permanent. Mr. President, I have one or two questions I'd like to put to the chairman of the Consumer Protection Committee.

"The first question I'd like to put to the chairman is, when the Hawaii no-fault insurance law was proposed, did not the insurance companies say that they could provide insurance to welfare recipients at no cost under the Hawaii Joint Underwriting Plan?"

Senator Cobb answered: "That was my understanding although I've always opposed that provision and have made numerous attempts to repeal it, as well as several successful attempts to modify it."

Senator Campbell further inquired: "Are the companies now providing that service?"

Senator Cobb answered: "Mr. President, welfare recipients receive premiums at no charge today. The estimated cost to the motoring public is computed to be between \$3 and \$5 per premium, per six months."

Senator Campbell asked: "Is that under the Hawaii Joint Underwriting Plan?"

Senator Cobb answered that it is.

Senator Campbell then asked: "Did the House bill, prior to the Senate draft, provide for permanent extension of the open rating period?"

Senator Cobb answered: "Mr. President, the House bill as it came over provided

for a five-year period and in committee we received considerable testimony, including from the Department of Regulatory Agencies, that the open rating was working quite well and our committee made the decision to make it permanent. If the House disagrees, it will be a matter of conference."

Senator Campbell then rose to speak against the measure and stated:

"Mr. President, I stand at this point in opposition to this bill. Mr. President, I think it's about time some of us in public office come to the rescue of the beleaguered automobile owner.

"Let's have a quick look at what has happened to the no-fault insurance consumer.

"Number one, as an incentive to get no-fault automobile insurance passed, insurance companies promised to give, the chairman of the committee stated, the welfare recipients all the insurance at no cost, but we have found that this has been a considerable cost and the cost has been passed on to non-welfare recipients.

"Secondly, in the beginning the no-fault insurance law provided for an open rating period. I think, for three years... that was the beginning. And during that period the state insurance commissioner had the responsibility to evaluate the program and if insurance rates were going up unduly, according to law, he had the responsibility to set the rates.

"In spite of the fact that auto insurance rates did go up during that period, the Legislature was persuaded to increase the open rating period from three years to five years.

"Number three, the bill before us tonight now purports to extend that open rating period indefinitely.

"Number four, the state has tightened no-fault insurance regulations.

"On or about February 15, 1978, an insurance company appeared before the Consumer Protection Committee and made the following statement: 'Every driver cited for a moving traffic violation should be required to show proof that a no-fault auto policy was in force at the time of the traffic violation otherwise be subject to a minimum fine of \$100, with a higher fine for a second and subsequent similar violations. Present enforcement procedures are inadequate and unrealistic.'

"Now, Mr. President, within a few

months this Legislature had responded. And in an article in the Honolulu Advertiser dated August 23, 1978, I quote: 'Drivers caught without insurance will face a fine of at least \$100 and loss of their driver's license, suspension of car's registration, even impoundment of their car,' said David Ishikawa, the State Motor Vehicle Insurance Commissioner.'

"Number five, the cost of insurance is not stabilized.

"According to a report prepared by the National Conference of State Legislatures and I quote the report: 'States with no-fault law generally report that their systems are working well, but increases in premium rates are creating problems. The key factor behind passage of no-fault laws in some states was a promise that insurance premiums would be reduced. Some states even mandated rate reduction in their no-fault laws. But these reductions were recouped by insurance companies after the first year of no-fault.'

"Further along those lines, Mr. President, the Hawaii Insurance Commissioner in a report to the Legislature, Regular Session of 1981, made the following statement: 'One of the primary concerns of the Motor Vehicle Insurance Division, as well as all customers, is the ever-increasing cost of motor vehicle insurance.'

"And going back to the report of the National Conference of State Legislatures, it said, 'Many complaints are made about auto insurance, but the main complaint though is high cost of auto insurance. There are also complaints about unfair cancellation of policies, increasing a person's insurance rate even though the person may not have had an accident.'

"Now, Mr. President, let me wind up by simply saying that I have some grave concerns about the bill that's now before us. My first concern is that the open rating period is to expire August 30, 1983. That's a year away. What's the rush? Why are we addressing this problem as early as this year, 1982?

"My second concern, why are we permanently extending the open rating period before the insurance commissioner has a chance to evaluate the present rating period to see if it's necessary for him to take any further action?

"Mr. President, the least we should do, in my judgment, is recommit this bill for some revisions, thereby giving

the insurance commission an opportunity to evaluate the no-fault insurance for this current period. And if this is not the sentiment of this body, I strongly urge that we vote this measure down. Thank you."

At 8:33 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:35 o'clock p.m.

Senator Cobb then rose to respond to the previous speaker's remarks and stated:

"Mr. President, perhaps the previous speaker was not present when we had a report from the insurance commissioner and the Department of Regulatory Agencies. In fact I'd like to quote their testimony on this matter:

"During the second half of 1981, we requested our consultant actuary, Tillinghast, Nelson and Warren to conduct a study evaluating the open rating system and to prepare recommendations with regard to the August 31, 1983 termination date. A copy of the consultant's study report, dated September 1981, is included in our annual report to the 1982 Legislature.'

"I'd like to point out also some of the associated costs that have been borne by insurers in the State of Hawaii under the no-fault system.

"To date, approximately \$16 million has been paid out to welfare recipients for free insurance.

"To date, there's still a dollar per car fee for each year amounting to millions more.

"Third, that there's free insurance for any member of the public who is struck by a car where no automobile insurance is carried.

"Fourth, the assumption of a loss of revenues by the state when the gross excise tax on the agent's income including life agents was reduced. I believe that happened in 1978 and they are at least beginning to admit in one area the error of their ways.

"Finally, Mr. President, I'd like to address the question of rates and what's happened to them.

"The Motor Vehicle Insurance Commissioner in his annual report to the Legislature has stated that the great majority of rate increases have resulted from increases

in property damage claims, which is not, I repeat not, under the no-fault concept.

"If you look at what's happened in terms of insurance rates and compare that to either the rate of inflation, the increase in hospital costs, the increase in medical fees, the increase in virtually anything else that's covered, you'll find that the rate increase has been less than those items of increase over the last ten years.

"I think this is a responsible bill and should be voted up."

The motion was put by the Chair and carried, and H.B. No. 2190-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MOTOR VEHICLE ACCIDENT REPARATIONS ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Campbell, Kawasaki, O'Connor and Ushijima).

House Bill No. 2933-82, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator Uwayne and carried, H.B. No. 2933-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTEREST ON CREDIT CARDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. No, 1 (Kawasaki).

House Bill No. 2154-82, H.D. 1, S.D. 1:

Senator Carpenter, moved that H.B. No. 2154-82, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator Campbell then rose to speak against the measure and stated:

"Mr. President, I rise reluctantly to speak against this bill. I'm in favor of compulsory school attendance, and I'm certainly in favor of supporting the proper agencies responsible for seeing to it that our students attend school regularly. I do have some concerns about this bill that traces the kind of difficult responsibility on the parent or the guardian who fails to use what is called 'proper diligence' in enforcing the child's regular attendance at school.

"I think this bill which provides

that the parent or guardian be summoned to court after it's proved that the parents have not used 'proper diligence' to enforce the child's regular attendance at school, but the problem that I have with that, Mr. President, is that in looking at the bill, and I must admit I didn't do it that carefully, but in looking at the bill I fail to see that the bill defines what is 'proper diligence.'

"Is 'proper diligence' spanking a youngster if he doesn't attend school regularly, withholding his allowance, or punishing him or her in some other way? I think that term, those two words 'proper diligence' should be defined.

"Now, the intent of the bill, as I said before, is good, but if it's enforced, in my judgment, I think you will have the tendency to cause some problems between parents and their children. The pressure put on parents to force their youngsters to attend school regularly, in my judgment, will be so great that it would result in negative relations between parent and child.

"Now, the last thing I want to mention about this is the person responsible for reporting truancy should be well defined. In looking at the bill, it seems to me that anyone can make that complaint.

"With these reservations, and if they are not cleared up, I'm going to have to vote against the measure."

Senator Kawasaki spoke in favor of the measure and stated:

"Mr. President, I'm speaking in favor of this bill, but I too am a little concerned about the enforcement provision of this bill.

"Kids nowadays grow so fast and they grow to such sizes...taking an example of a family who doesn't have a father, oftentimes the mother is in no position to enforce anything on a child who's almost, generally, bigger than she, and I just wondered if imposing this kind of sanctions on a parent who means well, would like to force the child to go to school, who can't handle the kid primarily because of the size of the kid and the kid wasn't disciplined in his younger years, what's going to happen to that poor parent, particularly a mother of a family?

"I think we're going to create some difficulties for people like that, and as I said, who mean well, who want to enforce certain requirements on the kid, who's just not able physically to force the kid to go to school. I

think it's going to cause problems that we never anticipated and I just wondered if this bill addresses that problem."

Senator Carpenter, in support of the measure, responded and said:

"Mr. President, I think it will cause some problems and I think that those problems will be handled by the Family Court and I think it will cause some embarrassment to parents who cannot and do not exercise proper and due diligence in the handling of their children, and I think that's where it's going to end up.

"Hopefully, the Family Court can prevail upon the child, if he is an errant one, and the parent to become a lot more responsible toward each other."

The motion was put by the Chair and carried, and H.B. No. 2154-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMPULSORY SCHOOL ATTENDANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Campbell, Cayetano and O'Connor).

House Bill No. 2175-82:

On motion by Senator Henderson, seconded by Senator Yee and carried, H.B. No. 2175-82, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

At 8:45 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:46 o'clock p.m.

MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

THIRD READING

House Bill No. 2377-82, H.D. 1, S.D. 1:

Senator Carpenter, moved that H.B. No. 2377-82, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator O'Connor spoke against the measure and stated:

"Mr. President, I'm going to vote

against this bill. Lord knows we're all in favor of the right to farm, and I think that the right to farm is something that we should all espouse just like motherhood.

"The problem with this bill is that it gives rights to farmers which exceed the rights of the rest of the citizens, and all of us in our districts have 'ag' zoned property right up against residential property. This prevents the people in the residential property when someone in the 'ag' zoned property creates an obvious nuisance doing anything about it.

"I for one believe that for our neighborhoods you should be able to do something about it. You should be able to control the use of 'ag' property which is in the immediate neighborhood of suburban housing areas, and if there is a major nuisance created, then there should be some recourse.

"I think that the section of this bill that prevents that recourse would be wrong and that really has nothing to do with the right to farm. Therefore, I would vote against this measure."

Senator Cayetano also rose to speak against the measure and stated:

"Mr. President, I join Senator O'Connor in voting against this measure.

"First let me say, because of his effort in the past few days, the agricultural community should build a shrine to Senator Ajifu. This bill has to be the top of them all.

"All kidding aside, on page 3 of this bill under Section 4 where it says, 'right to farm' if you read under 4, subsection 1, 2 and 3, you get the impression from reading that is that a farming operation which qualifies under this bill is totally immune to all of our laws regarding nuisance. However, what Senator Ajifu gives the farming community in 1, 2 and 3, he appears to take away in 4, which seems to move everything back to square one again.

"It's difficult to figure this out.

"Then, to add insult to injury, he provided in Section 5 that, 'where a nuisance complaint or action has been filed against a farming operation, the farming operation may appeal to the department of the attorney general for public counsel.' Terrific, Ralph!"

Senator Carpenter then remarked:

"Mr. President, recognizing some discussion on item 5 there, I have had

some discussions with the House Judiciary Committee chairman, and we're in some agreement that that part ought not to be there at all. We'll discuss that in conference."

Senator Ajifu then said: "Mr. President, just a comment that I have no objection to that part."

The motion was put by the Chair and carried, and H.B. No. 2377-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII RIGHT TO FARM ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 7 (Anderson, Campbell, Cayetano, Holt, O'Connor, Saiki and Ushijima).

House Bill No. 3143-82, H.D. 2, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, H.B. No. 3143-82, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Anderson, Cobb, George, Wong and Yee).

Standing Committee Report No. 678-82 (H.B. No. 2349-82, S.D. 2):

Senator Yamasaki moved that Stand. Com. Rep. No. 678-82 be adopted and H.B. No. 2349-82, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Anderson.

Senator O'Connor then rose to request the chairman of Human Resources Committee to yield to a question and Senator Uwaine replied that he will not.

Senator O'Connor remarked: "Then, Mr. President, I will make my question rhetorical.

"This Section 88-107 has to do with interest which is referred to in the bill and it starts out by saying, 'The board of trustees'...we're talking about our Retirement System and the use of the interest income from the Retirement System which traditionally has been used by the board of trustees.

"One of the major controversies in the Retirement System is the balance of the income which is gone with the general fund, and the question is, how does this bill affect that, if at all?

"The statement in the beginning of the bill says, 'The board of trustees shall annually allocate the interest and other earnings on the assets of the system to the funds of the system.'

"I read that to say in rather clear, plain English that the interest income and the other income from the assets of the system are allocated to the funds of the system, in which case, Mr. President, this solves a long, burning controversy in this body that certainly is not anything that's referred to in the bill.

"If that's what the bill says, I will vote against it. If that's not what the bill says, I will vote for it. In any event, I read it to say what it says and I will vote against it."

At this time, Senator Uwaine requested the Chair for a short recess.

At 8:51 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:56 o'clock p.m.

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 678-82 was adopted and H.B. No. 2349-82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes.

Ayes, 25. Noes, none.

House Bill No. 2150-82, S.D. 1.

By unanimous consent, H.B. No. 2150-82, S.D. 1, entitled: "A BILL FOR AN ACT AMENDING SECTION 142-12, HAWAII REVISED STATUTES, RELATING TO PENALTIES," was recommitted to the Committee on Agriculture.

At this time, Senator Ajifu explained that the recommitment was requested because of a typographical error of the effective date of the bill which should read January 1, 1983 rather than January 1, 1982.

House Bill No. 2170-82:

On motion by Senator Cayetano, seconded by Senator Carpenter and carried, H.B. No. 2170-82, entitled: "A BILL FOR AN ACT RELATING TO SMOKING IN PUBLIC PLACES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 13. Noes, 12 (Ajifu, Anderson, Campbell, Carpenter, Cobb, Holt, Machida, Mizuguchi, O'Connor, Toyofuku, Saiki and Ushijima).

House Bill No. 2318-82, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, H.B. No. 2318-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTAKE SERVICE CENTERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 8 (Abercrombie, Campbell, Holt, Machida, Mizuguchi, O'Connor, Toyofuku and Ushijima).

House Bill No. 2270-82, H.D. 1, S.D. 1:

Senator Cobb moved that H.B. No. 2270-82, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Uwaine.

Senator Campbell spoke against the measure and stated:

"Mr. President, I made remarks this morning concerning this. I would like to reiterate that this measure seems to further tighten the screws on the insurance consumer.

"I am positive that this body does not want to go on record as being totally anti-consumer when it comes to auto insurance and I urge a 'no' vote on this bill."

Senator Cobb, in response, stated:

"Mr. President, in direct rebuttal, I'd like to quote the testimony of the Department of Regulatory Agencies' Insurance Commissioner on this particular bill.

"The purpose of the bill is to clarify statutory provisions relating to the cancellation of nonrenewable no-fault policies. The insurance industry is concerned that recent circuit court decisions have interpreted Hawaii Revised Statutes 294-9, when read in conjunction with Hawaii Revised Statutes 431-448.1, in such manner that a no-fault policy which has expired is considered to be automatically renewable on a retroactive basis even if renewal notices were previously sent by the insurer and the policyholder failed to remit appropriate premium payment prior to the expiration of the policy. In view of such court decisions there is concern within the industry that in those instances where a policyholder failed to respond

appropriately to an insurer's renewal notice by the expiration date of the policy cancellation, notices must then be sent. This, of course, would have the effect of providing 30 days free coverage to a delinquent policyholder, thereby, potentially affecting the rates of the other insured motoring public.'

"I would ask, Mr. President, parenthetically, why should we be paying for 'deadbeats' who don't pay their premiums.

"The proposed amendment attempts to correct this technical inequity by clearly providing that the requirements of Hawaii Revised Statutes 294-9 relate only to cancellation of nonrenewal of no-fault policies and not those policies which have expired.

"Thank you."

Senator Abercrombie, speaking against the measure, stated:

"Mr. President, I'd like to speak as a 'deadbeat' then. Why should we not be paying for 'deadbeats.' That's the attitude we're going to take on this. You're looking at a 'deadbeat' right here and I'm voting 'no' on the bill, and if the good Senator would like to characterize me as a 'deadbeat' to my face at some point, he can do that too."

Senator Cayetano also spoke against the bill and stated:

"Mr. President, in response to Senator Cobb's remarks quoting the insurance commissioner, I suspect the problem may rest in the way the policies are worded rather than anything in the law so I don't think this bill is necessary."

Senator O'Connor also spoke against the bill and remarked:

"Mr. President, I would suggest that most of the people who are affected in this manner in fact do renew their insurance.

"You're talking about a 30-day period to pay a bill, and in the accounts receivable of most of the businesses that are represented in this body and most of the businesses in this community, it's not unusual at all to have a 30-day accounts receivable.

"I would suggest that having that period in there saves many people who actually do regularly pay their insurance bills on an yearly basis or three-year basis or however they're being billed for a period of time when they are simply handling it as an accounts receivable. I think many businesses are in the

same boat.

"I would suggest that ordinarily those people are not as characterized by the good Senator earlier, people who don't pay. They do pay. The 30 days aren't free days, they are days that are eventually paid for by all those people who sign up and pay for their insurance later on.

"For that reason, I'm going to vote against the bill."

Senator Cobb responded as follows:

"Mr. President, briefly, to clarify the response of my good friend from the Seventh Senatorial District, it turns out that about 20% of the policies in each premium period shift from one company to another, so if it were the situation where the insured would be eventually in the 100% of the cases renewing his policy, then what he says is correct. But in effect 20% will shift from one policy period of six months to a different company. The net effect of this then is the insurers are carrying that 20% free for at least a 30-day period and in some cases much longer.

"This is the inequity of it because then those of us in the general public find ourselves in a situation of having to pay are in effect carrying the cost of these, many of which go over 30 days, and that's an insurance cost that's passed on to the consumer.

"This measure will help to remedy that."

Senator Abercrombie then added:

"Mr. President, I got one thing off my chest, now I'll get to another.

"The Senator just made the point that there are shifts. The reason there are shifts is that this no-fault insurance area is a very tricky question, and it's not the kind of thing where virtually on every other situation you deal with where you have to pay your bill, like your utilities, which I just did the other night. Often you have to make a deal with them. I've had to do this with the phone company, for example, in the past. They had cut my phone off because of particular circumstances that I had to deal with and the finances associated were such that I had to make a deal with the phone company.

"If they had said to me simply, 'Look, here's your bill; here's the end of the date; that's it; you're out; you don't

get your phone anymore; 'I'd have been in pretty bad shape.

"Now the reason that you have these shifts as mentioned by the previous speaker, about 20%, is that a lot of people are out trying to take advantage of the much touted open rating system and all the rest of it that we just talked about.

"People shift companies because your paying your no-fault insurance is one of the biggest single expenditure in any given month that most people in this state make who aren't rich. And a lot of rich people are upset about it besides, because it takes a terrific whack out of your budget.

"So, you do a lot of shopping. There's a lot of difficulties associated with no-fault insurance.

"Now, it's not that people aren't paying their bills. It's that they're looking and they are shifting companies, and if they're shifting companies that says something about competition which I thought we're trying to encourage. The import of the previous comments was that people shouldn't shift companies.

"They shift companies for reasons. They get offered a better deal, and they should be able to take advantage of the deal, especially when you're dealing with families where the insurance is for more than just one person and more than just one car. This is terrific expense.

"Why should these people be able to put a gun to your head. They already have you by the throat as it is, and now we're saying they can beat you on your head with a 30 days.

"The state doesn't even pay its bills on time, and the state doesn't...the University doesn't pay its employees on time.

"One of the reasons that tees me off about this is that I resent being called a 'deadbeat.' I ran into this same kind of a problem when I was teaching at the University of Hawaii, and some of my colleagues and I were not paid on time for work that we had done and we found ourselves caught in between with the no-fault insurance. I've been through this.

"Maybe some of the other people in here don't have to worry about it. Maybe somebody else even pays their insurance for them. Maybe that's part of the deal that they have where they work...I don't know. But when you have to take care of your own insurance like I

do, like thousands of other people have to do in this state, it doesn't seem to me that putting a gun to their head as this particular bill does is the kind of thing that we ought to be doing."

Senator Cobb then responded and stated:

"Mr. President, two years ago, I asked the members of my committee to go out and shop around on no-fault policies and I would agree in part with what the Senator from the Sixth Senatorial District said. It does pay to shop around.

"Taking the basic no-fault policy, \$25,000 coverage, we went out and shopped around and we found a premium difference of anywhere from \$300 to \$1100, depending on the company.

"The only point this bill is categorically addressing is there ought not to be a free period of 30 to 60 days or longer, after the expiration of a policy, when you have a significant number shifting. At least, the policy, when there's a 30-day advance notice that's given and is required, very stringently, under this bill, ought to be fulfilled."

The motion was put by the Chair and carried, and H.B. No. 2270-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MOTOR VEHICLE ACCIDENT REPARATIONS ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 8 (Abercrombie, Anderson, Campbell, Cayetano, Kawasaki, O'Connor, Saiki and Soares).

House Bill No. 2222-82, H.D. 1, S.D. 1:

Senator Ajifu moved that H.B. No. 2222-82, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kobayashi.

Senator Ajifu rose to speak in support of the bill and stated:

"Mr. President, there has been a lot of statements recently regarding this so-called 'eel bill,' and I would like to clarify the matter.

"Currently, all species of the eel family, anguilliformes, are prohibited from Hawaii. House Bill 2222 would keep this general prohibition in effect, with only a single exception being made.

"This idea of maintaining a general

prohibition, while permitting a single exception is similar to our laws which prohibit snakes from being imported, but then too, allows the single exception to allow the zoo to import some snakes for their display.

"In the case of eels, the exceptions would be as follows:

"First, it would apply only to the single species Anguilla Rostrata, which lives on the East Coast of the United States.

"Second, it would only allow the single species to be imported by a state agency, such as the Aquaculture Development Program in the Department of Land and Natural Resources.

"Third, it would only allow that state agency to import them for experimental or other scientific purposes.

"Fourth, the public agencies would have to request approval from the Advisory Subcommittee on Invertebrate and Aquatic Biota, as well as the Advisory Committee on Plants and Animals. These two bodies are made up primarily of scientists, who would carefully review any application to insure that allowing the importation was in the public's interest and that adequate safeguards are embodied in the importation request.

"Fifth, assuming that the above scientific committees voted favorably...they have prohibited a number of species from being imported in the past, the application would still have to be approved by the Board of Agriculture. The board of course meets in open session and is open to testimony from the general community.

"Sixth, and finally, it should be made clear that the research would occur under tight controls, with the chances of eel escape absolutely prohibited.

"The background on this bill is that there is a very real possibility that eels can be raised and harvested as a viable economic crop here. It is also unfortunately true, that there are also many questions about the viability of such operations. There are questions about the viability economically, and about the viability ecologically.

"Any research studies here with eels, should they be allowed to be imported, would help answer these questions once and for all. And so, Mr. President, I urge the passage of this bill."

Senator Kawasaki also spoke in support of the measure and stated:

"Mr. President, I recall a comment made by Senator Cayetano about the building of a monument in recognition of the number of bills emanating from the Committee on Agriculture, and because he was impressed with the content and substance of those bills. Ironically, if there is any bill that has merit emanating from the Agriculture Committee, this is the bill on 'unagi' as I like to call the animal instead of eels, because when you use the term eels people have an impression visually that this is the Moray eel that we are talking about.

"If there is anything that I have learned in being around here for fifteen years, that is the sad fact that more often than not, what appears to be a perfectly intelligent group of human beings, notwithstanding logical reasons, the reasoning that can be generated in the course of discussions in committees and in groups, notwithstanding data that can be provided, some people simply cannot be moved to acting or voting in a manner consistent with logic and what is really the fact. They can be conditioned by preposterous propaganda, in the particular case of the 'unagi' bill in controversy here.

"I think such statements as 'these animals are just going to proliferate and overrun our rivers and our streams,' such statements are just absurd, in my judgment.

"I had the occasion at one time to consult with a gentleman, who I suppose is the foremost expert, not through book learning or through attending the university, or because he has credentials in a scholastic fashion, but because he has been experienced in the fishing business, from the standpoint of owning fishing vessels, from the standpoint of owning a wholesale fishing business, a retail fishing business, and today perhaps is the largest dealer in fish at the wholesale and retail level, and he knows something about 'unagi.' As a matter of fact, he happens to be the foremost authority on the great white shark in this state, and in the course of discussing this controversy about eels, and some of the claims made by some people, he had one term to use; a vernacular, if you will in Japanese, he said, 'baka.' That is the term he used.

"That is the term he applied to people who present arguments against the importation of eels. He said that the proliferation of eels is so difficult, the culture of eels is so difficult that there will never come a time when people have to be concerned about eels

overrunning our beds and our river streams.

"With fresh eels, live, fresh eels in Japan and Europe and other places in the world where it is a very attractive item for food connoisseurs, in Belgium, many countries in Europe, in Japan, at a price of \$14 a pound, no eel would be capable of existing for long in any river bed or stream.

"In consideration of the fact that canned 'unagi,' cooked, canned 'unagi,' a four-ounce can of 'unagi' runs in excess of \$3.00 a pound, again, there is no possibility of any eel being able to live very long, in the taro patches or whatever you have.

"So, in essence, I think that this argument against this experimentation with eels, possibly because we may find that we have a very viable industry here, is simply emotional nonsense.

"Unfortunately, I don't think even what I have said here is going to make much of an impact ...because of the failing in humanity, but I do think that perhaps we should have our minds open a little more, not to a point where our brains fall out, but I think we should consider this bill very seriously, and perhaps see the logic of the statements made by the chairman of the Agriculture Committee.

"I support this bill."

Senator Cayetano spoke against the measure and remarked:

"Mr. President, let me say that I think it is very important that we be guided by our brains rather than our appetites...and I'd just like to address two aspects of this issue because I think there are those who will provide more detailed testimony than I, having researched the matter a little more fully than I.

"First, the short of it, with respect to the so-called scientific information. I have never seen a more united front than by the experts...the so-called experts...in Hawaii on this matter, against this particular bill. In fact, I have yet to see these experts come in and testify or push this bill. So, in terms of the scientific community, their feelings on this matter are pretty well known.

"Second, and this really bothers me...while Senator Kawasaki was talking about an eel that was \$14 a pound, I don't think that this is the same eel. I believe he is referring to the species called the Japonica which is highly desired

and sought after in Japan. What we are getting is something called Rostrata which, as I understand, has qualities that are not as desirable. In fact, someone told me that it's like comparing filet mignon to hamburger, and the Rostrata is hamburger.

"If we are going to take this step, as far as I'm concerned, we should go first class. And, I don't know why the House did not send the Japonica... the bill with the Japonica over. I'm not about to settle for hamburger."

Senator Kawasaki responded and said: "Mr. President, in response to the good Senator from the Fourth District, unfortunately, while many of us would like to eat filet mignon, we just have to settle for hamburger more often than not."

Senator George then rose to speak in opposition to the measure and stated:

"Mr. President, I think I should start by perhaps saying that I had to bring a special license to speak against the bill at this point... poetic license:

When, late at night, anguilla steals
Across the fields in search of meals,
You'll wonder how the duckling feels
When nibbled at by ugly eels,
They say that time, in passing heals
But think before you make those deals!
Vote 'No!' on eels!

"Thank you."

Senator Ajifu then responded and stated:

"Mr. President that sounds like a slithery lobbyist. I must admit though, Senator, that was beautifully done.

"Mr. President, I now find that eels have more than just economic values, it brings poets and other rhyme schemes which will calm our senses and will help us to appreciate eels as eels.

"Mr. President, to tell you the truth, my phones have been ringing and ringing and ringing in the last 10 days and every time we lift the receiver an eel comes out of it. Some of these callers have been telling me that it's a sin to pass this eel bill, others have been threatening me by saying they will get me out of here in the next election and so, Mr. President, I've been praying to the Lord every day. I have admitted to the Lord that I have been a great sinner and that I do not deserve heaven, and so I have asked the Lord to let me stay here with the eels. Thank you."

Senator Kawasaki then remarked: "Mr. President, one final comment that I would like to make. Whatever the outcome of the voting here on this controversial issue, I would just hope that the people opposed to 'unagi,' who do not recognize that there is sound reasoning for an item 'unagi' on the menu of a Japanese restaurant in Japan or in Belgium, this item 'unagi' being the highest priced item on that menu, in most of these restaurants, would realize that there is good reason for it.

"Aside from that, I would hope that people who are opposed to 'unagi,' who have never eaten 'unagi,' will never eat 'unagi' because those of us who love to eat 'unagi' can't afford to eat it as it is. If these people develop a taste for 'unagi,' the price would even be higher, even prohibitively higher for those of us who on rare occasions would like to enjoy this delicacy."

Senator Cobb then spoke against the measure and stated:

"Mr. President, we have been hearing a lot of discussion about 'unagi,' we've had a real education in the caucus that we have different kinds of critters... Japonica is the first string and the Rostrata is the second string...and, Mr. President, hell's belles, we're being asked to vote for the second string in this bill and not the first string, not the Japonica, that would bring in the big money and would be easier to raise, and is a delicacy on the menu items of Japan. The Rostrata is a low-quality, second string, cheap hamburger, that's what we've been asked to address. We're going to have to come to grips with these critters sooner or later and I'd just as soon we do it with the first string."

Senator Holt then said: "Mr. President, I rise to speak in opposition to this measure, but before I do, I wonder if the chairman of the Agriculture Committee will yield to a couple of questions?"

The question was posed by the Chair and Senator Ajifu having answered in the affirmative, Senator Holt inquired:

"Senator Ajifu, you mentioned tight controls with respect to safeguards, can you tell me what kind of tight controls you are talking about to assure us that the eels will not escape?"

Senator Ajifu answered: "Mr. President, I think in the application process, the department that is applying for the permit will have to apply through the Department of Agriculture, and I would presume at that time of application,

that they would write up their project write-up and in that write-up they would specify the kind of research and the kind of experiment that would be conducted and also in that whole process, that the design and the structure of your tanks will show that it could be almost escape-proof construction."

Senator Holt further inquired: "I assume that these specifications will require that they will prevent the tanks containing the eels from overflowing?"

Senator Ajifu answered: "Yes."

Senator Holt continued: "Mr. President, I would like to remark on a statement made by Senator Kawasaki, that if the eels do escape that they can live up to ten years and they will not die as quickly as he has stated."

"Mr. President, this is a bad bill. And, although the bill offers a simple amendment, the impact is really far-reaching."

"Mr. President, the issue of eel importation and experimentation presents wide-ranging considerations and touches upon a multiplicity of concerns."

"We, in Hawaii, enjoy the benefits of a beautiful, yet fragile, ecology. Often, the relationship between native organisms and the environment is a tenuous and delicate one, easily disrupted but not so easily repaired."

"Mr. President, the introduction of the exotic species 'Anguilla Rostrata' involves a balancing of interests not always compatible. Undoubtedly, proponents of the bill view the Rostrata largely in commercial terms. But the prospect of developing a new and, perhaps, profitable aquaculture industry must be tempered with a recognition of the American eel's potential for ecological destructivity."

"Mr. President, beyond the problems of the Rostrata's formidable predatory proclivities lies the equally troublesome factor of its susceptibility of disease which have not been discussed as yet."

"A report on the North Carolina Sea Grant Eel Culture Project indicates that, of an initial stock of 150,000 to 200,000 elvers, 500 were lost daily over a 12-week period due to bacterial and fungal pathogens. The effect of some of these toxic diseases are not confined solely to the Rostrata, for the bacteria has attacked and killed a variety of other organisms including carp, goldfish, rainbow trout and frogs."

Mr. President, identification and control of bacterial pathogens in both elvers and adult eels, though difficult, must precede importation if we are going ahead with importation before the identification and control of bacteria."

"Mr. President, furthermore, experimentation of the kind permitted by this bill might well be redundant in view of the culturing project recently initiated in Guam. The private entrepreneur who imported 3 to 4 shipments of elvers into Guam from South Carolina was forced to abandon his enterprise due to an 80-95% mortality rate on each shipment. This mortality rate has been attributed to the distance which the elvers had to travel from South Carolina via several transshipment points."

"I might point out that according to the U.S. Fish and Wildlife Service, the people who I talked to last week, the species Rostrata has been abandoned on Guam and only the species Anguilla Japonica is now grown."

"Mr. President, the 1979 annual report of the Aquatic and Wildlife Resources Division of the Guam Department of Agriculture indicates that, in culture, the Rostrata grows at a substantially lower rate than the Anguilla Japonica, which is preferred by international consumers. Market acceptance of the Rostrata was poor in Japan due to the toughness of its skin and the shortness of its body. To the connoisseur, it is clearly a substandard species or a second string species."

"Mr. President, the results of the Guam experience cast serious doubt upon the economic feasibility of culturing the Anguilla Rostrata in Hawaii. The costs of obtaining elvers and developing the technology to successfully operate intensive eel culturing appear prohibitive when assessed against the backdrop of the Rostrata's suspect marketability."

"The questionable potential of the Anguilla Rostrata to produce great monetary benefit, and I can recall a Senator saying in the committee hearing that it is not the right species, I will not vote for the bill, does not justify the considerable ecological risks attendant upon importation."

"Mr. President, the people of Hawaii can do well without eels. We've survived, economically, for many years without the eel industry, and I do not believe we will lose a sizeable amount of revenue if this bill dies. We may, in fact, waste a considerable amount of our taxpayers money if this bill passes."

"Mr. President, this bill would, in effect, legalize the destruction of our 'Aina.' For this reason alone, I will not support this measure.

"In the interest of the many residents of this state who care what happens to our land, and I'm speaking for Hawaiians and Hawaiians-at-heart, I urge all of my colleagues to vote against this bill. Thank you."

Senator Yee, in support of the measure, stated:

"Mr. President, I sit here and I'm very pleased with all the comments we've received, and I'd like to say that the opponents have done an excellent job because when we started out the session with this bill, I had sufficient votes to have it pass the Senate, and then it dwindled down to a very tight vote.

"I'd like to allay some of the fears and I think this is the time that we should put things on record. I think that we have the responsibility, number one, as many have said to protect our environment first, I don't think that that is the question. We all believe and do want to protect our environment. We are all part of the 'Aina,' whether you are Hawaiian, Chinese, Japanese, or whatever race you come from. I think we love these islands. But, we also have the responsibility of looking at different alternatives of increasing the productivity in this state.

"We've embarked on aquaculture, I think this is a well accepted program in this state. We've tried with catfish. We've tried with Malaysian prawns, our Oceanic Institute is now trying with Mexican white shrimps, the 'kuruma ebi'. Tap Pryor is working with oysters. Some are going to be successful and some are going to be failures, but we have the responsibility of trying to encourage other business interests to support our aquacultural activities.

"You saw this morning's newspaper, on the front page, the productivity and revenues of sugar have declined because of the international turmoil we are going through. Our pineapple production has decreased. They said to look at diversified agriculture, macadamia nuts, about a total of about 24 million dollars a year. Cut flowers about 8-9 million. Papayas about 5 million.

"What does this all mean? It all means that once the Mediterranean fruit fly hits California, our papaya is in trouble. Even Japan is worried about importing papayas from the

State of Hawaii. And then you get a bad rainstorm like we had recently, the papaya industry is down again because of rot.

"I think we would be derelict in our duty and responsibility as legislators if we don't look into different kinds of experiments. Almost everything we have today that crawls or that's walking on two legs or four legs are imported here, except the Hawaiians. We're all imports. Many bring different types of diseases to this beautiful state of Hawaii...and sickness.

"All I'm saying is to keep an open mind. This is a viable product and I would be the first one to say that if this product would damage our 'Aina,' I would damage our environment, I certainly would not support this bill.

"The previous speaker mentioned about the Guam experiment. I visited that Guam experiment on two separate occasions. And, believe me, I go to Guam once a year, and have been for the last 10 years, and I know what they are doing. It was a very, very shabby experiment by a private entrepreneur, the way he built his facility. You could see that it was going to be an economic flop from the beginning. This was obvious to all of us who were there on this visitation.

"Then you visit those that were done in Taiwan. They were done extremely well. In talking to those people there, they have stated that they have security around the area, that no eels ever escaped from their hatcheries. They have tremendous experience, and they raise both types of eels. Maybe I shouldn't say eels, because that's what scares everybody, just say fish, because that's what it is...a fish. And they have developed it into an excess of \$100 million export business in Taiwan. Now, we could find something of this nature, that we know there is a ready market and I think we are moving in the right direction.

"Our tourism, we're going to spend millions of dollars to bring tourists here. And we have to correct many of the problems that we have here like crime, etc. They are a blight on our society, they're a blight on tourism, they're a blight on our family. It's just a blight, period.

"Now, I really feel that those who are on the outside, are not doing justice by calling all of you on the telephone, by writing letters, threatening your office because they feel that it's going to threaten the entire environment. They make it like it was a plague and

I regret very much that the support that we had here has dwindled to nothing. I feel that a position should be made and I do hope that someday, in the future, that reasonable men, with some guts will come out and support this type of industry.

"Thank you."

Senator Kawasaki, again speaking in favor of the measure, stated:

"Mr. President, I understand that there is considerable concern about the species that we are talking about in this bill. As a matter of fact, I have been informed that perhaps five Senators, including Senator Cayetano, would vote for the bill if the species Japonica was the species that was to be named in the bill.

"In this regard, I have a question to Senator Ajifu of the Agriculture Committee: Assuming that this bill passes, providing for the importation of the species Anguilla Rostrata, is it possible in the course of a conference committee, because we're amending the House bill in effect, is it possible in the course of a conference committee with the House, that the species Japonica could replace the species Rostrata as the final compromise with the House? If this is possible, perhaps this is the route we could take, but may I pose this question to Senator Ajifu, would he commit himself as chairman of the Committee on Agriculture, and possibly the chairman of the conference committee representing the Senate, to take the position that if this bill passes in this form, this being the amendment to the House bill, would it be amenable to substituting the species Japonica as a compromise position with the House in conference committee?"

Senator Ajifu answered: "Mr. President, in response to that question, unfortunately, we would not be able to make any substitute amendments at this stage. The amendment that is in the Senate draft is just a technical amendment which just underscores two words, that's why we came in with the Senate draft. Other than that, making a substitution change is not possible at this time."

Senator Kawasaki again inquired: "Mr. President, I think he misunderstood my inquiry here. We would pass this bill as it emerged from your committee, but in the course of a conference committee with the House, could we possibly speculate that the House would be willing to substitute Japonica for the strain that's enumerated here?"

Senator Ajifu again answered: "Mr. President, I have been in touch with the House members, Senator, and that is very unlikely. If we were to make any substitutions, the bill would not pass anyway."

Senator Ushijima then rose to remark as follows:

"Mr. President, I really haven't made up my mind as to whether I am for or against this bill.

"I've been listening to all of the proponents and the opponents of the bill and I find myself as confused as ever.

"I believe from all of the statements that it seems as if this importation is for one purpose only. And this is for economic value to the state. I hear a statement made by one of the speakers stating that we are talking about hamburgers, we're talking about second-rate eels, and on the other hand I hear a speaker say that in Taiwan it's a \$100 million industry. I'm really confused as to whether we're talking about Rostrata or whether we're talking about the Japonica.

"Now, if the statement is true that what we're importing is of second-rate, that it has no economic value to the state, then I'm totally opposed to this bill.

"If it is of economic value to the state, then I'm for it. But I'm still not convinced as to whether we're doing it for the economic value to the state or we're just experimenting and bringing something that is second-string. I'm still confused.

"I hope somebody would unclear my mind of this. I want to be open on this. Perhaps the Senator who has been going to Guam once a year can enlighten me on this particular issue. Thank you."

Senator Yee responded and stated:

"Mr. President, I'd be delighted to discuss this further.

"There's no question that the Japonica variety is the better, you might say the better quality or the better type of eel that people prefer to eat in Japan. But so is the 'kuruma ebi' shrimp, the number one shrimp in Japan. But in Japan, they also have about a half a dozen or more different varieties of shrimp and as a result, the price varies and not everyone in Japan can afford to eat the Japonica variety because they are extremely expensive.

"Now, to buy a thousand elvers of the Japonica variety, it would cost

anywhere from 2 to 3 thousand dollars, where the Rostrata would be in the neighborhood of 2 to 3 hundred dollars per thousand. Now, as far as marketability, I've been talking with various people in Taiwan and statewide and they believe there is a market even in Japan, because then you would have two varieties of eels, and the better restaurants would probably serve the more expensive ones and the modest restaurants would probably serve the cheaper ones because they would be less expensive, because you have different strata of society, different strata of economic values with people, some are willing to pay more for better quality, some would pay less.

"Now as far as Rostrata on the mainland, there is a great market, and this is where I think, in Hawaii, the State of Hawaii, we could benefit by it because the professor at North Carolina University who is doing the experiments there stated that they had fresh Japonica from Japan sent to New York restaurants, and they had sent their fresh Rostrata from North Carolina to New York, and the quality was much better. And this was so stated in the article in the newspaper a few days ago.

"I know that and I'm positive that almost every Japanese restaurant on the mainland would be a potential market, and I'm sure the restaurants in the state would be a potential market, and I'm sure the restaurants in Japan would be a potential market because not everybody can afford the Japonica eel.

"Now, when we were in Taiwan, I've been there on three separate occasions, we had both, and I'll be honest, it is very difficult to tell the difference. Even the Taiwanese, in their Chinese restaurants, 'unagi' is one of their choice dishes. It's as you say an oriental delicacy. And I think it's sort of, you might say, becomes quite a cultural experience as far as eating is concerned in Southeast Asia.

"So, I would say that the market is there. There is a great possibility. And this why we want to give it a chance. All we're saying is let's try. And if the experiment proves that it is not workable, economically or biologically, or it's going to affect our environment, than I say to dump it. But, it is the same thing, I could go back to Malaysian prawns, if the State of Hawaii did not bring in the species, we would not have a Malaysian prawn industry today. And the biggest area of activity is out in Kahuku and the island of Kauai for Malaysian prawns.

"I hope I have answered some of your questions and I hope the people who are concerned about it on the outside have a fair shot at listening to the other side instead of being closed-minded."

Senator Saiki also rose to speak on the measure and stated:

"Mr. President, I've spent a very interesting evening and have learned a lot. Some people have been called 'deadbeats,' some people were called 'baka,'...and by the way, for those of you who don't understand Japanese...it means 'stupid,' then I was accused of being a person 'without guts,' because I don't happen to be a man, and maybe that is to my advantage. Then I've heard all this discussion about first-class eel, and second-class eel, and I want to say that I am going to vote 'no' on this bill and I wish we would take a vote on it.

"I think most of us have made up our minds. I'm voting 'no' and I don't care whether it's a first-class eel or a second-class eel. I'm voting against the bill because I feel that the risk to the environment is not worth the possible gain to our economy. I think that there are other areas of diversified agriculture, aquaculture, whatever there be, and I think we should concentrate on looking at positive ways that we can develop our economy. So, please, Mr. President, I'd like to vote 'no' now."

Senator Holt, in response to Senator Ushijima, stated:

"Mr. President, just one short comment in response to Senator Ushijima's question, if he's still undecided as to how to vote, I'd just like to clarify the difference between the Rostrata and the Japonica and Senator Yee's comment about the millions of dollars that Taiwan makes for their economy.

"The Japonica is the eel that is raised in Taiwan, and it just so happens that Taiwan gets their elvers from Guam. Guam is raising the Japonica and not the Rostrata, for your information.

"Thank you."

At 9:48 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:51 o'clock p.m.

At this time, the Chair announced that House Bill No. 2222-82, if there be no objection, is recommitted.

By unanimous consent, H.B. No. 2222-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANGUILLIFORMES," was recommitted to the Committee on Agriculture.

MATTERS DEFERRED FROM
EARLIER ON THE CALENDAR

House Bill No. 2742-82, H.D. 1, S.D. 1:

Senator Yamasaki moved that H.B. No. 2742-82, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Anderson.

Senator Campbell rose to speak against the measure and stated:

"Mr. President, the purpose of this bill is to provide a \$25 income tax credit to resident taxpayers who purchase a new, approved child passenger restraint system. The bill certainly has merit and I support its intent, Mr. President, but I do have strong reservations about the precedent that this bill is likely to set.

"My question is, where do we draw the line? Should we give tax incentives to drivers of motorcycles who buy helmets, to motorists who purchase air bags to reduce injury, to those who pay an extra cost for seat belts? And the list goes on and on.

"I think, Mr. President, that the state treasury is certainly not inexhaustible, and I believe that while this bill has merit, I'm afraid the precedent that it would set forces me to vote against it. Thank you."

Senator Abercrombie also spoke against the measure and stated:

"Mr. President, perhaps this is a follow-up to the previous speaker's remarks, but, are we really serious in saying that we have to pay people to protect their children now, or that they won't do it? That's in effect what this bill says, and I think that it opens up... I think that I have been admonished in the past, in thinking about various bills that one should always try to be cognizant at least, of what doors are opened as a result.

"I can foresee now, I think I indicated earlier what my colleagues have said, that we now have tax credits, I suppose to have 'fleecy' seat covers to keep you from sweating in your car, or perhaps any one of a number of different features for which tax cuts will be involved.

"It stuns me that we would have to bribe parents to have a child passenger restraint system, with a tax credit, otherwise, apparently, children will just have to take their chances. It doesn't seem to me to make sense to pass this bill with this kind of credit with the kind of implications that it has."

Senator O'Connor, also in opposition of the measure, remarked:

"Mr. President, to my mind there are dozens of other safety features in our community which, if we are going to talk about tax credits for safety features, would merit such a tax credit more than this one.

"I concur with the previous speaker. Parents should protect their children, and we shouldn't have to pay them to protect their children. These restraints are available, the restraint systems are voluntary, for children, and certainly, we should encourage them, but certainly not with a tax credit.

"I would vote 'no' and I would urge all of you to vote 'no' on this measure."

Senator Carpenter then remarked: "Mr. President, I just want to say that I've been inspired by several of the issues and stands that Senator Campbell has taken this evening and I'm inspired this evening, on this issue, to vote with him."

The motion was put by the Chair and carried, and H.B. No. 2742-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX CREDIT FOR CHILD PASSENGER RESTRAINT SYSTEMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 15. Noes, 10 (Abercrombie, Campbell, Carpenter, Cayetano, Cobb, Holt, Kawasaki, Mizuguchi, O'Connor and Ushijima).

At 9:58 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:59 o'clock p.m.

House Bill No. 2090-82, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, H.B. No. 2090-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EXCISE TAX CREDIT," having been read throughout, failed to pass Third Reading on the following showing

of Ayes and Noes;

Ayes, 8. Noes, 17 (Abercrombie, Ajifu, Anderson, Carpenter, Cayetano, Cobb, George, Henderson, Kawasaki, Kobayashi, Kuroda, Saiki, Soares, Uwayne, Wong, Yee and Young).

At this time, Senator O'Connor remarked: "Mr. President, I didn't know that the minority had the ability to bring a bill to the floor of this body."

House Bill No. 2778-82, H.D. 2, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Abercrombie and carried, H.B. No. 2778-82, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXCEPTIONAL CHILDREN," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kobayashi).

House Bill No. 1988-82, H.D. 1, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, H.B. No. 1988-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDIVIDUAL HOUSING ACCOUNTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

RECONSIDERATION OF ACTION TAKEN

Standing Committee Report No. 674-82 (House Bill No. 329, H.D. 1, S.D. 2):

Senator Uwayne moved that the Senate reconsider its action on Stand. Com. Rep. No. 674-82 and H.B. No. 329, H.D. 1, S.D. 2, seconded by Senator Yamasaki and carried.

Senator Uwayne then moved that Stand. Com. Rep. No. 674-82 be adopted and H.B. No. 329, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Yamasaki.

Senator Kawasaki then rose to speak against the measure and stated:

"Mr. President, I will vote against this measure, primarily because this is a bill that allows the directors of the Legislative Reference Bureau, the Legislative Auditor's Office, the Ombudsman, the Ethics Commission, to set the salaries of their entire staff.

"I think if we are to be consistent with the vote that we had taken defeating a proposal for the Board of Regents of the University of Hawaii to set all salaries at the University, including the salary of President Matsuda, we ought to be consistent and say that we need to have the body that's responsible for the providing of the appropriations for these employees and their salaries, this body, the Legislature of the State of Hawaii, be responsible for the salary schedule of some of these legislative agencies that I enumerated.

"We should vote down this bill because in essence this bill permits the directors of the Ombudsman's Office, the Legislative Auditor's Office and the Legislative Reference Bureau, the directors of these three agencies to set the salaries of their entire staff. I have found some abuse in some such a situation. For example, I had the occasion, two years ago, to call the Ombudsman to my office, because I was concerned about the salary that he had designated for his deputy, \$40,000 a year. The Ombudsman made a salary of \$42,000 a year.

"While I happen to be the author of that bill back in 1967, I had never intended that position or that office to pay a deputy the salary in the range of \$40,000 a year. And this is the kind of arbitrary salary setting decisions that could be made by the directors of the agencies which I enumerated. I think we should have some measure of control as to what salaries are going to be... something reasonable, in consideration of our state finances, and this bill would take away completely from us, the right to have some control over salary setting decisions."

Senator Uwayne then rose to speak in favor of the measure and remarked:

"Mr. President, with all due respect for my colleague from the Fifth District, the Legislature hasn't given up any authority that it has already as far as discretion on salaries for these legislative offices. We have that discretion through the appropriations bill that we adopt every year at the beginning of the session.

"As far as the salaries for the deputy Ombudsman, that is set by law and by statute that it will be 95% of the Ombudsman's salary. This bill doesn't do anything more than what is already being done. The directors of each of these offices already have the discretion to set salaries and, if anything, this bill makes it more of a legislative office by taking away the discretion of these directors by individually coming up with their own salary schedules, by law.

"If we pass this bill, all three offices will have to get together and vote by majority vote that all of these offices comply with the uniform salary schedule rather than each of them going off on their own merry way. And, if anything, it takes away the discretion from these directors in complying to the other sections in the statute in conforming to the salary structure of Chapter 89, which relates to collective bargaining, which is basically an executive salary schedule.

"So, if anything, Mr. President, this bill does everything that the good Senator from the Fifth Senatorial District is concerned about, that it gives us more control over these offices through the Legislature. Thank you."

Senator Kawasaki, in brief response, stated:

"Mr. President, while the law allows for the setting of the salary of the deputy Ombudsman to 95% of the Ombudsman's salary, it allows up to a maximum of 95%. It does not automatically say that the deputy's position shall pay 95% of the director's pay. Up to that point. Anything lower than that could be at the discretion of the director. And this is one example where I found that the Ombudsman just set it at the maximum. This is the kind of decision-making powers that I think that this bill would allow.

"As for control via the appropriations process that we have because we provide the money, once the director sets the salary for his staff, as I found out through experience, rarely do we in the Legislature then say, 'We shall not abide by your salary setting schedule that you presented to us.' More often than not, we have approved that almost in toto. And this is the concern that I have."

Senator Cayetano, in opposition to the measure, stated:

"Mr. President, first, I differ with the Senator from the Sixth District as to his interpretation of what the bill does.

"The existing law at the present time requires the offices in question, whether it be the Ombudsman or the Reference Bureau, to the directors of those offices to confer with the Department of Personnel Services. The law specifically says, 'to conform as closely as possible with the recommendations of the Department of Personnel Services.'

"Now, there is a reason for that. And that reason is that in terms of setting

salaries for those offices to set parity, some kind of parity, across the state...state employees, I should say.

"What the bill proposes to do is delete that requirement of conforming with the recommendations of DPS and, instead, the three directors will get together and work it out among themselves. DPS should be closely involved in this because the different offices have different functions. They may not be deputies or secretaries or researchers at certain levels that may not have the same kinds of duties as in the Auditor's Office as they may have in the Reference Bureau or the Ombudsman.

"What we are doing now is creating a situation where there is going to have to be a lot of compromise among the three and I'll tell you, human nature being what it is, everybody is going to try and take care of his own. So, for that reason I am opposed to this bill because I think that the existing law is the proper way to go."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 674-82 was adopted and H.B. No. 329, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES EXCLUDED OR EXEMPT FROM COLLECTIVE BARGAINING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Campbell, Cayetano, Holt and Kawasaki).

At 10:10 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:11 o'clock p.m.

RECONSIDERATION OF ACTION TAKEN

House Bill No. 3142-82, H.D. 1:

Senator Yamasaki moved that the Senate reconsider its action taken on House Bill No. 3142-82, H.D. 1, seconded by Senator Anderson and carried.

Senator Yamasaki then moved that H.B. No. 3142-82, H.D. 1, having been read throughout, pass Third Reading, seconded by Senator Anderson.

Senator Abercrombie rose to speak against the measure and stated:

"Mr. President, I rise in probably futile endeavor. It wouldn't be the first time and I do it joyously because

I know I'm right and I intend to try and convince the rest of the members of that. The reason is that I think it's very simple, yet I think that it covers the whole territory.

"The question isn't really raising the adjusted household income limit from 125% to 150%. I'm sure if I don't bring it up, then someone else will and I'll save them the problem.

"I think that this makes the director of the housing program eligible to apply. What we're talking about here, then, is obviating the whole reason for putting in the HULA MAE, the housing loan and mortgage program, in the first place. What you're talking about, Mr. President, is a separate program.

"If it is the will of this body to do this, then by all means, put in a bill and create a fund and take care of the people at this income level, as you deem appropriate. But don't take what was supposed to be a program aimed at a certain level of income, and a certain group of people, and done for good reason and change it because of the interest rate. If you're doing it, you're just pulling them further and further away from their capacity to deal with this anyway, and in effect, piggy-backing the people who would otherwise be eligible, if the interest rates were not so high, into this program.

"Let's not take this program and make it something that it was never intended to be. Let's address this particular problem with interest rates with an appropriate bill. But this, in effect, changes the entire basis as far as I can see of what we were attempting to do when we passed the original legislation. And I don't think it's fair for the people who are

going to be left behind."

Senator Yamasaki, in response to Senator Abercrombie, stated:

"Mr. President, the concern that was expressed by members of this body was whether we should not continue to give emphasis to those who fall within the 125% median income figures and the committee report indicates that the HHA should continue to place emphasis on these people who fall within the 125% median income figures and they should continue to be given priority even though we increased the percentage to 150%."

The motion was put by the Chair and carried, and H.B. No. 3142-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Abercrombie and Cayetano).

At this time, the Chair made the following observation:

"Members of the Senate, it has been a very long day and the Chair would like to take this very brief opportunity to thank all of you for being so patient. I hope that we can conclude our business and move on into the conference committees into the next two weeks. Thank you."

ADJOURNMENT

At 10:17 o'clock p.m., on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, April 6, 1982.

FORTY-EIGHTH DAY

Tuesday, April 6, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Akiro Shimizu, Associate Pastor, Nuuanu Congregational Church, after which the Roll was called showing all Senators present with the exception of Senators Kawasaki, Machida and O'Connor who were excused.

The President announced that he had read and approved the Journal of the Forty-Seventh Day.

At this time, the following introductions were made to the members of the Senate:

Senator Anderson, on behalf of the members of the Senate, introduced 42 members of the Sheridan Park Senior Citizens Club and the Waikiki Nutrition Seniors Group, accompanied by their chairman, Mrs. Grace Wong.

Senator Yee, on behalf of the Senators from the Sixth and Seventh Senatorial Districts, introduced a group of 26 fifth grade students from Jefferson Elementary School, accompanied by their teacher Mrs. Fran Heatherman and her husband.

Senators Kuroda and Campbell then introduced Mrs. Theola Silva of Waianae, accompanied by a group of her friends.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 325 to 413) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 325), returning Senate Bill No. 103, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 103, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 326), returning Senate Bill No. 262, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 262, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DELINQUENT PENALTIES FOR LATE RENEWAL OF MOTOR VEHICLE REGISTRATIONS," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 327), returning Senate Bill No. 365, S.D. 2, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 365, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FARM LOANS," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 328), returning Senate Bill No. 486, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 486, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 329), returning Senate Bill No. 536, S.D. 2, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 536, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 330), returning Senate Bill No. 553, S.D. 2, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 553, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 331), returning Senate Bill No. 561, S.D. 2, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended

form, was placed on file.

By unanimous consent, action on S.B. No. 561, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REMOVAL OF SAND," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 332), returning Senate Bill No. 594, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 594, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CEMETERIES AND MORTUARIES," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 333), returning Senate Bill No. 1287, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1287, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 334), returning Senate Bill No. 1308, S.D. 2, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1308, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 335), returning Senate Bill No. 1447, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1447, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES' RETIREMENT SYSTEM," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 336), returning Senate Bill No. 2269-82, S.D. 2, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2269-82, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A CRIMINAL JUSTICE TRAINING FUND," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 337), returning Senate Bill No. 2304-82, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2304-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LOBBYING," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 338), returning Senate Bill No. 2334-82, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2334-82, H.D. 1, entitled: "A BILL FOR AN ACT PROVIDING PENALTIES FOR VIOLATIONS OF CHAPTER 290 RELATING TO ABANDONED VEHICLES," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 339), returning Senate Bill No. 2353-82, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2353-82, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JOB SHARING PILOT PROJECT IN THE PUBLIC LIBRARY SYSTEM," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 340), returning Senate Bill No. 2389-82, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2389-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 341), returning Senate Bill No. 2399-82, S.D. 2, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2399-82, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF REGULATORY AGENCIES," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 342), returning Senate Bill No. 1697, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1697, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO JOB-SHARING IN THE DEPARTMENT OF EDUCATION," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 343), returning Senate Bill No. 2144-82, S.D. 2, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2144-82, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRUGS," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 344), returning Senate Bill No. 2189-82, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2189-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 345), returning Senate Bill No. 2245-82, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2245-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECIPROCAL ENFORCEMENT OF SUPPORT," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 346), returning Senate Bill No. 2350-82, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2350-82, H.D. 2, entitled: "A BILL

FOR AN ACT RELATING TO PUBLIC SCHOOLS," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 347), returning Senate Bill No. 2379-82, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2379-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 348), returning Senate Bill No. 2382-82, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2382-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 349), returning Senate Bill No. 2386-82, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2386-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SECURITIES," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 350), returning Senate Bill No. 2401-82, S.D. 2, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2401-82, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE AND NEGLECT," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 351), returning Senate Bill No. 2467-82, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2467-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS AND AMMUNITION," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 352), returning Senate Bill No. 2470-82, S.D. 2, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2470-82, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 353), returning Senate Bill No. 2471-82, S.D. 2, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2471-82, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE SAFETY RESPONSIBILITY ACT," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 354), returning Senate Bill No. 2496-82, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2496-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 355), returning Senate Bill No. 2513-82, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2513-82, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES: FRANCHISE TAX," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 356), returning Senate Bill No. 2531-82, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2531-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYER-EMPLOYEE RELATIONSHIPS," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 357), returning Senate Bill No. 2636-82, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2636-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMED CONSENT," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 358), returning Senate Bill No. 2646-82, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2646-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PATIENTS' COMPENSATION FUND," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 359), returning Senate Bill No. 2682-82, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2682-82, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 360), returning Senate Bill No. 2696-82, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2696-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER COOPERATIVE ASSOCIATIONS," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 361), returning Senate Bill No. 2709-82, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2709-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENCOURAGEMENT OF FEDERALLY CERTIFIED DEVELOPMENT COMPANIES," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 362), returning Senate Bill No. 2765-82, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2765-82, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 363), returning Senate Bill No. 2759-82, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2759-82, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES AND MAKING AN APPROPRIATION THEREFOR," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 364), returning Senate Bill No. 2814-82, S.D. 2, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2814-82, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 365), returning Senate Bill No. 2816-82, S.D. 2, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2816-82, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GRANTS, SUBSIDIES, AND PURCHASES OF SERVICE," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 366), returning Senate Bill No. 2904-82, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2904-82, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A WATER COMMISSION AND FORMULATION OF A STATE WATER CODE," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 367), returning Senate Bill

No. 2868-82, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2868-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 368), returning Senate Bill No. 2915-82, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2915-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MARINE AFFAIRS COORDINATOR," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 369), returning Senate Bill No. 2926-82, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2926-82, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RELEASE OF MATCHING STATE FUNDS," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 370), returning Senate Bill No. 2947-82, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2947-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FILIPINO 75TH ANNIVERSARY COMMISSION," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 371), returning Senate Bill No. 2955-82, S.D. 2, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2955-82, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 372), returning Senate Bill No. 2978-82, S.D. 1, which passed Third Reading in the House of Represent-

tatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2978-82, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CANCER COMMISSION," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 373), returning Senate Bill No. 2137-82, which passed Third Reading in the House of Representatives on April 5, 1982, was placed on file.

A communication from the House (Hse. Com. No. 374), returning Senate Bill No. 2190-82, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 1982, was placed on file.

A communication from the House (Hse. Com. No. 375), returning Senate Bill No. 2345-82, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 1982, was placed on file.

A communication from the House (Hse. Com. No. 376), returning Senate Bill No. 2523-82, S.D. 2, which passed Third Reading in the House of Representatives on April 5, 1982, was placed on file.

A communication from the House (Hse. Com. No. 377), returning Senate Bill No. 2527-82, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 1982, was placed on file.

A communication from the House (Hse. Com. No. 378), returning Senate Bill No. 2528-82, which passed Third Reading in the House of Representatives on April 5, 1982, was placed on file.

A communication from the House (Hse. Com. No. 379), returning Senate Bill No. 2993-82, which passed Third Reading in the House of Representatives on April 5, 1982, was placed on file.

A communication from the House (Hse. Com. No. 380), returning Senate Bill No. 2866-82, S.D. 2, which passed Third Reading in the House of Representatives on April 5, 1982, was placed on file.

A communication from the House (Hse. Com. No. 381), returning Senate Bill No. 65, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 65, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND TRUSTS," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 382), returning Senate Bill No. 397, S.D. 2, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 397, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 383), returning Senate Bill No. 400, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 400, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTEREST," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 384), returning Senate Bill No. 544, S.D. 2, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 544, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 385), returning Senate Bill No. 732, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 732, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 386), returning Senate Bill No. 1859, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1859, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MERGERS OR CONSOLIDATIONS," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 387), returning Senate Bill No. 1925, S.D. 1, which passed Third Reading in the House of Represent-

tatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1925, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYER-EMPLOYEE RELATIONSHIPS," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 388), returning Senate Bill No. 2145-82, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2145-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RIDESHARING," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 389), returning Senate Bill No. 2147-82, S.D. 2, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2147-82, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 390), returning Senate Bill No. 2183-82, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2183-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE FACILITIES," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 391), returning Senate Bill No. 2224-82, S.D. 2, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2224-82, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 392), returning Senate Bill No. 2228-82, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2228-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 393), returning Senate Bill No. 2288-82, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2288-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF AGRICULTURE," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 394), returning Senate Bill No. 2309-82, S.D. 2, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2309-82, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 395), returning Senate Bill No. 2343-82, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2343-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE DISPOSAL," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 396), returning Senate Bill No. 2346-82, S.D. 2, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2346-82, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL FEES," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 397), returning Senate Bill No. 2366-82, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on

S.B. No. 2366-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING REPORT," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 398), returning Senate Bill No. 2388-82, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2388-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 399), returning Senate Bill No. 2434-82, S.D. 2, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2434-82, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 400), returning Senate Bill No. 2454-82, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2454-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY TRANSACTIONS," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 401), returning Senate Bill No. 2477-82, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2477-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REPAIRS," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 402), returning Senate Bill No. 2517-82, S.D. 2, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2517-82, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

HEALTH," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 403), returning Senate Bill No. 2524-82, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2524-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 404), returning Senate Bill No. 2550-82, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2550-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 405), returning Senate Bill No. 2561-82, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2561-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 406), returning Senate Bill No. 2566-82, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2566-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO APPEALS BY THE STATE IN CRIMINAL CASES," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 407), returning Senate Bill No. 2615-82, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2615-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THEFT OF UTILITY SERVICES," was deferred until Wednesday, April 7,

1982.

A communication from the House (Hse. Com. No. 408), returning Senate Bill No. 2624-82, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2624-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GRAND JURY COUNSEL," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 409), returning Senate Bill No. 2638-82, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2638-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SALES AND TRANSFER OF REAL PROPERTY SITUATED IN HAZARDOUS AREAS," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 410), returning Senate Bill No. 2642-82, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2642-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUVENILE JUSTICE INTERAGENCY BOARD," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 411), returning Senate Bill No. 2760-82, S.D. 2, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2760-82, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 412), returning Senate Bill No. 2829-82, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2829-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS," was deferred until Wednesday, April 7, 1982.

A communication from the House (Hse. Com. No. 413), returning Senate Bill No. 2913-82, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2913-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," was deferred until Wednesday, April 7, 1982.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 59), entitled: "SENATE CONCURRENT RESOLUTION CONCERNING THE CONSTRUCTION AND MAINTENANCE OF UNITED STATES DEEP-DRAFT HARBORS AND CHANNELS," was offered by Senator George.

By unanimous consent, S.C.R. No. 59 was referred to the Committee on Transportation.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 81 to 84) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 81), entitled: "SENATE RESOLUTION CONCERNING CONSTRUCTION AND MAINTENANCE OF UNITED STATES DEEP-DRAFT HARBORS AND CHANNELS," was offered by Senator George.

By unanimous consent, S.R. No. 81 was referred to the Committee on Transportation.

A resolution (S.R. No. 82), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A STUDY OF THE RECREATIONAL BOATING PROGRAM," was offered by Senators George and Kobayashi.

By unanimous consent, S.R. No. 82 was referred jointly to the Committee on Transportation and the Committee on Ecology, Environment and Recreation.

A resolution (S.R. No. 83), entitled: "SENATE RESOLUTION STANDARDIZATION OF THE DRIVER EXAMINATION IN THE STATE OF HAWAII," was offered by Senator George.

By unanimous consent, S.R. No. 83 was referred to the Committee on Transportation.

A resolution (S.R. No. 84), entitled: "SENATE RESOLUTION REQUESTING A STUDY TO RESTRICT CERTAIN VEHICLES FROM USING THE PALI AND LIKELIKE HIGH-

WAYS DURING RUSH HOURS," was offered by Senator George.

By unanimous consent, S.R. No. 84 was referred to the Committee on Transportation.

STANDING COMMITTEE REPORT

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 794-82) informing the Senate that Standing Committee Report Nos. 786-82 to 793-82, Senate Concurrent Resolution No. 59 and Senate Resolution Nos. 81 to 84 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

ORDER OF THE DAY

MATTER DEFERRED
FROM APRIL 5, 1982

THIRD READING

House Bill No. 2629-82, H.D. 1:

By unanimous consent, action on H.B. No. 2629-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CUSTODIAL INTERFERENCE," was deferred until Wednesday, April 7, 1982.

RE-REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The President made the following re-referral of Senate Concurrent Resolutions that were offered on Friday, February 5, 1982:

Senate
Concurrent
Resolutions

Referred to:

No. 3, S.D. 1 Committee on Economic
Development

No. 4, S.D. 1 Committee on Economic
Development

No. 5, S.D. 1 Committee on Economic
Development

No. 6 Committee on Economic
Development

No. 7, S.D. 1 Committee on Economic
Development

No. 8, S.D. 1 Committee on Economic
Development

No. 9, S.D. 1 Committee on Economic
Development

No. 10, S.D. 1 Committee on Economic
Development

No. 11 Committee on Economic
Development

No. 12, S.D. 1 Committee on Economic
Development

No. 13, S.D. 1 Committee on Economic
Development

No. 14, S.D. 1 Committee on Economic
Development

At 11:45 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:52 o'clock a.m.

ADJOURNMENT

At 11:54 o'clock a.m., on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m. on Wednesday, April 7, 1982.

FORTY-NINTH DAY

Wednesday, April 7, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Father Fred Nies, Associate Pastor of Our Lady of Peace Cathedral, after which the Roll was called showing all Senators present with the exception of Senator Ushijima who was excused.

The President announced that he had read and approved the Journal of the Forty-Eighth Day.

The following introductions were then made to the members of the Senate:

Senator O'Connor introduced the St. Andrews Priory School Drill Team consisting of three teams: the Big Team, the Junior Team, and the Mini Team; their director Mrs. Penny Young, and the school Headmaster Rev. David K. Kennedy.

Senator O'Connor, in introducing the group, stated: "Mr. President, I have the distinct honor and privilege today to report to this body that on Saturday, March 6, 1982, in Dallas, Texas, Hawaii was represented in the National School Drill Team competition by several teams from Hawaii. They consist primarily of girls from St. Andrews Priory School. At this competition these teams brought home major honors for the State of Hawaii in that they won top honors in three different areas and won a fourth trophy, the Judges' Trophy, for having perfect scores in everything they entered. This performance by these teams for St. Andrews and the State of Hawaii merits a tremendous amount of praise and in recognition of this we have prepared and will present to the teams a Senate Certificate honoring them for this accomplishment."

Senator Toyofuku then introduced 43 JPO's from Wilcox Elementary School on Kauai, accompanied by their advisors: Mr. Leslie Hashimoto, Mrs. Hazel Hashimoto, Mr. Arnold Fujii, Mrs. Ellen Blas, Mrs. Helen Bartolome and Mr. David Kawakami.

Senator Carpenter introduced 50 fifth grade students from Punahou School and their teachers, Miss Clare Lockhart and Mr. Dibrell.

Senator Anderson introduced 40 members of the Kahuku Senior Citizens Club.

Senator Saiki introduced Mr. John (Jack) Baxter, a very good friend and returning visitor to Hawaii. Senator Saiki added: "John Baxter served as a majority leader of the Maine House of Representatives and has been recently retired as senior executive vice-president of Amfac, Inc. He is now independently in business and is president of Zebron Corporation."

Senator Yee, on behalf of the Senators from the Sixth and Seventh Senatorial Districts, introduced 26 fifth grade students from Jefferson Elementary School and their teacher Haroldeen Wakida.

Senator Abercrombie then rose to remark: "Mr. President I am glad to see Haroldeen Wakida here today. For those who don't know, she has just been elected president of the Hawaii State Teachers Association."

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 414 to 419) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 414), returning Senate Bill No. 505, S.D. 1, which passed Third Reading in the House of Representatives on April 6, 1982, was placed on file.

A communication from the House (Hse. Com. No. 415), returning Senate Bill No. 2213-82, S.D. 2, which passed Third Reading in the House of Representatives on April 6, 1981, was placed on file.

A communication from the House (Hse. Com. No. 416), returning Senate Bill No. 2257-82, S.D. 1, which passed Third Reading in the House of Representatives on April 6, 1982, was placed on file.

A communication from the House (Hse. Com. No. 417), returning Senate Bill No. 2377-82 which passed Third Reading in the House of Representatives on April 6, 1982, was placed on file.

A communication from the House (Hse. Com. No. 418), returning Senate Bill No. 2530-82 which passed Third Reading in the House of Representatives on April 6, 1982, was placed on file.

A communication from the House (Hse. Com. No. 419), returning Senate Bill No. 2674-82, S.D. 1, which passed Third Reading in the House of Representatives on April 6, 1982, was placed on file.

At 11:47 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:59 o'clock a.m.

SENATE RESOLUTION

A resolution (S.R. No. 85), entitled: "SENATE RESOLUTION EXPANDING THE SPECIAL COMMITTEE APPOINTED TO INVESTIGATE THE PROBLEM OF THE PESTICIDE HEPTACHLOR IN LOCALLY PRODUCED MILK," was offered by Senator Wong and was read by the Clerk.

On motion by Senator Cobb, seconded by Senator Anderson and carried, S.R. No. 85 was adopted on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (O'Connor).
Excused, 1 (Ushijima).

At this time, the Chair appointed Senator Kawasaki as an additional member to serve on the Special Committee to Investigate the Problem of the Pesticide Heptachlor in Locally Produced Milk.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 795-82), informing the Senate that Standing Committee Report Nos. 796-82 to 807-82 have been printed and distributed to all members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 796-82), recommending that Senate Concurrent Resolution No. 3, S.D. 1, as amended in S.D. 2, be adopted.

Senator Henderson moved that the report of the Committee and S.C.R. No. 3, S.D. 2, be adopted, seconded by Senator Yee.

At this time, Senator Kuroda rose to speak for the resolution and stated:

"Mr. President, I will vote for the adoption of the senate concurrent resolutions on the state functional plans that are before us, with reservations, as I've indicated with my signature on each committee report.

"I cannot agree with the chairman's insistence that Senate Bill 2720 which amends Chapter 226 of the State Plan

must be enacted, as the committee report makes reference to. There was sufficient discussion at the public hearing last night to indicate that the Legislature is not bound by the functional plans as the functional plans go forward with proposals and themes, goals and objectives, and the Attorney General's Opinion that was cited many times last night makes reference to the agencies that are mandated to follow.

"For that reason, I want to express my reservations, that is, because of the reference in the committee reports linking the functional plans with Senate Bill 2720."

Senator Machida also spoke for the measure with reservations and stated:

"Mr. President, I'd like to echo the remarks made by the previous speaker and add that I think it's poor legislative procedure to tie one bill to another, as evidenced a couple of days ago with two agriculture bills.

"Mr. President, in the public hearing that was held last night, we received three and a half hours of testimonies. Primarily, those who testified indicated that these two should not be tied together, Senate Bill 2720 and the functional plans. This was evidenced at the hearing last night, and apparently the chairman of the committee has disregarded these testimonies.

"The other thing I'd like to indicate is that the chairman of the subject matter committee of the House testified at our hearing last night and indicated that 2720 is dead in his committee. So, to tie these functional plans to that Senate bill is a ridiculous procedure.

"In spite of these reasons, I would still like to urge that these functional plans be adopted."

Senator Henderson then rose to speak in favor of the resolutions and stated:

"Mr. President, I rise to speak in favor of the standing committee reports on Senate Concurrent Resolutions 3 to 14 which are for the adoption of the 12 state functional plans.

"Before I speak on the plans now before this body, I think a little historic perspective might add something to the subject matter.

"You will recall, the Legislature in 1975, some eight years ago, began drafting legislation for the Hawaii State Planning Act. In 1978 the final form of the Hawaii State Plan which now appears in our Hawaii Revised Statutes as Chapter 226

was passed by both the Senate and the House. It so happens that seven members of the conference committee are here in the Senate today, Senators Yamasaki, Saiki and I represented the Senate, and Senators Cayetano, Abercrombie, Machida and Mizuguchi were part of the House conferees.

"At that time, the conferees will recall, and I think this body will recall, there was a large question as to how the State Plan and how the functional plans should be adopted. There was a question as to whether it should be by statute or by resolution. The problem of course being that if you adopt the plan by statute it is the law, and if you adopt it by resolution it is not a law. The question is still before us today.

"The resolution in 1978 was to adopt the Hawaii State Planning Act by statute and to provide for the adoption of the resolution, the twelve functional plans...to adopt them by resolution, and in that way implement the Hawaii State Planning Act.

"Since that time, we have had four plans introduced in this body in 1979. There were eight that were introduced in 1980. In all the years since '79, '80, '81 until this year the functional plans have failed to be adopted by resolution. One of the problems, involved, I think, is that the functional plans are far more complex than the State Plan.

"The State Plan addresses mainly goals and guidelines and generalities; whereas, the functional plans got down right to the nitty-gritty of the twelve functional areas of this state.

"Also, there has been this question that's been hanging over the Legislature and interested people as to what effect the functional plans will have.

"It's true that the other day, Senator Kuroda, Monday afternoon as a matter of fact, I did receive a copy of the Attorney General's Opinion from the director of the Department of Economic Development. In that opinion, it states fairly well that the counties are not bound by the functional plans; however, the counties are bound by the State Plan. But, also, in the opinion, it talks about state agencies, but in the area of the Hawaii State Plan which is in particular Chapter 226, B, 2, (a) and (b) which deals with the legislative appropriations, both for the operating budget and the biennial and supplemental budget appropriations and also for the capital projects budget, that particular

area of the Hawaii State Planning Act states that the budgetary and land use decision-making process shall consist of (a) the appropriation of funds for major programs under the biennial and supplemental budgets. The language says, '...shall be in conformance with the state functional plans adopted pursuant to this chapter.'

"In (b) it talks about capital improvements. Capital improvements, it says, '...the appropriation of funds for major plans and projects under the capital improvement program shall be in conformance with the state functional plans adopted pursuant to this chapter.' It talks about decision-making processes in the state as far as the Land Use Commission is concerned, the same language appears, '...shall be in conformance with the state functional plans as adopted pursuant to this chapter.' This language also appears in the decision-making process as it applies to the Board of Land and Natural Resources... 'the decisions made by the Board of Land and Natural Resources shall be in conformance with the functional plans adopted pursuant to this chapter.'

"The Attorney General's Opinion, Mr. President, further goes on to state that, '...therefore the plain language of the statutory provisions indicates the necessity of having budgetary and land use decision-making processes comply with the functional plans.'

"Mr. President, in the adoption of these twelve resolutions we have linked the adoption of the resolutions to the passage of Senate Bill 2720. Senate Bill 2720 would amend this particular part of the Hawaii State Planning Act, among some other minor amendments, and will make it very clear that any legislative decision-making such as that required in (a) and (b) of this particular section of the Planning Act would not be mandated to conform to the functional plans that are to be adopted by this legislative body.

"Therefore, Mr. President, I urge that this body adopt the resolutions in the forms that they have been submitted and that we transmit them to the House for further discussion.

"Thank you."

Senator Kuroda responded to the remarks by the previous speaker and stated:

"Mr. President, I think that what we need to remember, members of the Senate, is that the Attorney General's Opinion makes reference to the requests made for appropriations for projects

that the agencies request. They must be in conformance with the functional plan as shown; that it is not the Legislature that is bound by these requirements.

"I stand to stress this concern because the arguments have been brought forward by the chairman that he is concerned that the Legislature will be bound by the functional plans, and this is not what the Attorney General's Opinion rules. It states clearly that it is the agencies that submit the request that must be in conformance with the functional plans."

Senator Henderson, in reply, stated:

"Mr. President, the question that was asked the Attorney General was whether the state agencies must conform to the state functional plans. There is nothing in the particular Chapter 226,B,2, (a) and (b) that says it's solely restricted to agencies. In my opinion, Mr. President, it applies to this body as well."

Senator Campbell then rose on a point of parliamentary inquiry as follows:

"Mr. President, are we operating under a legislative deadline in getting these plans over to the House? And, if so, what is the deadline?"

The Chair answered: "No, Senator Campbell, there is no legislative deadline, whatsoever."

Senator Campbell then rose to speak on the measure and stated:

"Mr. President, I rise to speak with reservation on the adoption of the plans and my remarks may not relate to the issue which is now before the body but it does relate to the fact the hearing by your Committee on Economic Development of the plans held just last night presents these plans before us today for adoption and, in my judgment, this body should have at least one day to digest the findings of the committee.

"As a matter of fact, I haven't had a chance to read all of the committee reports of all the plans that are before us.

"Mr. President, that is basically my reservation for voting at this time. At least we ought to have a day to look at these committee reports which will give us a chance to look at the deliberations of the committee. Thank you."

Senator Kuroda responded to the previous speaker's remarks and stated:

"Mr. President, I hope that we have these plans move forward even though I vote with reservations. I feel that these plans should go forward to the House as soon as possible so that deliberations can be continued. We all know that the House will not agree with certain elements of the provisions in the functional plans.

"We know that the position of the House, especially when we had the committee chairman come to testify, of which Senator Machida made reference to, and I am hopeful that the so-called 'opihi' who left the position of Speaker of the House and became a judge, and the 'opihi' that's our vice-president here who sometimes relinquishes his hold, I hope that our good chairman will not be another 'opihi' and would be very accommodating to the discussions that take place when our functional plans go to the House."

Senator Cayetano added: "Mr. President, may I say that I hope if our 'opihi' feels he's right, he'll hang on for dear life."

Senator Cobb then expressed his reservations and stated:

"Mr. President, I guess it's appropriate to say an 'opihi' is an 'opihi' is an 'opihi' like an eel is an eel is an eel, regardless of how you call it.

"I'd like to express one reservation and request that a 'no' vote be recorded for me on the Tourism Plan, particularly with reference to Queen's Beach.

"The community in Hawaii Kai is bitterly divided on the issue and the State Plan on first reading indicates that Queen's Beach is to be one of the priority areas, if not the priority off the Waikiki resort area. I feel that's a designation that belongs more properly in either West Beach or some other area where the Neighborhood Board and the community have gone on record in favor and in support of a resort area in that particular community, as opposed to Hawaii Kai where the residents and the Neighborhood Board are bitterly divided on the subject.

"Thank you."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 796-82 was adopted and S.C.R. No. 3, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE AGRICULTURE FUNCTIONAL PLAN," was adopted.

Senator Henderson, for the Committee on Economic Development, presented

a report (Stand. Com. Rep. No. 797-82) recommending that Senate Concurrent Resolution No. 4, S.D. 1, as amended in S.D. 2, be adopted.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the Committee was adopted and S.C.R. No. 4, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE EDUCATION PLAN," was adopted.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 798-82) recommending that Senate Concurrent Resolution No. 5, S.D. 1, as amended in S.D. 2, be adopted.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the Committee was adopted and S.C.R. No. 5, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE HEALTH PLAN," was adopted.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 799-82) recommending that Senate Concurrent Resolution No. 6, as amended in S.D. 1, be adopted.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the Committee was adopted and S.C.R. No. 6, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE WATER RESOURCES DEVELOPMENT PLAN," was adopted.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 800-82) recommending that Senate Concurrent Resolution No. 7, S.D. 1, as amended in S.D. 2, be adopted.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the Committee was adopted and S.C.R. No. 7, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE RECREATION PLAN," was adopted.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 801-82) recommending that Senate Concurrent Resolution No. 8, S.D. 1, as amended in S.D. 2, be adopted.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the Committee was adopted and S.C.R. No. 8, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION

RELATING TO THE STATE CONSERVATION LANDS PLAN," was adopted.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 802-82) recommending that Senate Concurrent Resolution No. 9, S.D. 1, as amended in S.D. 2, be adopted.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the Committee was adopted and S.C.R. No. 9, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE HISTORIC PRESERVATION PLAN," was adopted.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 803-82) recommending that Senate Concurrent Resolution No. 10, S.D. 1, as amended in S.D. 2, be adopted.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the Committee was adopted and S.C.R. No. 10, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE TOURISM PLAN," was adopted on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Cobb). Excused, 1 (Ushijima).

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 804-82) recommending that Senate Concurrent Resolution No. 11, as amended in S.D. 1, be adopted.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the Committee was adopted and S.C.R. No. 11, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE ENERGY PLAN," was adopted.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 805-82) recommending that Senate Concurrent Resolution No. 12, S.D. 1, as amended in S.D. 2, be adopted.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the Committee was adopted and S.C.R. No. 12, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE HOUSING PLAN," was adopted.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 806-

82) recommending that Senate Concurrent Resolution No. 13, S.D. 1, as amended in S.D. 2, be adopted.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the Committee was adopted and S.C.R. No. 13, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE TRANSPORTATION PLAN," was adopted.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 807-82) recommending that Senate Concurrent Resolution No. 14, S.D. 1, as amended in S.D. 2, be adopted.

On motion by Senator Henderson, seconded by Senator Yee and carried, the report of the Committee was adopted and S.C.R. No. 14, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE HIGHER EDUCATION PLAN," was adopted.

ORDER OF THE DAY

MATTERS DEFERRED FROM APRIL 6, 1982

Senate Bill No. 103, H.D. 1:

By unanimous consent, action on S.B. No. 103, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," was deferred until Thursday, April 8, 1982.

Senate Bill No. 262, S.D. 1, H.D. 2:

By unanimous consent, action on S.B. No. 262, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DELINQUENT PENALTIES FOR LATE RENEWAL OF MOTOR VEHICLE REGISTRATIONS," was deferred until Thursday, April 8, 1982.

Senate Bill No. 365, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 365, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FARM LOANS," was deferred until Thursday, April 8, 1982.

Senate Bill No. 486, H.D. 1:

By unanimous consent, action on S.B. No. 486, H.D. 1, entitled: "A BILL FOR AN ACT RELATING THE DEPARTMENT OF HEALTH," was deferred until Thursday, April 8, 1982.

Senate Bill No. 536, S.D. 2, H.D. 2:

By unanimous consent, action on S.B. No. 536, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," was deferred until Thursday, April 8, 1982.

Senate Bill No. 553, S.D. 2, H.D. 2:

By unanimous consent, action on S.B. No. 553, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Thursday, April 8, 1982.

Senate Bill No. 561, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 561, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REMOVAL OF SAND," was deferred until Thursday, April 8, 1982.

Senate Bill No. 594, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 594, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CEMETERIES AND MORTUARIES," was deferred until Thursday, April 8, 1982.

Senate Bill No. 1287, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1287, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred to until Thursday, April 8, 1982.

Senate Bill No. 1308, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 1308, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," was deferred until Thursday, April 8, 1982.

Senate Bill No. 1447, S.D. 1, H.D. 2:

By unanimous consent, action on S.B. No. 1447, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES' RETIREMENT SYSTEM," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2269-82, S.D. 2, H.D. 2:

By unanimous consent, action on S.B. No. 2269-82, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A CRIMINAL JUSTICE TRAINING FUND," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2304-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2304-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LOBBYING," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2334-82, H.D. 1:

By unanimous consent, action on S.B. No. 2334-82, H.D. 1, entitled: "A BILL FOR AN ACT PROVIDING PENALTIES FOR VIOLATIONS OF CHAPTER 290 RELATING TO ABANDONED VEHICLES," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2353-82, S.D. 1, H.D. 2:

By unanimous consent, action on S.B. No. 2353-82, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JOB SHARING PILOT PROJECT IN THE PUBLIC LIBRARY SYSTEM," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2389-82, H.D. 1:

By unanimous consent, action on S.B. No. 2389-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2399-82, S.D. 2, H.D. 2:

By unanimous consent, action on S.B. No. 2399-82, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF REGULATORY AGENCIES," was deferred until Thursday, April 8, 1982.

Senate Bill No. 1697, S.D. 1, H.D. 2:

By unanimous consent, action on S.B. No. 1697, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO JOB-SHARING IN THE DEPARTMENT OF EDUCATION," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2144-82, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 2144-82, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRUGS," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2189-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2189-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF THE ATTORNEY

GENERAL," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2245-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2245-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECIPROCAL ENFORCEMENT OF SUPPORT," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2350-82, H.D. 2:

By unanimous consent, action on S.B. No. 2350-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2379-82, H.D. 1:

By unanimous consent, action on S.B. No. 2379-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2382-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2382-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2386-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2386-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SECURITIES," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2401-82, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 2401-82, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE AND NEGLECT," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2467-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2467-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS AND AMMUNITION," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2470-82, S.D. 2, H.D. 2:

By unanimous consent, action on S.B. No. 2470-82, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2471-82, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 2471-82, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE SAFETY RESPONSIBILITY ACT," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2496-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2496-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2513-82, S.D. 1, H.D. 2:

By unanimous consent, action on S.B. No. 2513-82, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES: FRANCHISE TAX," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2531-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2531-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYER-EMPLOYEE RELATIONSHIPS," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2636-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2636-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMED CONSENT," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2646-82, H.D. 1:

By unanimous consent, action on S.B. No. 2646-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PATIENTS' COMPENSATION FUND," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2682-82, S.D. 1, H.D. 2:

By unanimous consent, action on S.B. No. 2682-82, S.D. 1, H.D. 2,

entitled: "A BILL FOR ACT RELATING TO MENTAL HEALTH," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2696-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2696-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER COOPERATIVE ASSOCIATIONS," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2709-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2709-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENCOURAGEMENT OF FEDERALLY CERTIFIED DEVELOPMENT COMPANIES," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2765-82, S.D. 1, H.D. 2:

By unanimous consent, action on S.B. No. 2765-82, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2759-82, S.D. 1, H.D. 2:

By unanimous consent, action on S.B. No. 2759-82, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES AND MAKING AN APPROPRIATION THEREFOR," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2814-82, S.D. 2, H.D. 2:

By unanimous consent, action on S.B. No. 2814-82, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2816-82, S.D. 2, H.D. 2:

By unanimous consent, action on S.B. No. 2816-82, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GRANTS, SUBSIDIES, AND PURCHASES OF SERVICE," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2904-82, S.D. 1, H.D. 2:

By unanimous consent, action on S.B. No. 2904-82, S.D. 1, H.D. 2,

entitled: "A BILL FOR AN ACT RELATING TO A WATER COMMISSION AND FORMULATION OF A STATE WATER CODE," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2868-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2868-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2915-82, H.D. 2:

By unanimous consent, action on S.B. No. 2915-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MARINE AFFAIRS COORDINATOR," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2926-82, S.D. 1, H.D. 2:

By unanimous consent, action on S.B. No. 2926-82, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RELEASE OF MATCHING STATE FUNDS," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2947-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2947-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FILIPINO 75TH ANNIVERSARY COMMISSION," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2955-82, S.D. 2, H.D. 2:

By unanimous consent, action on S.B. No. 2955-82, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2978-82, S.D. 1, H.D. 2:

By unanimous consent, action on S.B. No. 2978-82, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CANCER COMMISSION," was deferred until Thursday, April 8, 1982.

Senate Bill No. 65, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 65, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND TRUSTS," was deferred until Thursday, April 8, 1982.

Senate Bill No. 397, S.D. 2, H.D. 2:

By unanimous consent, action on S.B. No. 397, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Thursday, April 8, 1982.

Senate Bill No. 400, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 400, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTEREST," was deferred until Thursday, April 8, 1982.

Senate Bill No. 544, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 544, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Thursday, April 8, 1982.

Senate Bill No. 732, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 732, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," was deferred until Thursday, April 8, 1982.

Senate Bill No. 1859, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1859, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MERGERS OR CONSOLIDATIONS," was deferred until Thursday, April 8, 1982.

Senate Bill No. 1925, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1925, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYER-EMPLOYEE RELATIONSHIPS," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2145-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2145-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RIDESHARING," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2147-82, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 2147-82, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2183-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2183-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE FACILITIES," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2224-82, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 2224-82, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2228-82, H.D. 1:

By unanimous consent, action on S.B. No. 2228-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2288-82, H.D. 1:

By unanimous consent, action on S.B. No. 2288-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF AGRICULTURE," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2309-82, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 2309-82, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2343-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2343-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE DISPOSAL," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2346-82, S.D. 2, H.D. 2:

By unanimous consent, action on S.B. No. 2346-82, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL FEES," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2366-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2366-82, S.D. 1, H.D. 1,

entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING REPORT," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2388-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2388-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2434-82, S.D. 2, H.D. 2:

By unanimous consent, action on S.B. No. 2434-82, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2454-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2454-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY TRANSACTIONS," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2477-82, H.D. 1:

By unanimous consent, action on S.B. No. 2477-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REPAIRS," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2517-82, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 2517-82, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2524-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2524-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2550-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2550-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2561-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2561-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2566-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2566-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO APPEALS BY THE STATE IN CRIMINAL CASES," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2615-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2615-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THEFT OF UTILITY SERVICES," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2624-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2624-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GRAND JURY COUNSEL," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2638-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2638-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SALES AND TRANSFER OF REAL PROPERTY SITUATED IN HAZARDOUS AREAS," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2642-82, H.D. 1:

By unanimous consent, action on S.B. No. 2642-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JUVENILE JUSTICE INTERAGENCY BOARD," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2760-82, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 2760-82, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2829-82, H.D. 1:

By unanimous consent, action on S.B. No. 2829-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS," was deferred until Thursday, April 8, 1982.

Senate Bill No. 2913-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2913-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," was deferred until Thursday, April 8, 1982.

At 12:15 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:17 o'clock p.m.

MATTER DEFERRED
FROM APRIL 6, 1982

THIRD READING

House Bill No. 2629-82, H.D. 1:

Senator Carpenter moved that H.B. No. 2629-82, H.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator O'Connor rose to speak against the measure and stated:

"Mr. President, this measure would incorporate in the section of our Penal Code an addition to a section enacted a couple of years ago to protect spouses and children in domestic situations. That section allowed for injunctive and civil relief in Family Court to stop the hassles and fights and problems that always are generated in domestic strife where a marriage is breaking up or children are causing trouble or situations of that nature.

"This bill seeks, by simple reference to that entire chapter, to make a Class C felony out of every domestic fight which occurs in this state for which a Family Court order is sought to prevent the domestic problem. I find that unusually devastating. It's something that's beyond belief.

"Where we can enact a statute for the good of a domestic situation where in the quiet and semi-privacy of a Family Court an order can be sought to preclude further domestic difficulties and a Family Court judge or referee

can interject an order to insure that domestic problems don't go on, to take that and turn it into a Class C felony, to my mind, destroys the entire concept of Family Court and the entire concept of domestic tranquility which it attempts to put together.

"Further and worse, if you want to look at it from that standpoint, just the other night we amended that whole chapter, the entire Chapter 525 out of the same committee. And in the amendment we made it even more a civil situation, even more a private and family court, and took care more of the feelings of the spouses and the children which is the present tenor in this sort of situation, and yet we still have this bill before us making a violation of those orders of the Family Court, a Class C felony.

"Mr. President, I would urge everybody in this body to vote against this bill as being a bad measure."

Senator Kawasaki then asked if the previous speaker would yield to a question and Senator O'Connor replied in the affirmative.

Senator Kawasaki asked: "Were your concerns discussed in the deliberations of the Senate Committee on Judiciary on this particular bill?"

Senator O'Connor answered: "Mr. President, we did not have deliberations as such on this bill from the standpoint of decision-making in which I was present in any event."

Senator Cayetano also rose to speak against the measure and stated:

"Mr. President, I join Senator O'Connor in opposing this bill.

"Actually, the bill really adds another provision to what is the existing law. I voted against this law when it was first proposed to this body.

"Just to add to Senator O'Connor's remarks, a law like this was enacted in response to a few cases, really, where children were kidnapped, so to speak, against their will by parents. But it seems to me that we're going far afield and the penalty really is not justified in these circumstances.

"Those who have had experience in the Family Court, and I have had eleven years of practice dealing with domestic affairs, know that very often the court will award custody of a child to one parent when the child really wants to be with the other parent. That

happens often. And in such cases, it is not unusual to see the development of such an emotional situation that a non-custodial parent very often thinking and believing that he is acting in the best interest of the child, because the child does not want to be with the custodial parent, will take actions which may be a violation of the law that is spoken of in this bill. For that kind of parent to have imposed upon him a Class C felony, a penalty which is so harsh, that it may deprive a person of work, for example, with the Federal Government, I think, is much too harsh.

"I voted against this a couple of years ago, maybe it was last year, and I'm going to vote against it again for the very same reasons."

Senator Carpenter then rose to speak for the measure and stated:

"Mr. President, this bill was essentially introduced by the victim witness kokua group of the City and County of Honolulu and is strongly supported by the Family Court.

"Mr. President, the bill goes to adding another dimension to custodial interference in the first degree which was in fact changed from a misdemeanor last year to a Class C felony, and essentially adds now the language '...or knowingly violates a court order issued pursuant to chapter 585...' the section relating to ex parte temporary restraining orders.

"Mr. President, what it does is to conform the language relating to the theft of a child and in fact this language says, '...or knowingly violates...' that is the individual must knowingly violate, and must be under an ex parte restraining order. So, it is in conformance with the action taken last year; it does not violate any precepts of Family Court, and in fact they support it wholeheartedly.

"Thank you."

Senator O'Connor responded and stated:

"Mr. President, I just have to take major issue with the good chairman.

"What he has just said is absolutely incorrect. Chapter 585, and I have it before me, which was enacted in 1979 and which I drafted, has to do with ex parte temporary restraining orders in Family Court. The orders which are included in chapter 585 include orders preventing either party or both parties, and these are parties to a divorce action, from contacting

each other, threatening each other, physically abusing each other, notwithstanding that a complaint for a normal divorce or separation has not been filed; further they can go to such situations as order may require, either or both parties involved, to leave the premises during the period of the order, and also may restrain the party to whom it is directed from contacting, threatening, or physically abusing the children or other relatives of the applicant, residing with the applicant at the time of the order.

"The order shall not only be binding upon the parties to the action but also upon their officers, agents, servants, employees, attorneys, or any other person in active consort or participation with them.

"Chapter 585 is the most far-reaching injunctive relief section that we have ever passed in this body for the Family Court and allows orders for such a wide variety of things, Mr. President, that it covers every possible situation that can arise in a divorce action.

"Now, to take a part of the Penal Code and say that it's a Class C felony for the violation of all of those standard injunctive orders that you get out of the Family Court in a divorce action is twisting the whole concept of the Penal Code and the whole concept of utilizing Class C felonies for serious crime to a degree that we may as well not even think about it any more.

"This chapter 585 is there for domestic relief and to preserve the family. What we're doing with this bill that's before us is destroying it.

"I urge we all vote against it."

Senator Carpenter, in response, stated:

"Mr. President, 'the knowingly violates' section relating to a court order issued pursuant to chapter 585 I recognize is fairly broad, but it is coupled with the words 'and removes himself and the person less than 18 years old from the state' which goes to the theft of the child.

"I believe the good Senator from the Seventh District, who was the author of chapter 585, really ought to take his complaint to the Family Court who is in full support of this and who is in full responsible charge of the carrying out of chapter 585."

Senator O'Connor further remarked:

"Mr. President, the thing that bothers me is that there are many situations where a parent loses with the child. What

I'm concerned about is that in the same domestic situations, almost as a matter of course, one of these other orders is usually sought and obtained in a divorce action...some sort of order for injunctive relief where that order is in existence.

"The trouble with this bill is that it doesn't relate the order to the child, or to removing the child from the court. It just says 'or knowingly violates the court order pursuant to chapter 585.' The order is not related to the removal. And a bill which served a distinct purpose and was in fact something based upon reality and need, today, becomes warped because if there is a court order existent for the parent, for example, not to do something and he violates that order and simultaneously removes the child, he has committed a Class C felony.

"I urge voting against it."

Senator Abercrombie then rose to speak in favor of the measure and stated:

"Mr. President, the opinions held on both sides are strong. I speak in favor of this bill because I think the bottom line here is exemplified by the commentary made by the previous speaker with respect to preserving the possibility at least of uniting a family or working something out on a civilized basis with respect to the family.

"What the chairman of the Judiciary Committee has pointed out is that this goes to where a child is kidnapped. There's no other word for it. The child was kidnapped and removed from the state.

"How is it possible for the various and sundry activities associated with either reconciliations or coming to a civilized conclusion with respect to custody to take place if the child is removed from the state?

"I don't have the experience in the Family Court from the point of view of an attorney but I've had the experience of dealing with people who have suffered from this situation where the children had been kidnapped from the state, not only kidnapped but taken from the state under such circumstances that people are left without recourse. One of the only possible ways of dealing with the situation is to have a harsh penalty for that particular action.

"It's not possible even to conduct the affairs of the Family Court with respect to any of the possible alternatives if the person has left the state with the

child."

At this time, Senator Kuroda asked if the chairman of the Judiciary Committee would yield to a question and Senator Carpenter replied in the affirmative.

Senator Kuroda asked: "Mr. Chairman, in the testimony when the bill was before the committee, did not the police also speak in support of the bill?"

Senator Carpenter answered that they did.

Senator Kuroda continued and stated:

"Mr. President, I was also at the hearing, being a member of the Judiciary Committee and, as it has been mentioned, the Family Court and the police came to testify in favor of the bill because of a problem. The problem, as Senator Abercrombie mentioned, is illegal removal of the person, kidnapping.

"And speaking in support of it, I would like to make reference to the very refreshing situation where we have a non-attorney, a very effective non-attorney as chairman of the Judiciary Committee...very refreshing.

"I urge all members to vote for the bill."

Senator Cayetano, speaking against the measure, added as follows:

"Mr. President, what is not refreshing is the stale argument used by Senator Kuroda.

"Kidnapping is misused when this bill is discussed. Kidnapping or the crime of kidnapping requires as an element that the person kidnapped does not give his or her permission. There is no such requirement in this bill. What this bill does is make it a crime if the person violates the court order, and a Class C felony at that. So, I don't think you can really make an analogy to kidnapping. It's a totally different kind of situation.

"The police, the last time I recall, also came in and testified against the lottery bill. We all remember how receptive the members of this body were to the police testimony on that bill. It just shows you that occasionally they can be wrong. I'm sure the chairman of the Judiciary Committee, who is now laughing, will agree with me on that.

"The bottom line of this whole bill is that it really is going to destroy, or serve more to destroy, family relationships than it is to deal with or cure problems which are really isolated in number when

viewed in the context of the domestic problems we have in this state. It's much, much too harsh.

"You're going to have a situation, as I said, where a child is going to be very willing to go with the parent because he loves that parent and he wants to be with that parent. You're going to have the parent who is law-abiding otherwise, but is going to do this because he feels his child is being handled in a way that is not in the best interest of the child. And I ask everyone here how they would act if they were faced with obeying the law which they believe in their heart was wrong and detrimental to the best interest of their child.

"As an attorney, I can tell you how I would act. I would act in the best interest of my child, notwithstanding the consequences and maybe after exhausting all legal remedy. So, that's the issue before us in this bill and, again, I ask the members to vote 'no.'"

Senator O'Connor further remarked against the measure and stated:

"Mr. President, I would just like to give the body an example of how far this bill would go in a domestic situation, as presently drafted.

"If one of us were divorcing our spouse and that person got custody of the children and simultaneously was ordered by the court not to threaten his or her spouse in the future, and that person with custody of the children walked up to his or her spouse and said, 'If you come near me again, I'm going to punch you in the nose.' and then took the child which he had custody of and got on the plane and went to California, that person is guilty of this crime. Now, that is ridiculous.

"That's the extent that this amendment does to an otherwise well-intentioned piece of law. And that same order, court order under 585, can have to do with going on to the premises, can have to do with relatives not getting involved, can be directed at relatives, and a relative can be the person who gets on the plane with the person less than 18 years of age.

"What this bill does, in its proposed form, is that it does not connect in any way the court order under chapter 585 with the removal of the youth under 18 from the state, and that's the vice in the bill, and no matter how much people talk, or how much they try to explain it away, that vice is still there and this measure should not be enacted into law."

Senator Abercrombie, in support of the measure, further remarked:

"Mr. President, the problem here is in the absence of it, that kind of thing can go on with impunity because people believe that there is nothing that can really be done with it. That's exactly the point.

"I can give you, if we're going to give examples, I can give you an example of the situation where the people... what about the parent who has legal custody of the child and want the child to remain here, and what about the court that thinks that that's a good idea pending some final resolution or a final resolution has been made. I know of a situation where it was dealt with quite handily. People came to a door, broke down the door, beat the people up in the house, took the children and not only took the children out of the state but out of the country. And what kind of relief does the person have who's left back here, who's depending on the law to protect her, in this instance, from precisely that kind of... I don't know, maybe kidnapping is not the precise term, but I certainly know that that child was taken without permission. Didn't have the child's permission or the permission possibly was gained... if you're going to call somebody breaking down the door, beating up everybody in the house in the middle of the night and then asking the children whether they'd like to go along with daddy... if that constitutes permission, I suppose it could be construed as such, but I don't construe it as such. I construe it as crime has been committed and at present, the way I understood it from the Prosecutor's Office, there wasn't any essential relief that could be given, nor would there be any essential penalty as such other than perhaps some civil action with respect to violation of in terms of custody and control.

"That's the reason that the penalty is attached here and with the kind of severity that is entailed."

Senator Cayetano responded and stated:

"Mr. President, the laws that we have today are adequate to deal with those situations. If I'm not mistaken, kidnapping is a federal crime. It also is a state crime. Again, I go to the issue of permission.

"As far as the wife getting beat up, we have laws which would take care of the situation also. So, you know, let's not confuse the issue.

"Maybe it's not refreshing not to have an attorney as the chairman of the Judiciary Committee. It is not refreshing to not know the law."

The motion was put by the Chair and carried and H.B. No. 2629-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CUSTODIAL INTERFERENCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 13. Noes, 7 (Campbell, Cayetano, Machida, Mizuguchi, O'Connor, Saiki and Toyofuku). Excused, 5 (Holt, Soares, Ushijima, Yee and Young).

At this time, Senator Cayetano rose to speak on a point of personal privilege and stated:

"Mr. President, at the beginning of this session, there was much discussion about Senator Anderson's non-candidacy for governor and I, personally, have staked out where I am... I am going to support the Democratic nominee.

"Of course, Senator Anderson has denied his candidacy, but we keep on seeing little evidences of that candidacy.

"I recall watching the evening news one evening, Channel 9, I believe it was, was televising the project that was being held out at Laie to collect items and goods to provide relief for the Tongans. And I recall as they were collecting these boxes of goods; it was held in a certain headquarters, and on those walls I thought I saw the words 'Anderson for' something. I didn't see the last word because all the boxes that were being brought to the place had covered the last word, and as the television camera was zooming in on the name, I could see one of the workers there, frantically trying to cover up the big 'A' that the name Anderson begins with.

"Then, of course, we've come across other indications that Senator Anderson's non-candidacy may not in fact be that, but the latest is the most clever.

"Mr. President, I have here a copy of today's Honolulu Star-Bulletin, and there's a big ad in there, and it says, 'Nikon Easter Sale, 3 days - Thur-Fri-Sat' and it cites the prices, and on the bottom there it says, 'Anderson's Camera & Hi-Fi.' I believe we all know that Senator Anderson owns a camera shop. The layout of the ad has pictures of animals. There's a picture of a bunny and that bunny is named 'Lanny Gordon.' Further down, a picture of another bunny

and that bunny is named 'Glenn,' and then even further down, there's another picture of a bunny and the bunny has the word 'E' and I guess that's a name. But, strangely, in the middle of the page on the left hand side there's a picture of a turtle or a tortoise and the name is 'George.'"

Senator Anderson interjected on a point of information and asked: "Mr. President, does that turtle appear to be alive or dead?"

Senator Cayetano replied: "That's a tortoise, Senator Anderson."

Senator Anderson said: "It appears to be alive and therefore it would not reflect on the person you're thinking of."

Senator Cayetano answered: "I just want to remind the good Senator, however, we all know the parable of the tortoise and the hare, and I ask you, who won the race?"

Senator Kuroda also rose on a point of personal privilege and stated:

"Mr. President, I am not making any reference to any newspaper, but I was aggrieved by the defeat of a particular bill two evenings ago, and our side did not have a chance to respond with poetry. The debate two evenings ago on this eel bill was quite notable because the female Senator from the Windward District recited a poem in opposition to the bill. Well, we all know that our colleague, the male

colleague from the Third District, the able chairman of the Senate Agriculture Committee led an adequate but unconvincing fight for the measure. However, I did note that his argument did not include a poetic reply. Perhaps it was the lateness of the hour, or the heat of the moment, but whatever the case may be, I feel he could have responded by at least 'cockroaching' some words from the song that was made popular by our local comedian Rap Reiplinger and he could have sang out 'Faith Unagi, I love you.'

"Anyway, that's all behind us now but I just wanted to commend our colleague for his attempt and present him with a gift."

Senator Ajifu responded and stated: "Mr. President, I'd just like to change the title 'Faith Unagi' to 'Fate Unagi.'"

"Mr. President, this really doesn't describe the unagi as it was more properly described by Senator Henderson the other night when he sent me a note which said, 'You and I and the Rostrata have two things in common, that is, thick skin and short bodies.' In fact, yesterday morning we just amended that statement when Senator Soares said, 'Also, high fat content.'"

ADJOURNMENT

At 12:49 o'clock p.m., on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, April 13, 1982.

FIFTIETH DAY

Thursday, April 8, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Dr. Edmond Walker, Executive Director of the Hawaii Baptist Convention, after which the Roll was called showing all Senators present with the exception of Senator Yee who was excused.

The President announced that he had read and approved the Journal of the Forty-Ninth Day.

At this time, the following introductions were made to the members of the Senate:

Senator Saiki, on behalf of Senator Anderson, introduced 14 members of the Mililani Golden Years Senior Citizens Club.

Senator Abercrombie introduced an old friend, Mr. Jim Loomis.

At 11:44 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:56 o'clock a.m.

At this time, Senator O'Connor rose and stated:

"Mr. President, we have two young people visiting us today that I'd like to introduce to the Senate. Their ties are deep in this State, in the Territory and the Republic and in the Kingdom before that. I'd like to introduce George Robert Carter, IV, and Anne Strong Carter, who are visiting from their respective schools from the Mainland. If the name sounds familiar, the First was once the Governor of the Territory."

Senator Cobb then introduced Judge Philip C. Wilkins, Chief Judge of the Federal District Court, Eastern District of California, his wife Susan, and their friends, the Ellis family.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 60 to 62) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 60), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON POSSIBLE MODIFICATIONS OF THE

OPTIONAL COVERAGE REQUIREMENT OF THE HAWAII NO-FAULT LAW," was offered by Senators Cobb, Uwaine, Soares, Kuroda, Kobayashi, George, Saiki, Ajifu, Holt, Machida, Carpenter and Henderson.

By unanimous consent, S.C.R. No. 60 was referred to the Committee on Consumer Protection and Commerce.

A concurrent resolution (S.C.R. No. 61), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE GENERAL EXCISE TAX ON SALES REPRESENTATIVES AND PURCHASING AGENTS," was offered by Senators Cobb, Uwaine, Soares, Kuroda, Kobayashi, George, Holt, Saiki, Machida, Ajifu, Carpenter and Henderson.

By unanimous consent, S.C.R. No. 61 was referred to the Committee on Ways and Means.

A concurrent resolution (S.C.R. No. 62), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO TERMINATE ITS PLANS TO ACQUIRE THE RESIDENTIAL LOTS IN THE BLOCK BOUNDED BY MONSARRAT AVENUE, LEAHI AVENUE, NOELA AVENUE, AND PAKI AVENUE FOR USE AS PART OF KAPIOLANI PARK," was offered by Senator Uwaine.

By unanimous consent, S.C.R. No. 62 was referred to the Committee on Ecology, Environment and Recreation.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 86 to 89) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 86), entitled: "SENATE RESOLUTION URGING PURSUIT OF ALL AVAILABLE MEANS TO PUT AN END TO THE CAMPAIGN OF GENOCIDE AGAINST THE BAHAI FAITH IN IRAN," was offered by Senator Abercrombie.

By unanimous consent, S.R. No. 86 was referred to the Committee on Judiciary.

A resolution (S.R. No. 87), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON POSSIBLE MODIFICATIONS OF THE OPTIONAL COVERAGE REQUIREMENT OF THE HAWAII NO-FAULT LAW," was offered by Senators Cobb, Yee, Soares, Henderson, Kuroda, Saiki, Carpenter, Uwaine, Machida and Ajifu.

By unanimous consent, S.R. No. 87 was referred to the Committee on Consumer Protection and Commerce.

A resolution (S.R. No. 88), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE GENERAL EXCISE TAX ON SALES REPRESENTATIVES AND PURCHASING AGENTS," was offered by Senators Cobb, Uwaine, Soares, Kuroda, Kobayashi, George, Henderson, Holt, Saiki, Machida, Ajifu and Carpenter.

By unanimous consent, S.R. No. 88 was referred to the Committee on Ways and Means, then to the Committee on Legislative Management.

A resolution (S.R. No. 89), entitled: "SENATE RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO TERMINATE ITS PLANS TO ACQUIRE THE RESIDENTIAL LOTS IN THE BLOCK BOUNDED BY MONSARRAT AVENUE, LEAHI AVENUE, NOELA AVENUE, AND PAKI AVENUE FOR USE AS PART OF KAPIOLANI PARK," was offered by Senator Uwaine.

By unanimous consent, S.R. No. 89 was referred to the Committee on Ecology, Environment and Recreation.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 808-82) informing the Senate that Senate Concurrent Resolution Nos. 60 to 62, Senate Resolution Nos. 86 to 89 and Standing Committee Report No. 809-82 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 809-82) recommending that Senate Resolution No. 37, as amended in S.D. 1, be adopted.

Senator Henderson moved that Stand. Com. Rep. No. 809-82 and S.R. No. 37, S.D. 1, be adopted, seconded by Senator Anderson.

At this time, Senator Abercrombie rose and stated:

"Mr. President, I'd like to rise to speak in favor of this resolution, very briefly, mostly to thank the Chairman of the Economic Development Committee for hearing this resolution and paying the kind of attention to it that is deserved. I've been working in this area for several years now with respect to a floating

drydock ship repair facility, and I think that this request is entirely in order today, more so than ever before, and I appreciate the fact that it has been recognized as such by the Economic Development Committee."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.R. No. 37, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STATE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT STUDY OF THE FEASIBILITY OF A PRIVATE SECTOR FLOATING DRYDOCK SHIP REPAIR FACILITY," was adopted.

At 12:00 o'clock noon, the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:04 o'clock p.m.

ORDER OF THE DAY

MATTERS DEFERRED FROM APRIL 7, 1982

Senate Bill No. 103, H.D. 1:

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 103, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Uwaine, Chairman, Henderson and Yee as Managers on the part of the Senate at such conference.

Senate Bill No. 262, S.D. 1, H.D. 2:

On motion by Senator Kawasaki, seconded by Senator Abercrombie and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 262, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on the Final Reading of S.B. No. 262, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DELINQUENT PENALTIES FOR LATE RENEWAL OF MOTOR VEHICLE REGISTRATIONS."

Senate Bill No. 365, S.D. 2, H.D. 1:

On motion by Senator Yamasaki, seconded by Senator Ajifu and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 365, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President

appointed Senators Yamasaki, Chairman, Ajifu and Young as Managers on the part of the Senate at such conference.

Senate Bill No. 486, H.D. 1:

On motion by Senator Cayetano, seconded by Senator Carpenter and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 486, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cayetano, Chairman, Toyofuku and Ajifu as Managers on the part of the Senate at such conference.

Senate Bill No. 536, S.D. 2, H.D. 2:

On motion by Senator Yamasaki, seconded by Senator Uwaine and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 536, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, Uwaine and Yee as Managers on the part of the Senate at such conference.

Senate Bill No. 553, S.D. 2, H.D. 2:

On motion by Senator Yamasaki, seconded by Senator Henderson and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 553, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, Henderson and Yee as Managers on the part of the Senate at such conference.

At 12:08 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:11 o'clock p.m.

Senate Bill No. 561, S.D. 2, H.D. 1:

On motion by Senator Yamasaki, seconded by Senator Kobayashi and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 561, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, Henderson and Kobayashi as Managers on the part of the Senate at such conference.

Senate Bill No. 594, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, the Senate

agreed to the amendments proposed by the House to S.B. No. 594, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on the Final Reading of S.B. No. 594, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CEMETERIES AND MORTUARIES."

Senate Bill No. 1287, S.D. 1, H.D. 1:

On motion by Senator Yamasaki, seconded by Senator Uwaine and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1287, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, Uwaine and Young as Managers on the part of the Senate at such conference.

Senate Bill No. 1308, S.D. 2, H.D. 1:

On motion by Senator Yamasaki, seconded by Senator Kobayashi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1308, S.D. 2, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on the Final Reading of S.B. No. 1308, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION."

Senate Bill No. 1447, S.D. 1, H.D. 2:

On motion by Senator Yamasaki, seconded by Senator Uwaine and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1447, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, Uwaine and Young as Managers on the part of the Senate at such conference.

Senate Bill No. 2269-82, S.D. 2, H.D. 2:

On motion by Senator Yamasaki, seconded by Senator Carpenter and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2269-82, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, Carpenter and Kawasaki as Managers on the part of the Senate at such conference.

Senate Bill No. 2304-82, S.D. 1, H.D. 1:

On motion by Senator Carpenter, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2304-82, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Carpenter, Chairman, Kuroda and Soares as Managers on the part of the Senate at such conference.

Senate Bill No. 2334-82, H.D. 1:

On motion by Senator George, seconded by Senator Kawasaki and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2334-82, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators George, Chairman, Cobb and Soares as Managers on the part of the Senate at such conference.

Senate Bill No. 2353-82, S.D. 1, H.D. 2:

On motion by Senator Abercrombie, seconded by Senator Kuroda and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2353-82, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Abercrombie, Chairman, Kuroda and Saiki as Managers on the part of the Senate at such conference.

Senate Bill No. 2389-82, H.D. 1:

On motion by Senator Henderson, seconded by Senator Cobb and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2389-82, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on the Final Reading of S.B. No. 2389-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR."

Senate Bill No. 2399-82, S.D. 2, H.D. 2:

On motion by Senator Yamasaki, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2399-82, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, Cobb and Machida as Managers on the part of the Senate at such conference.

Senate Bill No. 1697, S.D. 1, H.D. 2:

On motion by Senator Abercrombie, seconded by Senator Kuroda and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1697, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Abercrombie, Chairman, Carpenter and Soares as Managers on the part of the Senate at such conference.

Senate Bill No. 2144-82, S.D. 2, H.D. 1:

On motion by Senator Cobb, seconded by Senator Kuroda and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2144-82, S.D. 2, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on the Final Reading of S.B. No. 2144-82, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRUGS."

Senate Bill No. 2189-82, S.D. 1, H.D. 1:

On motion by Senator Carpenter, seconded by Senator Cobb and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2189-82, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on the Final Reading of S.B. No. 2189-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL."

Senate Bill No. 2245-82, S.D. 1, H.D. 1:

On motion by Senator Carpenter, seconded by Senator Cobb and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2245-82, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on the Final Reading of S.B. No. 2245-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECIPROCAL ENFORCEMENT OF SUPPORT."

Senate Bill No. 2350-82, H.D. 2:

On motion by Senator Abercrombie, seconded by Senator Kuroda and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2350-82, and requested a conference on the subject matter thereof.

In accordance therewith, the President

appointed Senators Abercrombie, Chairman, Cayetano and Kobayashi as Managers on the part of the Senate at such conference.

Senate Bill No. 2379-82, H.D. 1:

On motion by Senator Carpenter, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2379-82, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Carpenter, Chairman, Cayetano and Soares as Managers on the part of the Senate at such conference.

Senate Bill No. 2382-82, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Kuroda and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2382-82, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on the Final Reading of S.B. No. 2382-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY."

Senate Bill No. 2386-82, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2386-82, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cobb, Chairman, Kuroda and Soares as Managers on the part of the Senate at such conference.

Senate Bill No. 2401-82, S.D. 2, H.D. 1:

On motion by Senator Carpenter, seconded by Senator Uwaine and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2401-82, S.D. 2, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on the Final Reading of S.B. No. 2401-82, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE AND NEGLECT."

Senate Bill No. 2467-82, S.D. 1, H.D. 1:

On motion by Senator Carpenter, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2467-82, S.D.

1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Carpenter, Chairman, Cobb and Yee as Managers on the part of the Senate at such conference.

Senate Bill No. 2470-82, S.D. 2, H.D. 2:

On motion by Senator Yamasaki, seconded by Senator Cobb and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2470-82, S.D. 2, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on the Final Reading of S.B. No. 2470-82, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH."

Senate Bill No. 2471-82, S.D. 2, H.D. 1:

On motion by Senator Carpenter, seconded by Senator George and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2471-82, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Carpenter, Chairman, George and Cayetano as Managers on the part of the Senate at such conference.

Senate Bill No. 2496-82, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Young and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2496-82, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on the Final Reading of S.B. No. 2496-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES."

Senate Bill No. 2513-82, S.D. 1, H.D. 2:

On motion by Senator Yamasaki, seconded by Senator Soares and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2513-82, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, Soares and Cobb as Managers on the part of the Senate at such conference.

Senate Bill No. 2531-82, S.D. 1, H.D. 1:

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2531-82, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Uwaine, Chairman, Henderson and Abercrombie as Managers on the part of the Senate at such conference.

Senate Bill No. 2636-82, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Kuroda and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2636-82, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cayetano, Chairman, Carpenter and Ajifu as Managers on the part of the Senate at such conference.

At 12:20 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:21 o'clock p.m.

Senate Bill No. 2646-82, H.D. 1:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2646-82, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on the Final Reading of S.B. No. 2646-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PATIENTS' COMPENSATION FUND."

Senate Bill No. 2682-82, S.D. 1, H.D. 2:

On motion by Senator Cobb, seconded by Senator Carpenter and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2682-82, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on the Final Reading of S.B. No. 2682-82, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH."

Senate Bill No. 2696-82, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Campbell and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2696-82, S.D.

1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on the Final Reading of S.B. No. 2696-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER COOPERATIVE ASSOCIATIONS."

Senate Bill No. 2709-82, S.D. 1, H.D. 1:

On motion by Senator Yamasaki, seconded by Senator Henderson and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2709-82, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, Henderson and Yee as Managers on the part of the Senate at such conference.

Senate Bill No. 2765-82, S.D. 1, H.D. 2:

On motion by Senator George, seconded by Senator Kawasaki and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2765-82, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators George, Chairman, Kobayashi and Kuroda as Managers on the part of the Senate at such conference.

Senate Bill No. 2759-82, S.D. 1, H.D. 2:

On motion by Senator Yamasaki, seconded by Senator Uwaine and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2759-82, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, Uwaine, Ajifu, Young and Carpenter as Managers on the part of the Senate at such conference.

At 12:23 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:27 o'clock p.m.

Senate Bill No. 2814-82, S.D. 2, H.D. 2:

On motion by Senator Yamasaki, seconded by Senator Young and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2814-

82, S.D. 2, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on the Final Reading of S.B. No. 2814-82, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."

Senate Bill No. 2816-82, S.D. 2, H.D. 2:

On motion by Senator Yamasaki, seconded by Senator Campbell and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2816-82, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, Kawasaki and Abercrombie as Managers on the part of the Senate at such conference.

Senate Bill No. 2904-82, S.D. 1, H.D. 2:

On motion by Senator Yamasaki, seconded by Senator Henderson and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2904-82, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, Henderson, Ajifu and Abercrombie as Managers on the part of the Senate at such conference.

Senate Bill No. 2868-82, S.D. 1, H.D. 1:

On motion by Senator Yamasaki, seconded by Senator Cobb and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2868-82, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on the Final Reading of S.B. No. 2868-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION."

Senate Bill No. 2915-82, H.D. 2:

On motion by Senator Henderson, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2915-82, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Henderson, Chairman, Machida and Yee as Managers on the part of the Senate at such conference.

Senate Bill No. 2926-82, S.D. 1, H.D. 2:

On motion by Senator Yamasaki, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2926-82, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, Cayetano and Uwaine as Managers on the part of the Senate at such conference.

At 12:29 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:31 o'clock p.m.

Senate Bill No. 2947-82, S.D. 1, H.D. 1:

On motion by Senator Abercrombie, seconded by Senator Kuroda and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2947-82, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on the Final Reading of S.B. No. 2947-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FILIPINO 75TH ANNIVERSARY COMMISSION."

Senate Bill No. 2955-82, S.D. 2, H.D. 2:

On motion by Senator Yamasaki, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2955-82, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, Cayetano and Saiki as Managers on the part of the Senate at such conference.

Senate Bill No. 2978-82, S.D. 1, H.D. 2:

On motion by Senator Yamasaki, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2978-82, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, Cayetano and Kawasaki as Managers on the part of the Senate at such conference.

Senate Bill No. 65, S.D. 1, H.D. 1:

On motion by Senator Carpenter, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 65, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Carpenter, Chairman, Cobb and Kobayashi as Managers on the part of the Senate at such conference.

Senate Bill No. 397, S.D. 2, H.D. 2:

On motion by Senator Yamasaki, seconded by Senator George and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 397, S.D. 2, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on the Final Reading on S.B. No. 397, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION."

Senate Bill No. 400, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 400, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cobb, Chairman, Uwaine and Henderson as Managers on the part of the Senate at such conference.

Senate Bill No. 544, S.D. 2, H.D. 1:

On motion by Senator Yamasaki, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 544, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, Ajifu and Young as Managers on the part of the Senate at such conference.

Senate Bill No. 732, S.D. 1, H.D. 1:

On motion by Senator Yamasaki, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 732, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, Anderson, Abercrombie, Campbell, Cayetano, Kawasaki, Young, Ajifu, Henderson, Saiki and Yee as Managers on the part of the Senate at such conference.

Senate Bill No. 1859, S.D. 1, H.D. 1:

On motion by Senator Henderson, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1859, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Henderson, Chairman, Saiki and Yee as Managers on the part of the Senate at such conference.

Senate Bill No. 1925, S.D. 1, H.D. 1:

On motion by Senator Uwaine, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1925, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Uwaine, Chairman, Abercrombie and Henderson as Managers on the part of the Senate at such conference.

Senate Bill No. 2145-82, S.D. 1, H.D. 1:

On motion by Senator George, seconded by Senator Uwaine and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2145-82, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators George, Chairman, Uwaine and Cobb as Managers on the part of the Senate at such conference.

Senate Bill No. 2147-82, S.D. 2, H.D. 1:

On motion by Senator Carpenter, seconded by Senator George and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2147-82, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Carpenter, Chairman, George and Uwaine as Managers on the part of the Senate at such conference.

Senate Bill No. 2183-82, S.D. 1, H.D. 1:

On motion by Senator Uwaine, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2183-82, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Uwaine, Chairman, Saiki and Yamasaki as Managers on the part of the Senate at such conference.

Senate Bill No. 2224-82, S.D. 2, H.D. 1:

On motion by Senator Yamasaki, seconded by Senator Henderson and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2224-82, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, Henderson and Campbell as Managers on the part of the Senate at such conference.

Senate Bill No. 2228-82, H.D. 1:

On motion by Senator Henderson, seconded by Senator Cobb and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2228-82, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on the Final Reading of S.B. No. 2228-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."

Senate Bill No. 2288-82, H.D. 1:

On motion by Senator Ajifu, seconded by Senator Kobayashi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2288-82, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on the Final Reading of S.B. No. 2288-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF AGRICULTURE."

Senate Bill No. 2309-82, S.D. 2, H.D. 1:

On motion by Senator Yamasaki, seconded by Senator Henderson and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2309-82, S.D. 2, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on the Final Reading of S.B. No. 2309-82, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS."

Senate Bill No. 2343-82, S.D. 1, H.D. 1:

On motion by Senator Kobayashi, seconded by Senator George and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2343-82, S.D. 1, and requested a conference

on the subject matter thereof.

In accordance therewith, the President appointed Senators Kobayashi, Chairman, George and Uwaine as Managers on the part of the Senate at such conference.

Senate Bill No. 2346-82, S.D. 2, H.D. 2:

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2346-82, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, Abercrombie and Kuroda as Managers on the part of the Senate at such conference.

Senate Bill No. 2366-82, S.D. 1, H.D. 1:

On motion by Senator Carpenter, seconded by Senator Cobb and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2366-82, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on the Final Reading of S.B. No. 2366-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING REPORT."

Senate Bill No. 2388-82, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2388-82, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cobb, Chairman, Uwaine and Yee as Managers on the part of the Senate at such conference.

Senate Bill No. 2434-82, S.D. 2, H.D. 2:

On motion by Senator Yamasaki, seconded by Senator Ajifu and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2434-82, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, Ajifu and Henderson as Managers on the part of the Senate at such conference.

Senate Bill No. 2454-82, S.D. 1, H.D. 1:

On motion by Senator Young, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2454-82, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Young, Chairman, Abercrombie and Holt as Managers on the part of the Senate at such conference.

At 12:40 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:41 o'clock p.m.

Senate Bill No. 2477-82, H.D. 1:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2477-82, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on the Final Reading of S.B. No. 2477-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REPAIRS."

Senate Bill No. 2517-82, S.D. 2, H.D. 1:

On motion by Senator Yamasaki, seconded by Senator Cobb and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2517-82, S.D. 2, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on the Final Reading of S.B. No. 2517-82, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH."

Senate Bill No. 2524-82, S.D. 1, H.D. 1:

On motion by Senator Yamasaki, seconded by Senator Uwaine and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2524-82, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, Uwaine and Yee as Managers on the part of the Senate at such conference.

Senate Bill No. 2550-82, S.D. 1, H.D. 1:

On motion by Senator Carpenter, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2550-82, S.D.

1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Carpenter, Chairman, Kawasaki and Uwaine as Managers on the part of the Senate at such conference.

Senate Bill No. 2561-82, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2561-82, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cobb, Chairman, Uwaine and Yee as Managers on the part of the Senate at such conference.

Senate Bill No. 2566-82, S.D. 1, H.D. 1:

On motion by Senator Carpenter, seconded by Senator Cobb and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2566-82, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on the Final Reading of S.B. No. 2566-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO APPEALS BY THE STATE IN CRIMINAL CASES."

At 12:44 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:45 o'clock p.m.

Senate Bill No. 2615-82, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Yamasaki and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2615-82, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on the Final Reading on S.B. No. 2615-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THEFT OF UTILITY SERVICES."

Senate Bill No. 2624-82, S.D. 1, H.D. 1:

On motion by Senator Carpenter, seconded by Senator Cobb and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2624-82, S.D. 1, and in accordance

with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on the Final Reading of S.B. No. 2624-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GRAND JURY COUNSEL."

Senate Bill No. 2638-82, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Uwaine and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2638-82, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cobb, Chairman, Kuroda and George as Managers on the part of the Senate at such conference.

Senate Bill No. 2642-82, H.D. 1:

On motion by Senator Carpenter, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2642-82, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Carpenter, Chairman, O'Connor and Anderson as Managers on the part of the Senate at such conference.

Senate Bill No. 2760-82, S.D. 2, H.D. 1:

On motion by Senator Yamasaki, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2760-82, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, Henderson and Kuroda as Managers on the part of the Senate at such conference.

Senate Bill No. 2829-82, H.D. 1:

On motion by Senator Yamasaki, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2829-82, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, Anderson, Abercrombie, Campbell, Cayetano, Kawasaki, Young, Ajifu, Henderson, Saiki and Yee as Managers on the part of the Senate at such conference.

Senate Bill No. 2913-82, S.D. 1, H.D. 1:

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2913-82, S.D. 1, H.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Uwaine, Chairman, Henderson and Cayetano as Managers on the part of the Senate at such conference.

At this time, Senator Abercrombie rose and addressed the members of the Senate as follows:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, this morning, I was informed through the media of the Honolulu Advertiser, on page A-12, by virtue of the headline, 'Clement Calls for State School Facilities.' I went on to read that article and to the degree that that article reflects accurately the remarks made by Councilman Daniel Clement yesterday I believe that I've been aggrieved.

"I think that Councilman Clement needs a little lesson in economics and he needs a little lesson in history, and I am going to give it to him.

"Now, Councilman Clement states that the City will be paying off loans for the acquisition and construction of schools over the next decade following the transfer of City-owned schools and the responsibility for construction and maintenance of school facilities on Oahu in 1967. We're continuing to support the school system, and I am quoting from the paper, 'Clement cited a measure in the State Senate this spring that would have required the federal government to pay the State Department of Education tuition for non-resident students. "Why does the state go after the federal government and yet, not reimburse the City," Clement asked. He indicated the City could reduce its property tax rate by 12% if it didn't have the continuing school obligations.'

"First, no property taxes are going for the operating budgets to pay any of the operating budgets of the 158 schools on Oahu, amounting to hundreds of millions of dollars per year that ordinarily would be paid by the City and County taxpayers alone, rather than on a statewide basis, as is done in virtually every other area of the country. And, Mr. President, I have been reviewing the educational situation

in other areas of the country, and let me tell you there are mass layoffs of teachers; there are mass reductions in programs; there are schools being closed all over the country.

"This state has escaped all of that because of the funding system that we have. If Councilman Clement wants to take a giant step backwards, that's his privilege, but I see no reason why he should be allowed to advocate it without being corrected.

"Second, tens of millions of dollars in state grants-in-aid are given to the City and County of Honolulu as well as to other counties throughout the state. Is Mr. Clement suggesting that the grants-in-aid that the state has provided through this Legislature be cut off to the City and County? He neglects to mention the benefits that have been received by the City as a result and how his job has been made so much easier by the generosity of the taxpayers of the state as a whole with respect to projects that he no doubt likes to take credit for when he goes in front of the voters.

"Third, he neglected to mention that all the public libraries on Oahu are funded by the state rather than by county funds...save, for the one at Makiki, which both Mayors Fasi and Anderson have supported...no thanks to the City Council. I don't notice any great pressing attack by Councilman Clement to return the counties to funding all the public libraries on Oahu.

"Fourth, children of military personnel are entitled by federal law to a free public education. The state is already entitled by the law for reimbursement. We are, 'going after the federal government,' in Councilman Clement's phrase because they are not paying their lawful bill,

forcing the local taxpayers to make up the difference which presumably includes Councilman Clement.

"Fifth, what are we going to reimburse the City for? I'll do a little homework for Councilman Clement because he seems incapable of doing it himself. Let's take seven of the schools for example, which are now on military federal locations.

"It may surprise Councilman Clement to learn that seven of those locations were federal surplus land to the county. They didn't have to pay a cent for it. Now, if he wants the federal government to charge the City and County of Honolulu for the surplus land, I suppose he can go ask for that.

"I might point out that only one of those was actually county land to begin with. So, the end result, Mr. President, is that the county has been receiving enormous benefits in return for the exchange that was made in 1967 and that Councilman Clement is in dire need of doing a little homework.

"Now I know that all the children in the state who are in school look forward to summer vacation, because they can rest. The only difference with Councilman Clement is that his mind already appears to be on vacation while his mouth is working overtime.

"Thank you."

ADJOURNMENT

At 12:54 o'clock p.m., on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, April 12, 1982.

FIFTY-FIRST DAY

Monday, April 12, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Ms. Betty Ingalls, member of the First Church of Christ Scientist, Honolulu, after which the Roll was called showing all Senators present with the exception of Senator O'Connor who was excused.

The President announced that he had read and approved the Journal of the Fiftieth Day.

The following introductions were then made to the members of the Senate:

Senator Anderson introduced 17 students from the Kamehameha Schools and their adviser, Ms. Sandy Young.

Senator Kuroda then made the following introduction:

"Mr. President, we have with us on the floor two outstanding citizens of Hawaii, experts in the field of tourism. They are here because Hawaii has the signal honor of having two outstanding travel industry personnel appointed to the United States Travel and Tourism Advisory Board. These two men, Dean Chuck Gee and Mr. Kenneth Char, have been appointed to this board where only 15 are appointed throughout the United States.

"Mr. President and members of the Senate, I'd like to give a brief background on the makeup of this board. The requirement is that not more than eight members come from the same political party; that board representation of different geographic regions be considered; and specific representation be made from certain categories.

"Although Mr. Char is not a state officer, he falls in the category of a state officer in tourism promotion. Dean Chuck Gee has been appointed as an academician. Also, consideration is given to national tourism development involvement which these two gentlemen are.

"The board meets at least semi-annually and the specific function of the board is to advise the Secretary of Commerce with regard to tourism; also to make recommendations with respect to the performance of the secretary and the operation and effectiveness of tourism

programs under this board.

"I'd like to read from paragraph 5 (Memo from School of Travel Industry Management, University of Hawaii, April 5, 1982) because of its significance: 'The significance of the role of this board is that it will be called upon to assist the Commerce Secretary, Malcolm Baldrige, and Under Secretary of Commerce for Travel and Tourism, Peter McCoy, in developing major tourism and recreation policies for the United States, seek ways to eliminate or simplify travel barriers, coordinate international tourism programs with local and state governments and the private sector...' and this is where these two gentlemen will be truly helpful with regard to Hawaii's involvement in the United States travel program and assure the compatibility of tourism and recreation with other national interests. And we are all aware of the sometime criticism of tourism and its effect on the environment.

"With Ken Char, president of Hawaii Visitors Bureau, and Chuck Gee, Dean of the Travel Industry Management School, holding two of the 15 coveted seats, we in Hawaii hope to direct more national attention to tourism in the Pacific area.

"Mr. President, we've read and heard about the exodus of talent from the University campus; we are very fortunate that Dean Chuck Gee has decided to remain with us to continue to contribute to the welfare of Hawaii and tourism in spite of the low salary, and I hope the vice-president is listening to my discussion here. We congratulate Dean Gee for remaining with us and keeping his talent at the University of Hawaii."

Senator Kuroda then introduced Mr. Kenneth Char, president of Hawaii Visitors Bureau, and Mr. Chuck Gee, Dean of Travel Industry Management School, University of Hawaii. The honorees were presented with leis by Senators Kobayashi and Young and Senate Certificates by Senators Kuroda and Soares.

At 11:45 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:52 o'clock a.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 269 and 270) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 269), transmitting copies of the 1981 Annual Report of the Department of Social Services and Housing, pursuant to Section 346-5, HRS, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 270), transmitting copies of 1981 Annual Report of the Four State Loan Programs (the Hawaii Capital Loan Program; the Large Fishing Vessel Loan Program; the Small Fishing Vessel Loan Program; and the Disaster Commercial/Personal Loan Program), prepared by the Department of Planning and Economic Development, was referred to the Committee on Economic Development.

DEPARTMENTAL COMMUNICATION

A communication from the Hawaii Public Employment Relations Board (Dept. Com. No. 15), transmitting copies of the HPERB Informational Bulletin No. 19, dated April 5, 1982, which provides, by employing jurisdictions, the number of public employees in each of the 13 collective bargaining units established by Section 89-6(a), HRS, prepared by the Hawaii Public Employment Relations Board, was read by the Clerk and was referred to the Committee on Human Resources.

HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 420), informing the Senate that on April 8, 1982, the House has disagreed to the amendments proposed by the Senate to the following House Bills:

No. 329, H.D. 1;
No. 509, H.D. 1;
No. 765, H.D. 2;
No. 791, H.D. 1;
No. 1340, H.D. 1;
No. 1488, H.D. 1;
No. 1489, H.D. 1;
No. 1553, H.D. 1;
No. 1642, H.D. 2;
No. 1653, H.D. 1;
No. 1882, H.D. 1;
No. 1948-82, H.D. 2;
No. 1970-82, H.D. 1;
No. 1988-82, H.D. 1;
No. 2022-82;
No. 2049-82, H.D. 1;
No. 2057-82, H.D. 1;
No. 2070-82, H.D. 1;
No. 2086-82, H.D. 1;
No. 2092-82, H.D. 2;
No. 2113-82, H.D. 2;

No. 2155-82, H.D. 2;
No. 2176-82, H.D. 2;
No. 2177-82, H.D. 1;
No. 2183-82, H.D. 1;
No. 2192-82;
No. 2201-82, H.D. 2;
No. 2207-82;
No. 2210-82, H.D. 1;
No. 2215-82, H.D. 1;
No. 2230-82, H.D. 1;
No. 2243-82, H.D. 1;
No. 2295-82, H.D. 1;
No. 2312-82, H.D. 1;
No. 2313-82, H.D. 2;
No. 2318-82;
No. 2331-82, H.D. 1;
No. 2332-82, H.D. 1;
No. 2336-82, H.D. 2;
No. 2348-82, H.D. 1;
No. 2349-82;
No. 2355-82, H.D. 1;
No. 2359-82, H.D. 1;
No. 2377-82, H.D. 1;
No. 2385-82, H.D. 1;
No. 2400-82;
No. 2404-82, H.D. 1;
No. 2407-82, H.D. 1;
No. 2408-82, H.D. 1;
No. 2444-82;
No. 2477-82, H.D. 1;
No. 2511-82, H.D. 2;
No. 2551-82, H.D. 1;
No. 2559-82, H.D. 1;
No. 2585-82, H.D. 1;
No. 2606-82, H.D. 2;
No. 2640-82, H.D. 1;
No. 2667-82, H.D. 1;
No. 2669-82, H.D. 1;
No. 2674-82, H.D. 1;
No. 2679-82;
No. 2682-82;
No. 2742-82, H.D. 1;
No. 2765-82, H.D. 1;
No. 2767-82, H.D. 3;
No. 2778-82, H.D. 2;
No. 2806-82, H.D. 2;
No. 2813-82, H.D. 1;
No. 2815-82, H.D. 1;
No. 2817-82, H.D. 2;
No. 2826-82, H.D. 1;
No. 2836-82, H.D. 1;
No. 2838-82, H.D. 1;
No. 2870-82, H.D. 1;
No. 2879-82, H.D. 2;
No. 2888-82, H.D. 1;
No. 2890-82;
No. 2907-82, H.D. 2;
No. 2936-82, H.D. 1;
No. 2947-82, H.D. 2;
No. 2965-82, H.D. 2;
No. 2972-82, H.D. 1;
No. 2975-82, H.D. 1;
No. 3007-82, H.D. 1;
No. 3016-82, H.D. 1;
No. 3078-82, H.D. 1;
No. 3092-82, H.D. 1;
No. 3119-82, H.D. 1;
No. 3136-82, H.D. 2; and
No. 3143-82, H.D. 2;

was read by the Clerk and was placed on file.

In consequence thereof, the President appointed the following Senators as Managers on the part of the Senate:

H.B. No. 329, H.D. 1 (S.D. 2) - Senators Yamasaki, Chairman, Uwaine and Young;

H.B. No. 509, H.D. 1 (S.D. 1) - Senators Cobb, Chairman, Henderson and Uwaine;

H.B. No. 765, H.D. 2 (S.D. 1) - Senators Yamasaki, Chairman, Uwaine and Young;

H.B. No. 791, H.D. 1 (S.D. 1) - Senators Young, Chairman, Ajifu and Holt;

H.B. No. 1340, H.D. 1 (S.D. 1) - Senators Carpenter, Chairman, Cobb and George;

H. B. No. 1488, H.D. 1 (S.D. 1) - Senators Cobb, Chairman, Carpenter and Henderson;

H.B. No. 1489, H.D. 1 (S.D. 1) - Senators Cobb, Chairman, Carpenter and Henderson;

H.B. No. 1553, H.D. 1 (S.D. 1) - Senators Cobb, Chairman, Henderson and Uwaine;

H.B. No. 1642, H.D. 2 (S.D. 1) - Senators Yamasaki, Chairman, George and Toyofuku;

H.B. No. 1653, H.D. 1 (S.D. 1) - Senators Cobb, Chairman, Uwaine and Yee;

H.B. No. 1882, H.D. 1 (S.D. 1) - Senators Henderson and Kobayashi, Co-Chairmen, and George;

H.B. No. 1948-82, H.D. 2 (S.D. 1) - Senators Yamasaki, Chairman, Ajifu and Henderson;

H.B. No. 1970-82, H.D. 1 (S.D. 1) - Senators Yamasaki, Chairman, Henderson, Holt and Young;

H.B. No. 1988-82, H.D. 1 (S.D. 1) - Senators Yamasaki, Chairman, Anderson, Cayetano and Young;

H.B. No. 2022-82 (S.D. 1) - Senators Carpenter, Chairman, Soares and Yee;

H.B. No. 2049-82, H.D. 1 (S.D. 1) - Senators Yamasaki, Chairman, Cayetano and Kobayashi;

H.B. No. 2057-82, H.D. 1 (S.D. 1) -

Senators Cobb, Chairman, Cayetano and Saiki;

H.B. No. 2070-82, H.D. 1 (S.D. 1) - Senators Yamasaki, Chairman, Anderson, Abercrombie, Campbell, Cayetano, Kawasaki, Young, Ajifu, Henderson, Saiki and Yee;

H.B. No. 2086-82, H.D. 1 (S.D. 1) - Senators Yamasaki, Chairman, Anderson, Abercrombie, Campbell, Cayetano, Kawasaki, Young, Ajifu, Henderson, Saiki and Yee;

H.B. No. 2092-82, H.D. 2 (S.D. 1) - Senators George, Chairman, Cobb and Kobayashi;

H.B. No. 2113-82, H.D. 2 (S.D. 2) - Senators Yamasaki, Chairman, Holt, Uwaine and Young;

H.B. No. 2155-82, H.D. 2 (S.D. 2) - Senators Yamasaki, Chairman, Carpenter and Soares;

H.B. No. 2176-82, H.D. 2 (S.D. 1) - Senators Henderson, Chairman, Carpenter and Kuroda;

H.B. No. 2177-82, H.D. 1 (S.D. 1) - Senators Henderson, Chairman, Saiki and Uwaine;

H.B. No. 2183-82, H.D. 1 (S.D. 1) - Senators Henderson, Chairman, Machida and Yee;

H.B. No. 2192-82 (S.D. 1) - Senators Cobb, Chairman, Henderson and Uwaine;

H.B. No. 2201-82, H.D. 2 (S.D. 1) - Senators Yamasaki, Chairman, Anderson and Young;

H.B. No. 2207-82 (S.D. 1) - Senators Yamasaki, Chairman, Anderson and Henderson;

H.B. No. 2210-82, H.D. 1 (S.D. 1) - Senators Yamasaki, Chairman, Saiki and Ushijima;

H.B. No. 2215-82, H.D. 1 (S.D. 1) - Senators Carpenter, Chairman, George and Uwaine;

H.B. No. 2230-82, H.D. 1 (S.D. 1) - Senators Soares, Chairman, Anderson and Campbell;

H.B. No. 2243-82, H.D. 1 (S.D. 1) - Senators Yamasaki, Chairman, Cayetano and Uwaine;

H.B. No. 2295-82, H.D. 1 (S.D. 1) - Senators Cobb, Chairman, Soares and Uwaine;

H.B. No. 2312-82, H.D. 1 (S.D. 1) - Senators Yamasaki, Chairman, Anderson, Abercrombie, Campbell, Cayetano, Kawasaki, Young, Ajifu, Henderson, Saiki, Yee and Carpenter;

H.B. No. 2313-82, H.D. 2 (S.D. 1) - Senators Yamasaki, Chairman, Abercrombie and George;

H.B. No. 2318-82 (S.D. 1) - Senators Carpenter, Chairman, Anderson, Soares and Uwayne;

H.B. No. 2331-82, H.D. 1 (S.D. 1) - Senators Ajifu, Chairman, Kobayashi and Young;

H.B. No. 2332-82, H.D. 1 (S.D. 1) - Senators Ajifu and Henderson, Co-Chairmen, and Yamasaki;

H.B. No. 2336-82, H.D. 2 (S.D. 2) - Senators Yamasaki, Chairman, Ajifu and Saiki;

H.B. No. 2348-82, H.D. 1 (S.D. 2) - Senators Carpenter, Chairman, Cobb and George;

H.B. No. 2349-82 (S.D. 2) - Senators Yamasaki, Chairman, Kawasaki, Uwayne and Young;

H.B. No. 2355-82, H.D. 1 (S.D. 1) - Senators Carpenter, Chairman, George and Kuroda;

H.B. No. 2359-82, H.D. 1 (S.D. 2) - Senators Yamasaki, Chairman, Carpenter and Yee;

H.B. No. 2377-82, H.D. 1 (S.D. 1) - Senators Carpenter, Chairman, Ajifu, Cobb and Soares;

H.B. No. 2385-82, H.D. 1 (S.D. 1) - Senators Carpenter, Chairman, Cayetano and Cobb;

H.B. No. 2400-82 (S.D. 1) - Senators Yamasaki, Chairman, Anderson, Kawasaki and Yee;

H.B. No. 2404-82, H.D. 1 (S.D. 1) - Senators Cobb, Chairman, Henderson and Kuroda;

H.B. No. 2407-82, H.D. 1 (S.D. 1) - Senators Yamasaki, Chairman, Cobb and Henderson;

H.B. No. 2408-82, H.D. 1 (S.D. 1) - Senators Cobb, Chairman, Kuroda and Soares;

H.B. No. 2477-82, H.D. 1 (S.D. 1) - Senators Kobayashi, Chairman, Cobb and Mizuguchi;

H.B. No. 2511-82, H.D. 2 (S.D. 2) - Senators Yamasaki, Chairman, Cobb and Machida;

H.B. No. 2551-82, H.D. 1 (S.D. 1) - Senators Yamasaki, Chairman, Abercrombie and Saiki;

H.B. No. 2559-82, H.D. 1 (S.D. 1) - Senators Yamasaki, Chairman, Cayetano and Carpenter;

H.B. No. 2585-82, H.D. 1 (S.D. 1) - Senators Carpenter, Chairman, George and Kobayashi;

H.B. No. 2606-82, H.D. 2 (S.D. 1) - Senators Carpenter, Chairman, Kuroda and Uwayne;

H.B. No. 2640-82, H.D. 1 (S.D. 1) - Senators Carpenter, Chairman, Kobayashi and O'Connor;

H.B. No. 2667-82, H.D. 1 (S.D. 1) - Senators Abercrombie, Chairman, Carpenter and Kobayashi;

H.B. No. 2669-82, H.D. 1 (S.D. 2) - Senators Yamasaki, Chairman, Campbell and Cobb;

H.B. No. 2674-82, H.D. 1 (S.D. 1) - Senators Yamasaki, Chairman, Carpenter, Cobb and O'Connor;

H.B. No. 2679-82 (S.D. 1) - Senators Yamasaki, Chairman, Carpenter and Uwayne;

H.B. No. 2682-82 (S.D. 1) - Senators Cayetano, Chairman, Saiki and Toyofuku;

H.B. No. 2742-82, H.D. 1 (S.D. 1) - Senators Yamasaki, Chairman, George and Toyofuku;

H.B. No. 2765-82, H.D. 1 (S.D. 1) - Senators Yamasaki, Chairman, Abercrombie and Kuroda;

H.B. No. 2767-82, H.D. 3 (S.D. 2) - Senators Yamasaki, Chairman, Abercrombie and Yee;

H.B. No. 2778-82, H.D. 2 (S.D. 1) - Senators Abercrombie and Cayetano, Co-Chairmen, Ajifu and Carpenter;

H.B. No. 2806-82, H.D. 2 (S.D. 1) - Senators George, Chairman, Kobayashi and Kuroda;

H.B. No. 2813-82, H.D. 1 (S.D. 1) - Senators Henderson, Chairman, Uwayne and Yee;

H.B. No. 2815-82, H.D. 1 (S.D. 1) - Senators Yamasaki, Chairman, George

and Kawasaki;

H.B. No. 2817-82, H.D. 2 (S.D. 1) - Senators Yamasaki, Chairman, George and Kawasaki;

H.B. No. 2826-82, H.D. 1 (S.D. 1) - Senators Carpenter, Chairman, George and Kuroda;

H.B. No. 2836-82, H.D. 1 (S.D. 1) - Senators Cobb, Chairman, Henderson and Uwaine;

H.B. No. 2838-82, H.D. 1 (S.D. 1) - Senators Yamasaki, Chairman, Ajifu and Young;

H.B. No. 2870-82, H.D. 1 (S.D. 1) - Senators Cobb, Chairman, Saiki and Uwaine;

H.B. No. 2879-82, H.D. 2 (S.D. 1) - Senators Yamasaki, Chairman, Abercrombie and Kuroda;

H.B. No. 2888-82, H.D. 1 (S.D. 1) - Senators Cobb, Chairman, Kuroda and Saiki;

H.B. No. 2890-82 (S.D. 1) - Senators Cobb, Chairman, Kuroda and Soares;

H.B. No. 2907-82, H.D. 2 (S.D. 2) - Senators Yamasaki, Chairman, Saiki and Uwaine;

H.B. No. 2936-82, H.D. 1 (S.D. 1) - Senators Cobb, Chairman, Henderson and Uwaine;

H.B. No. 2947-82, H.D. 2 (S.D. 1) - Senators Yamasaki, Chairman, Ajifu and Henderson;

H.B. No. 2965-82, H.D. 2 (S.D. 1) - Senators Yamasaki, Chairman, Cayetano and Kobayashi;

H.B. No. 2972-82, H.D. 1 (S.D. 1) - Senators Carpenter, Chairman, Kobayashi and Kuroda;

H.B. No. 2975-82, H.D. 1 (S.D. 1) - Senators George, Chairman, Kobayashi and Soares;

H.B. No. 3007-82, H.D. 1 (S.D. 1) - Senators Kuroda, Chairman, Henderson and Soares;

H.B. No. 3016-82, H.D. 1 (S.D. 1) - Senators Carpenter, Chairman, Soares and Uwaine;

H.B. No. 3078-82, H.D. 1 (S.D. 1) - Senators Cobb, Chairman, Kuroda and Saiki;

H.B. No. 3092-82, H.D. 1 (S.D. 1) -

Senators Carpenter, Chairman, Cayetano and Yee;

H.B. No. 3119-82, H.D. 1 (S.D. 1) - Senators Young, Chairman, Abercrombie and Ajifu;

H.B. No. 3136-82, H.D. 2 (S.D. 1) - Senators Yamasaki, Chairman, George and Henderson; and

H.B. No. 3143-82, H.D. 2 (S.D. 1) - Senators Yamasaki, Chairman, Abercrombie, Henderson and Young.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 63 and 64) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 63), entitled: "SENATE CONCURRENT RESOLUTION DIRECTING THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT TO CONDUCT A STUDY ON HAWAII'S ECONOMIC REVITALIZATION OPPORTUNITIES," was offered by Senators Carpenter, Abercrombie, Campbell, Yamasaki, Henderson, Soares, Kawasaki, Kuroda, Cayetano, Kobayashi, Uwaine, Saiki, Toyofuku, Machida, Mizuguchi, Young, George and Anderson.

By unanimous consent, S.C.R. No. 63 was referred to the Committee on Economic Development.

A concurrent resolution (S.C.R. No. 64), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII TO ASSESS THE CURRENT STUDENT TUITION STRUCTURE," was offered by Senators Saiki, Uwaine, Henderson, Cayetano, Kawasaki, Cobb, Campbell, Kobayashi, O'Connor and Carpenter.

By unanimous consent, S.C.R. No. 64 was referred to the Committee on Higher Education.

SENATE RESOLUTION

A resolution (S.R. No. 90), entitled: "SENATE RESOLUTION DIRECTING THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT TO CONDUCT A STUDY ON HAWAII'S ECONOMIC REVITALIZATION OPPORTUNITIES," was offered by Senators Carpenter, Abercrombie, Campbell, Yamasaki, Henderson, Soares, Kawasaki, Kuroda, Cayetano, Kobayashi, Uwaine, Saiki, Toyofuku, Machida, Young, George and Anderson, and was read by the Clerk.

By unanimous consent, S.R. No. 90

was referred to the Committee on Economic Development.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 810-82) informing the Senate that Senate Concurrent Resolution Nos. 63 and 64, Senate Resolution No. 90, and Standing Committee Report Nos. 811-82 to 816-82 have been printed and distributed to all members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 811-82) recommending that Senate Resolution No. 41, as amended in S.D. 1, be adopted.

On motion by Senator Abercrombie, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.R. No. 41, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING EQUITY FOR 12-MONTH EDUCATIONAL OFFICERS IN THE PUBLIC SCHOOLS," was adopted on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Kawasaki).
Excused, 1 (O'Connor).

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 812-82) recommending that Senate Concurrent Resolution No. 29, as amended in S.D. 1, be adopted.

On motion by Senator Abercrombie, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.C.R. No. 29, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING EQUITY FOR 12-MONTH EDUCATIONAL OFFICERS IN THE PUBLIC SCHOOLS," was adopted on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Kawasaki).
Excused, 1 (O'Connor).

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 813-82) recommending that House Bill No. 2197-82, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Uwayne and carried, the report of the Committee was adopted and H.B. No. 2197-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

THE BOARD OF DENTAL EXAMINERS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 14, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 814-82) recommending that House Bill No. 2194-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Uwayne and carried, the report of the Committee was adopted and H.B. No. 2194-82, entitled: "A BILL FOR AN ACT RELATING TO BOARDS AND COMMISSIONS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 14, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 815-82) recommending that House Bill No. 2026-82, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Uwayne and carried, the report of the Committee was adopted and H.B. No. 2026-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SHOWS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 14, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 816-82) recommending that House Bill No. 2196-82, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Uwayne and carried, the report of the Committee was adopted and H.B. No. 2196-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONTRACTORS LICENSE LAW," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 14, 1982.

ORDER OF THE DAY

FINAL READING

Senate Bill No. 262, S.D. 1, H.D. 2:

By unanimous consent, action on S.B. No. 262, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DELINQUENT PENALTIES FOR LATE RENEWAL OF MOTOR VEHICLE REGISTRATIONS,"

was deferred until Tuesday, April 13, 1982.

Senate Bill No. 594, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 594, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CEMETERIES AND MORTUARIES," was deferred until Tuesday, April 13, 1982.

Senate Bill No. 1308, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 1308, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," was deferred until Tuesday, April 13, 1982.

Senate Bill No. 2389-82, H.D. 1:

By unanimous consent, action on S.B. No. 2389-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," was deferred until Tuesday, April 13, 1982.

Senate Bill No. 2144-82, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 2144-82, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRUGS," was deferred until Tuesday, April 13, 1982.

Senate Bill No. 2189-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2189-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL," was deferred until Tuesday, April 13, 1982.

Senate Bill No. 2245-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2245-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECIPROCAL ENFORCEMENT OF SUPPORT," was deferred until Tuesday, April 13, 1982.

Senate Bill No. 2382-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2382-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY," was deferred until Tuesday, April 13, 1982.

Senate Bill No. 2401-82, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 2401-82, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE AND NEGLECT," was deferred until Tuesday, April 13, 1982.

Senate Bill No. 2470-82, S.D. 2, H.D. 2:

By unanimous consent, action on S.B. No. 2470-82, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH," was deferred until Tuesday, April 13, 1982.

Senate Bill No. 2496-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2496-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," was deferred until Tuesday, April 13, 1982.

Senate Bill No. 2646-82, H.D. 1:

By unanimous consent, action on S.B. No. 2646-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PATIENTS' COMPENSATION FUND," was deferred until Tuesday, April 13, 1982.

Senate Bill No. 2682-82, S.D. 1, H.D. 2:

By unanimous consent, action on S.B. No. 2682-82, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," was deferred until Tuesday, April 13, 1982.

Senate Bill No. 2696-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2696-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER COOPERATIVE ASSOCIATIONS," was deferred until Tuesday, April 13, 1982.

Senate Bill No. 2814-82, S.D. 2, H.D. 2:

By unanimous consent, action on S.B. No. 2814-82, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," was deferred until Tuesday, April 13, 1982.

Senate Bill No. 2868-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2868-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION," was deferred

until Tuesday, April 13, 1982.

Senate Bill No. 2947-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2947-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FILIPINO 75TH ANNIVERSARY COMMISSION," was deferred until Tuesday, April 13, 1982.

Senate Bill No. 397, S.D. 2, H.D. 2:

By unanimous consent, action on S.B. No. 397, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Tuesday, April 13, 1982.

Senate Bill No. 2228-82, H.D. 1:

By unanimous consent, action on S.B. No. 2228-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," was deferred until Tuesday, April 13, 1982.

Senate Bill No. 2288-82, H.D. 1:

By unanimous consent, action on S.B. No. 2288-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF AGRICULTURE," was deferred until Tuesday, April 13, 1982.

Senate Bill No. 2309-82, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 2309-82, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," was deferred until Tuesday, April 13, 1982.

Senate Bill No. 2366-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2366-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING REPORT," was deferred until Tuesday, April 13, 1982.

Senate Bill No. 2477-82, H.D. 1:

By unanimous consent, action on S.B. No. 2477-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REPAIRS," was deferred until Tuesday, April 13, 1982.

Senate Bill No. 2517-82, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 2517-82, S.D. 2, H.D. 1,

entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred until Tuesday, April 13, 1982.

Senate Bill No. 2566-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2566-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO APPEALS BY THE STATE IN CRIMINAL CASES," was deferred until Tuesday, April 13, 1982.

Senate Bill No. 2615-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2615-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THEFT OF UTILITY SERVICES," was deferred until Tuesday, April 13, 1982.

Senate Bill No. 2624-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2624-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GRAND JURY COUNSEL," was deferred until Tuesday, April 13, 1982.

At 11:54 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:56 o'clock a.m.

At this time, Senator Campbell rose on a point of personal privilege and stated:

"Mr. President, according to some of the telephone calls some of us have gotten concerning the milk problem, I think we will have to conclude that it's one of the major issues that has faced our people in a very long time, and, Mr. President, I would like to applaud your efforts in trying to get on top of the problem by appointing the milk committee whose job it is to investigate this problem.

"I still feel though, Mr. President, that you should relent and consider appointing a member of the minority Democrats to that committee, but, of course, that's not my major point today.

"One of the major problems, Mr. President, which I think that this body, and certainly the Legislature, faces is giving assurances to our people that milk and other foods are safe for consumption, and there's some indication that the milk problem is but the tip of the iceberg.

"When I read the article in the Honolulu Advertiser on Friday, April 9, 1982, which is entitled 'Food and Drug Administration Enters the Milk Controversy,' I was certainly convinced that there should be some specific statement from the milk investigating committee which gives our people greater confidence in the manner in which this problem is being handled.

"Mr. President, let me read just one or two statements from the article which I think might underscore the point I'm trying to make, and I'm certainly taking it out of context but I think in reading one or two of the statements it might make the point.

"It starts by saying, 'Senator Cayetano who is the chairman of the committee charged that the Health Department's testing procedures were inadequate, especially where samples were obtained, and our investigation revealed that two milk processors provide the samples to the state.'

"And at a later press conference in an attempt to rebutt Senator Cayetano's charges, Clark said, '...the state's samplers went into the plants and got their own samples.' Now, further on it says, 'Senator Cayetano also criticized the Health Department's handling of problems with contaminated ice cream and yogurt voluntarily taken off the shelves by Meadow Gold.' And Senator Cayetano said, 'The Health Department should not be allowing processors to make recalls. It should be the state making recalls and not Meadow Gold.' And then Mr. Clark responded, 'Senator Cayetano did not have his facts straight.'

"Mr. President, I think we certainly ought to...and I've spoken to the chairman of the milk committee prior to my making these comments...I think there ought to be an opportunity for the committee, represented by the chairman, to respond to statements like these in the press, and this is the reason I raise that question at this time. And if the chairman is inclined to make some responses to these statements, I'd appreciate it."

Senator Cayetano, in response, stated:

"Mr. President, let me say that the committee just recently adopted the rules which we are required to have, and there will have to be some staff work done because what we want to do is to do the job that the committee

is commissioned to do as economically as possible. I don't foresee the committee getting into hearings until after the session is over.

"With respect to the article and the remarks made in the article, I stand by my remarks. The matter of samples being submitted to the Department of Health by the milk processors is something that we informed the Department of Health about two weeks ago or so, but the information that we were acting on was not substantiated in the sense that we did not have any objective evidence that this was being done. Since then, of course, we find that you have dairy products appearing on the shelves of the supermarkets with unacceptable levels of heptachlor; whereas, the Department of Health, through the testing of the samples obtained at the milk producers, indicated that these products were supposedly free and clear of any unacceptable levels of heptachlor.

"Again, with respect to voluntary recall, the problem with the voluntary recall as I stated earlier is that if you leave it up to the milk producers to make a recall of its products, that producer has a vested interest in the product that he is recalling, and someone should be representing the state and asking the person who is at home and who may have the product in his freezer or in his refrigerator to not in fact use that product. That's the point I'm getting at and that's the job of the Department of Health, and should not be left to the private parties concerned.

"My only 'beef' with the Department of Health over these past weeks is that it seems to have mistaken or misplaced its mission. Its mission is to protect the health and welfare of the public.

"A secondary concern may be the impact that this crisis will have on the milk producers and the dairy people, but that's secondary. All decisions made by the department should be guided primarily by its major mission which is the safety and health of the public."

ADJOURNMENT

At 12:09 o'clock p.m., on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, April 13, 1982.

FIFTY-SECOND DAY

Tuesday, April 13, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Mitzi Eilts, Campus Minister of the United Church of Christ, after which the Roll was called showing all Senators present with the exception of Senator Yee who was excused.

The President announced that he had read and approved the Journal of the Fifty-First Day.

At this time, the following introductions were made to the members of the Senate:

Senator Anderson, on behalf of the Senate, introduced 30 members of the Paoakalani Senior Citizens Club of Pawaa.

Senator Kuroda introduced his sister, Mrs. Betty Hill, accompanied by two friends from Long Island, Mr. and Mrs. Leo Falkenstein.

Senator Holt then introduced 40 tenth grade U.S. history students from the Kamehameha Schools, accompanied by their teacher, Mrs. Virginia Bail.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 271 to 298) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 271), submitting for consideration and confirmation to the Governor's Agriculture Coordinating Council, the nomination of Susan Matsushima, term to expire December 31, 1985, was referred to the Committee on Agriculture.

A message from the Governor (Gov. Msg. No. 272), submitting for consideration and confirmation to the Advisory Committee on Flowers and Foliage, the nominations of Patrick A. T. Takahashi and Lelan C. Nishek, terms to expire December 31, 1985, was referred to the Committee on Agriculture.

A message from the Governor (Gov. Msg. No. 273), submitting for consideration and confirmation to the Board of Public Accountancy, the nominations of Walter T. Y. Lau and Manuel R. Sylvester, terms to expire December 31, 1985, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 274), submitting for consideration and confirmation to the Boxing Commission, the nomination of Clifford Tamura, term to expire December 31, 1985, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 275), submitting for consideration and confirmation to the Board of Dental Examiners, the nominations of Howard K. Miyamoto, D.D.S., Walter A. Lichota, D.D.S. and Shirley A. Batad, terms to expire December 31, 1985, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 276), submitting for consideration and confirmation to the Board of Medical Examiners, the nominations of Ben K. Azman, M.D., term to expire December 31, 1985, and Thomas G. Cahill, M.D., term to expire December 31, 1983, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 277), submitting for consideration and confirmation to the Board of Dispensing Opticians, the nomination of Ronald Okamura, term to expire December 31, 1985, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 278), submitting for consideration and confirmation to the Environmental Council, the nominations of Royce S. Fukunaga, term to expire December 31, 1982, and Arthur Jack Darvill and George Krasnick, terms to expire December 31, 1985, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 279), submitting for consideration and confirmation to the Environmental Quality Commission, the nominations of James W. Morrow, term to expire December 31, 1984, and Richard Santiago, Jessie Hoomalu and Jake Manegdeg, terms to expire December 31, 1985, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 280), submitting for consideration and confirmation to the Stadium Authority, the nominations of Wallace Fujiyama and R. J. Pfeiffer, terms

to expire December 31, 1985, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 281), submitting for consideration and confirmation to the State Foundation on Culture and the Arts, the nomination of Dennis T. Toyomura, term to expire December 31, 1985, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 282), submitting for consideration and confirmation to the Library Advisory Commission, County of Maui, the nominations of Alyce B. Haines and Susumu Matoi, terms to expire December 31, 1985, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 283), submitting for consideration and confirmation, the appointment of Charles G. Clark, Director of Health, term to expire December 6, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 284), submitting for consideration and confirmation to the State Planning Council on Developmental Disabilities, the nominations of Dirk Wasano, Thomas Culbertson, Robert E. Laurie, M.D. and Jo-Alyce K. Peterson, terms to expire December 31, 1985, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 285), submitting for consideration and confirmation to the State Emergency Medical Services Advisory Committee, the nominations of Eugene K. Kawaguchi, M.D., Cynthia C. Nakasato, M.D. and John R. Mueh, M.D., terms to expire December 31, 1985, and Karl T. Pregitzer, M.D., term to expire December 31, 1983, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 286), submitting for consideration and confirmation to the Statewide Health Coordinating Council, the nomination of Charles G. Clark, term to expire December 31, 1983, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 287), submitting for consideration and confirmation to the Statewide Health Coordinating Council, the nominations of Austin Dias, Justo Dela Cruz, Carl T. Hamada, Carol Zinger Kotsubo, Dean Tajima, Charles R. Lyden and Kenneth A. Haling, M.D., terms to expire December 31, 1985, and Shaina V. Caporoz, term to expire December 31, 1983, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 288), submitting for consideration

and confirmation to the Waianae Coast Subarea Health Planning Council, the nomination of Joseph W. Lapilio, III, term to expire December 31, 1985, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 289), submitting for consideration and confirmation to the Maui County Subarea Health Planning Council, the nominations of Bert Ken Akitake, M.D. and Judith S. Mikami, terms to expire December 31, 1985, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 290), submitting for consideration and confirmation to the Board of Regents, University of Hawaii, the following nominations:

Walter R. Steiger, term to expire December 31, 1982;

James F. Gary, term to expire December 31, 1984; and

Kenneth N. Kato, term to expire December 31, 1985,

was referred to the Committee on Higher Education.

A message from the Governor (Gov. Msg. No. 291), submitting for consideration and confirmation to the Board of Directors, Research Corporation, University of Hawaii, the nominations of Robert M. Ota, Simon Schneiderman, Ph.D. and Brian K. Minaai, terms to expire December 31, 1985, was referred to the Committee on Higher Education.

A message from the Governor (Gov. Msg. No. 292), submitting for consideration and confirmation to the Hawaiian Homes Commission, the nomination of Melvin D. Kalahiki, term to expire December 31, 1983, was referred to the Committee on Housing and Hawaiian Homes.

A message from the Governor (Gov. Msg. No. 293), submitting for consideration and confirmation to the Board of Social Services and Housing, the nomination of Beppie Shapiro, term to expire December 31, 1985, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 294), submitting for consideration and confirmation to the Hawaii Employment Relations Board, the nomination of Dean Edward Hutter, term to expire December 31, 1985, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 295), submitting for consideration and confirmation to the Criminal

Injuries Compensation Commission, the nomination of Edward M. Yoshimasu, term to expire December 31, 1985, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 296), submitting for consideration and confirmation to the Commission on the Status of Women, the nomination of Elsie M. Hirai, term to expire December 31, 1985, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 297), submitting for consideration and confirmation to the Commission on Transportation, the nominations of Jack Richardson, Norrie Thompson, David Hasegawa and A. Duane Black, terms to expire December 31, 1985, was referred to the Committee on Transportation.

A message from the Governor (Gov. Msg. No. 298), submitting for consideration and confirmation to the Medical Advisory Board, the nomination of Arthur T. Kobayashi, O.D., term to expire, December 31, 1985, was referred to the Committee on Transportation.

HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 421), transmitting House Concurrent Resolution No. 76, H.D. 1, which was adopted by the House of Representatives on April 12, 1982, was read by the Clerk and was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.C.R. No. 76, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING LEGISLATIVE SUPPORT FOR CONTINUING THE UNIVERSITY OF HAWAII'S NEW/YOUNG FARMER PROGRAM," was adopted.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 65 to 91) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 65), entitled: "SENATE CONCURRENT RESOLUTION URGING THE COUNTIES TO ADOPT ORDINANCES TO ENSURE CONSTRUCTION OF AFFORDABLE HOUSING IN CONJUNCTION WITH NEW DEVELOPMENTS," was offered by Senators Young, Abercrombie and Ajifu.

By unanimous consent, S.C.R. No. 65 was referred to the Committee on Housing and Hawaiian Homes.

A concurrent resolution (S.C.R. No. 66), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE FEDERAL GOVERNMENT TO GIVE THE STATE OF

- HAWAII THE FIRST RIGHT TO PURCHASE ANY FEDERAL PROPERTY IN THE FORT DERUSSY AREA IF THE PROPERTY IS OFFERED FOR SALE," was offered by Senator Wong.

By unanimous consent, S.C.R. No. 66 was referred to the Committee on Ecology, Environment and Recreation.

A concurrent resolution (S.C.R. No. 67), entitled: "SENATE CONCURRENT RESOLUTION OPPOSING THE NUCLEAR ARMS RACE," was offered by Senators Abercrombie, Young, Kuroda, Uwaine and Holt.

By unanimous consent, S.C.R. No. 67 was referred to the Committee on Government Operations and Intergovernmental Relations.

A concurrent resolution (S.C.R. No. 68), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO PREPARE AND SUBMIT A CONSTITUTIONAL AMENDMENT REQUIRING A BALANCING OF THE FEDERAL BUDGET, OR TO CALL A CONSTITUTIONAL CONVENTION TO PROPOSE SUCH CONSTITUTIONAL AMENDMENT," was offered by Senators George, Yee, Anderson, Kawasaki, Holt, Kobayashi, Carpenter, Abercrombie, Machida, Cobb and Henderson.

By unanimous consent, S.C.R. No. 68 was referred to the Committee on Government Operations and Intergovernmental Relations.

A concurrent resolution (S.C.R. No. 69), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE U.S. CONGRESS TO AUTHORIZE THE EXTENSION THROUGH FY 1985 OF PUBLIC LAW 92-444, THE CENTRAL, WESTERN AND SOUTH PACIFIC FISHERIES DEVELOPMENT ACT AND THE FUNDING AT \$5 MILLION PER YEAR," was offered by Senator Henderson.

By unanimous consent, S.C.R. No. 69 was referred to the Committee on Economic Development.

A concurrent resolution (S.C.R. No. 70), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE RECLASSIFICATION OF LIFEGUARDS OF THE COUNTIES OF HAWAII, KAUAI, AND MAUI AND ASSIGNMENT OF LIFEGUARDS OF ALL JURISDICTIONS TO THE SAME SALARY RANGE," was offered by Senators Machida, Yamasaki, Ushijima, Henderson, Carpenter and Toyofuku.

By unanimous consent, S.C.R. No. 70 was referred to the Committee on Human Resources.

A concurrent resolution (S.C.R. No. 71), entitled: "SENATE CONCURRENT RESOLUTION CONCERNING AN AD HOC COMMITTEE TO STUDY AND SUBMIT AMENDMENTS TO CHAPTER 269 OF THE HAWAII REVISED STATUTES RELATING TO PUBLIC UTILITIES," was offered by Senator Soares.

By unanimous consent, S.C.R. No. 71 was referred to the Committee on Public Utilities.

A concurrent resolution (S.C.R. No. 72), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL TO SEEK A DECLARATORY JUDGMENT ON THE CONSTITUTIONALITY OF A TOTAL PROHIBITION ON TIME SHARING," was offered by Senators Cobb, Abercrombie, Kawasaki, Carpenter, Kuroda, Henderson and Uwaine.

By unanimous consent, action on S.C.R. No. 72 was deferred until Wednesday, April 14, 1982.

A concurrent resolution (S.C.R. No. 73), pertaining to creating a context for world peace, was offered by Senator O'Connor.

By unanimous consent, action on S.C.R. No. 73 was deferred until Wednesday, April 14, 1982.

A concurrent resolution (S.C.R. No. 74), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY INTO THE EXISTING DUTIES AND RESPONSIBILITIES OF THE REAL ESTATE COMMISSION AND TO DEVELOP RECOMMENDATIONS TO IMPROVE THE SERVICES TO LICENSEES AND THE PUBLIC," was offered by Senators Carpenter and Uwaine.

By unanimous consent, action on S.C.R. No. 74 was deferred until Wednesday, April 14, 1982.

A concurrent resolution (S.C.R. No. 75), entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING CONCURRENCE WITH THE FINDINGS OF THE HOSPITAL ASSOCIATION OF HAWAII REGARDING THE SHORTAGE OF NURSES AND ENCOURAGING THE ASSOCIATION IN ITS CONTINUED DATA GATHERING AND ANALYSIS OF THE PROBLEM," was offered by Senators Carpenter, Cayetano, Abercrombie, Yamasaki, Uwaine, Soares, George, Holt, Kobayashi, Cobb and Kuroda.

By unanimous consent, action on S.C.R. No. 75 was deferred until Wednesday, April 14, 1982.

A concurrent resolution (S.C.R. No. 76), entitled: "SENATE CONCURRENT RESOLUTION DIRECTING THE DEPARTMENT

OF LAND AND NATURAL RESOURCES TO MAKE A STUDY OF THE HISTORICAL IMPORTANCE OF UMI'S HEIAU AND TO DO A FEASIBILITY STUDY TO RESTORE UMI'S HEIAU AND THE NECESSARY INFRASTRUCTURE FOR ACCESSIBILITY," was offered by Senators Carpenter, Cobb, Kuroda, Soares, Kobayashi and Holt.

By unanimous consent, action on S.C.R. No. 76 was deferred until Wednesday, April 14, 1982.

A concurrent resolution (S.C.R. No. 77), entitled: "SENATE CONCURRENT RESOLUTION URGING THE CITY AND COUNTY DEPARTMENT OF PARKS AND RECREATION TO WORK WITH ALL DUE DELIBERATE SPEED IN RESOLVING THE ISSUE OF ACCESS TO HOOMALUHIA PARK," was offered by Senators Ajifu, Henderson, Soares, Cobb, Kawasaki, Campbell and Kuroda.

By unanimous consent, action on S.C.R. No. 77 was deferred until Wednesday, April 14, 1982.

A concurrent resolution (S.C.R. No. 78), entitled: "SENATE CONCURRENT RESOLUTION URGING THE LEGISLATIVE REFERENCE BUREAU TO DRAFT A BILL FOR AN ACT TO CREATE A CENTRAL HOUSING FINANCE AGENCY," was offered by Senator Young, by request.

By unanimous consent, action on S.C.R. No. 78 was deferred until Wednesday, April 14, 1982.

A concurrent resolution (S.C.R. No. 79), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO CONDUCT A STUDY OF PRESENT STATE LAWS AND EXISTING COMPENSATION SYSTEMS AND MAKE RECOMMENDATIONS TO ASSURE EQUALITY OF PAY FOR WORK OF COMPARABLE VALUE," was offered by Senator Abercrombie.

By unanimous consent, action on S.C.R. No. 79 was deferred until Wednesday, April 14, 1982.

A concurrent resolution (S.C.R. No. 80), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE EXCHANGE OF PARKS AND RECREATION AREAS, INCLUDING RELATED PERSONNEL, EQUIPMENT AND OTHER RESOURCES BETWEEN THE STATE AND THE CITY AND COUNTY OF HONOLULU," was offered by Senator Kobayashi.

By unanimous consent, action on S.C.R. No. 80 was deferred until Wednesday, April 14, 1982.

A concurrent resolution (S.C.R. No. 81), entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A SMALL BUSINESS ADVISORY COMMITTEE AND REQUESTING THE GOVERNOR TO APPOINT ITS MEMBERS," was offered by Senators Cobb, Kuroda, Carpenter, Henderson, Uwaine, Machida, Kobayashi, O'Connor and Ushijima.

By unanimous consent, action on S.C.R. No. 81 was deferred until Wednesday, April 14, 1982.

A concurrent resolution (S.C.R. No. 82), entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING OPPOSITION TO THE FEDERAL GOVERNMENT'S PROPOSAL TO SELL FORT DERUSSY IN HAWAII AND URGING THE PRESIDENT AND CONGRESS OF THE UNITED STATES AND HAWAII'S CONGRESSIONAL DELEGATION TO TAKE APPROPRIATE ACTION TO PREVENT THE SALE OF FORT DERUSSY," was offered by Senators Cobb, Kobayashi, Uwaine, Abercrombie, Kuroda, Machida, Saiki, Anderson, Yamasaki, Ajifu, Carpenter and Wong.

By unanimous consent, action on S.C.R. No. 82 was deferred until Wednesday, April 14, 1982.

A concurrent resolution (S.C.R. No. 83), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A COMPREHENSIVE REVIEW OF HAWAII'S SUBSTANCE ABUSE AND MENTAL HEALTH SERVICE SYSTEM," was offered by Senator Carpenter.

By unanimous consent, action on S.C.R. No. 83 was deferred until Wednesday, April 14, 1982.

A concurrent resolution (S.C.R. No. 84), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE TO TAKE OVER THE SADDLE ROAD ON THE BIG ISLAND," was offered by Senator Carpenter.

By unanimous consent, action on S.C.R. No. 84 was deferred until Wednesday, April 14, 1982.

A concurrent resolution (S.C.R. No. 85), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE SHORTAGE OF LICENSED NURSES," was offered by Senators Cayetano and Carpenter.

By unanimous consent, action on S.C.R. No. 85 was deferred until Wednesday, April 14, 1982.

A concurrent resolution (S.C.R. No. 86), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE JUDICIAL SELECTION COMMISSION TO ENCOURAGE PUBLIC INPUT TO THE SELECTION OF JUDGES," was offered by Senators Cayetano

and Carpenter.

By unanimous consent, action on S.C.R. No. 86 was deferred until Wednesday, April 14, 1982.

A concurrent resolution (S.C.R. No. 87), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE FEASIBILITY OF ALLOWING STATE EMPLOYEES TO ESTABLISH AN INDIVIDUAL RETIREMENT ACCOUNT WITH CONTRIBUTIONS FROM THE STATE IN LIEU OF PARTICIPATION IN THE STATE EMPLOYEES' RETIREMENT SYSTEM," was offered by Senators Cayetano and Carpenter.

By unanimous consent, action on S.C.R. No. 87 was deferred until Wednesday, April 14, 1982.

A concurrent resolution (S.C.R. No. 88), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO CONDUCT MANAGEMENT AND PROGRAM AUDITS ON HUMAN SERVICES PROGRAMS RECEIVING LEGISLATIVE GRANTS-IN-AID," was offered by Senators Cayetano and Carpenter.

By unanimous consent, action on S.C.R. No. 88 was deferred until Wednesday, April 14, 1982.

A concurrent resolution (S.C.R. No. 89), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO CONDUCT A PROGRAM AUDIT OF THE STATE'S PROGRAM OF SPECIAL TAX CREDITS AND EXEMPTIONS," was offered by Senators Cayetano and Carpenter.

By unanimous consent, action on S.C.R. No. 89 was deferred until Wednesday, April 14, 1982.

A concurrent resolution (S.C.R. No. 90), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY AND EFFECTS OF ENACTING LEGISLATION IN THE STATE OF HAWAII BASED ON THE MODEL BUSINESS CORPORATION ACT, THE MODEL NONPROFIT CORPORATION ACT, AND THE GENERAL CORPORATION LAW OF DELAWARE," was offered by Senator Wong.

By unanimous consent, action on S.C.R. No. 90 was deferred until Wednesday, April 14, 1982.

A concurrent resolution (S.C.R. No. 91), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO STUDY AND EVALUATE THE PROCEDURES USED BY THE STATE

OF HAWAII TO AWARD NON-BID CONTRACTS," was offered by Senators Abercrombie, George, Soares, Toyofuku, Saiki and Carpenter.

By unanimous consent, action on S.C.R. No. 91 was deferred until Wednesday, April 14, 1982.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 91 to 139) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 91), entitled: "SENATE RESOLUTION URGING THE COUNTIES TO ADOPT ORDINANCES TO ENSURE CONSTRUCTION OF AFFORDABLE HOUSING IN CONJUNCTION WITH NEW DEVELOPMENTS," was offered by Senators Young, Abercrombie and Holt.

By unanimous consent, S.R. No. 91 was referred to the Committee on Housing and Hawaiian Homes.

A resolution (S.R. No. 92), entitled: "SENATE RESOLUTION REQUESTING THAT THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE CITY AND COUNTY OF HONOLULU DEPARTMENT OF PARKS AND RECREATION ADDRESS THE FUTURE OF THE WAIKIKI WAR MEMORIAL NATATORIUM," was offered by Senators Kobayashi, Abercrombie, Ajifu, Kuroda, Carpenter and Kawasaki.

By unanimous consent, S.R. No. 92 was referred to the Committee on Ecology, Environment and Recreation.

A resolution (S.R. No. 93), entitled: "SENATE RESOLUTION URGING THE ENVIRONMENTAL PROTECTION AGENCY AND THE HAWAII STATE DEPARTMENT OF HEALTH TO CONSIDER REDUCING WATER QUALITY STANDARDS FOR SUGAR PRODUCERS ON HAWAII'S HILO COAST," was offered by Senators Henderson, Carpenter, Ushijima, Machida, Yamasaki, Ajifu, Yee, George, Soares, Kawasaki, Kuroda, Mizuguchi, Uwayne, Holt and Campbell.

By unanimous consent, S.R. No. 93 was referred to the Committee on Ecology, Environment and Recreation.

A resolution (S.R. No. 94), entitled: "SENATE RESOLUTION REQUESTING THE FEDERAL GOVERNMENT TO GIVE THE STATE OF HAWAII THE FIRST RIGHT TO PURCHASE ANY FEDERAL PROPERTY IN THE FORT DERUSSY AREA IF THE PROPERTY IS OFFERED FOR SALE," was offered by Senator Wong.

By unanimous consent, S.R. No. 94 was referred to the Committee on Ecology, Environment and Recreation.

A resolution (S.R. No. 95), entitled: "SENATE RESOLUTION OPPOSING THE NUCLEAR ARMS RACE," was offered by Senators Abercrombie, Young, Cayetano, Kuroda, Kawasaki, Uwayne and Holt.

By unanimous consent, S.R. No. 95 was referred to the Committee on Government Operations and Intergovernmental Relations.

A resolution (S.R. No. 96), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONDUCT A STUDY ON CULTURAL LIVE-IN PARKS," was offered by Senator Kobayashi.

By unanimous consent, S.R. No. 96 was referred to the Committee on Ecology, Environment and Recreation.

A resolution (S.R. No. 97), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO STUDY FEDERAL AND STATE REGULATIONS RELATING TO TINTED MOTOR VEHICLE GLAZING MATERIAL," was offered by Senator George.

By unanimous consent, S.R. No. 97 was referred to the Committee on Transportation.

A resolution (S.R. No. 98), entitled: "SENATE RESOLUTION REQUESTING THAT PUBLIC INSTITUTIONS IN HAWAII USE LOCALLY CANNED TUNA," was offered by Senators Yee, Yamasaki, Carpenter and Abercrombie.

By unanimous consent, S.R. No. 98 was referred to the Committee on Economic Development.

A resolution (S.R. No. 99), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE EFFECTIVENESS AND FEASIBILITY OF IMPLEMENTING EDUCATION PROGRAMS AND MANDATORY SAFETY RESTRAINTS FOR CHILDREN IN MOTOR VEHICLES," was offered by Senator George.

By unanimous consent, S.R. No. 99 was referred to the Committee on Transportation.

A resolution (S.R. No. 100), entitled: "SENATE RESOLUTION REQUESTING THE U.S. CONGRESS TO AUTHORIZE THE EXTENSION THROUGH FY 1985 OF PUBLIC LAW 92-444, THE CENTRAL, WESTERN AND SOUTH PACIFIC FISHERIES DEVELOPMENT ACT AND THE FUNDING AT \$5 MILLION PER YEAR," was offered by Senator Henderson.

By unanimous consent, S.R. No. 100 was referred to the Committee

on Economic Development.

A resolution (S.R. No. 101), entitled: "SENATE RESOLUTION REQUESTING THE RECLASSIFICATION OF LIFE GUARDS OF THE COUNTIES OF HAWAII, KAUAI, AND MAUI AND ASSIGNMENT OF LIFE GUARDS OF ALL JURISDICTIONS TO THE SAME SALARY RANGE," was offered by Senators Machida, Yamasaki, Ushijima, Henderson, Carpenter and Toyofuku.

By unanimous consent, S.R. No. 101 was referred to the Committee on Human Resources.

A resolution (S.R. No. 102), entitled: "SENATE RESOLUTION REQUESTING THE ATTORNEY GENERAL TO SEEK A DECLARATORY JUDGMENT ON THE CONSTITUTIONALITY OF A TOTAL PROHIBITION ON TIME SHARING," was offered by Senators Cobb, Abercrombie, Kawasaki, Carpenter, Kuroda, Henderson and Uwaine.

By unanimous consent, action on S.R. No. 102 was deferred until Wednesday, April 14, 1982.

A resolution (S.R. No. 103), entitled: "SENATE RESOLUTION REQUESTING APPROPRIATE ACTION BY CONGRESS TO PROPOSE AN AMENDMENT TO THE CLEAN WATER ACT (P.L. 92-500) ELIMINATING THE REQUIREMENT OF A NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT (NPDES PERMIT) FOR WATER RELEASES FROM RESERVOIRS," was offered by Senator Kobayashi.

By unanimous consent, action on S.R. No. 103 was deferred until Wednesday, April 14, 1982.

A resolution (S.R. No. 104), pertaining to creating a context for world peace, was offered by Senator O'Connor.

By unanimous consent, action on S.R. No. 104 was deferred until Wednesday, April 14, 1982.

A resolution (S.R. No. 105), entitled: "SENATE RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO REVIEW AND MODIFY POLICIES AND PROCEDURES RELATING TO THE REGULATION OF TAXI CAB DRIVERS," was offered by Senators Kawasaki and Kuroda.

By unanimous consent, action on S.R. No. 105 was deferred until Wednesday, April 14, 1982.

A resolution (S.R. No. 106), entitled: "SENATE RESOLUTION REQUESTING A STUDY INTO THE EXISTING DUTIES AND RESPONSIBILITIES OF THE REAL ESTATE COMMISSION AND TO DEVELOP

RECOMMENDATIONS TO IMPROVE THE SERVICES TO LICENSEES AND THE PUBLIC," was offered by Senators Carpenter and Uwaine.

By unanimous consent, action on S.R. No. 106 was deferred until Wednesday, April 14, 1982.

A resolution (S.R. No. 107), entitled: "SENATE RESOLUTION EXPRESSING CONCURRENCE WITH THE FINDINGS OF THE HOSPITAL ASSOCIATION OF HAWAII REGARDING THE SHORTAGE OF NURSES AND ENCOURAGING THE ASSOCIATION IN ITS CONTINUED DATA GATHERING AND ANALYSIS OF THE PROBLEM," was offered by Senators Carpenter, Cayetano, Abercrombie, Yamasaki, Mizuguchi, Uwaine, Soares, George, Holt, Kobayashi, Cobb and Kuroda.

By unanimous consent, action on S.R. No. 107 was deferred until Wednesday, April 14, 1982.

A resolution (S.R. No. 108), entitled: "SENATE RESOLUTION DIRECTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO MAKE A STUDY OF THE HISTORICAL IMPORTANCE OF UMI'S HEIAU AND TO DO A FEASIBILITY STUDY TO RESTORE UMI'S HEIAU AND THE NECESSARY INFRASTRUCTURE FOR ACCESSIBILITY," was offered by Senators Carpenter, Cobb, Kobayashi, Holt, Soares and Kuroda.

By unanimous consent, action on S.R. No. 108 was deferred until Wednesday, April 14, 1982.

A resolution (S.R. No. 109), entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF THE HAWAII CRIMINAL JUSTICE SYSTEM TO INSURE THE RIGHT TO SPEEDY TRIAL," was offered by Senators Carpenter, Cobb, Kuroda, Holt, Kobayashi and Soares.

By unanimous consent, action on S.R. No. 109 was deferred until Wednesday, April 14, 1982.

A resolution (S.R. No. 110), entitled: "SENATE RESOLUTION REQUESTING THE CHIEF JUSTICE OF THE SUPREME COURT OF THE STATE OF HAWAII TO INCLUDE DISPOSITIONAL INFORMATION IN HIS ANNUAL REPORT," was offered by Senators Carpenter, Cobb, Kuroda, Kobayashi, Holt and Soares.

By unanimous consent, action on S.R. No. 110 was deferred until Wednesday, April 14, 1982.

A resolution (S.R. No. 111), entitled: "SENATE RESOLUTION REQUESTING

THE HAWAII CRIME COMMISSION TO CONDUCT A STUDY ON SPEEDING UP HAWAII'S CRIMINAL JUSTICE PROCEDURES," was offered by Senators Carpenter, Cobb, Soares, Kobayashi, Holt and Kuroda.

By unanimous consent, action on S.R. No. 111 was deferred until Wednesday, April 14, 1982.

A resolution (S.R. No. 112), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE MODEL CORPORATION ACT AND THE MODEL NONPROFIT CORPORATION ACT," was offered by Senators Carpenter, Cobb and Kuroda.

By unanimous consent, action on S.R. No. 112 was deferred until Wednesday, April 14, 1982.

A resolution (S.R. No. 113), entitled: "SENATE RESOLUTION URGING THE CITY AND COUNTY DEPARTMENT OF PARKS AND RECREATION TO WORK WITH ALL DUE DELIBERATE SPEED IN RESOLVING THE ISSUE OF ACCESS TO HOOMALUHIA PARK," was offered by Senators Ajifu, Henderson, Cobb, Kawasaki, Yamasaki and Kuroda.

By unanimous consent, action on S.R. No. 113 was deferred until Wednesday, April 14, 1982.

A resolution (S.R. No. 114), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON ALTERNATIVE SOLUTIONS TO THE PROBLEMS SURROUNDING THE TRANSPORTATION OF DIVERSIFIED AGRICULTURAL PRODUCTS IN HAWAII," was offered by Senator Ajifu.

By unanimous consent, action on S.R. No. 114 was deferred until Wednesday, April 14, 1982.

A resolution (S.R. No. 115), entitled: "SENATE RESOLUTION RESPECTFULLY URGING THAT THE UNITED STATES CONGRESS AND PRESIDENT REAGAN EVALUATE ALL REASONABLE ALTERNATIVE APPROACHES TO THE U.S. CARIBBEAN AID PACKAGE BEFORE APPROVING OR OTHERWISE PERMITTING IMPLEMENTATION OF THE CARIBBEAN AID PACKAGE," was offered by Senator Ajifu.

By unanimous consent, action on S.R. No. 115 was deferred until Wednesday, April 14, 1982.

A resolution (S.R. No. 116), entitled: "SENATE RESOLUTION URGING A CONCERTED NATIONAL EFFORT TO CONTROL AND ERADICATE THE SO-CALLED 'TRI-FLY' PROBLEM," was offered by Senators Ajifu, Henderson, Soares, Cobb, Kawasaki, Campbell, Yamasaki and Kuroda.

By unanimous consent, action on S.R. No. 116 was deferred until Wednesday, April 14, 1982.

A resolution (S.R. No. 117), entitled: "SENATE RESOLUTION REQUESTING THE RELEASE OF THE EXISTING KAPALAMA MILITARY RESERVATION BY THE UNITED STATES GOVERNMENT TO THE STATE OF HAWAII AND ITS USE AS A CENTRAL MARSHALLING FACILITY FOR AN AGRICULTURAL COOPERATIVE," was offered by Senators Ajifu, Henderson, Soares, Kawasaki, Campbell, Yamasaki and Kuroda.

By unanimous consent, action on S.R. No. 117 was deferred until Wednesday, April 14, 1982.

A resolution (S.R. No. 118), entitled: "SENATE RESOLUTION ENCOURAGING ACCELERATION AND BROADENING OF ECONOMIC TRADE RELATIONS BETWEEN CANADA AND HAWAII, REQUESTING THE GOVERNOR OF HAWAII TO PROCLAIM 'CANADA-HAWAII WEEK,' AND REQUESTING A REPORT FROM THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT (DPED) AS TO THE FEASIBILITY OF ESTABLISHING A 'CANADA-HAWAII TRADE ASSOCIATION,'" was offered by Senator Ajifu.

By unanimous consent, action on S.R. No. 118, was deferred until Wednesday, April 14, 1982.

A resolution (S.R. No. 119), entitled: "SENATE RESOLUTION URGING THE LEGISLATIVE REFERENCE BUREAU TO DRAFT A BILL FOR AN ACT TO CREATE A CENTRAL HOUSING FINANCE AGENCY," was offered by Senator Young, by request.

By unanimous consent, action on S.R. No. 119 was deferred until Wednesday, April 14, 1982.

A resolution (S.R. No. 120), entitled: "SENATE RESOLUTION URGING THE GOVERNOR TO ESTABLISH A STATEWIDE POLICY REQUIRING HOUSING PROJECTS ON PUBLIC LANDS TO INCLUDE AFFORDABLE HOUSING," was offered by Senator Young, by request.

By unanimous consent, action on S.R. No. 120 was deferred until Wednesday, April 14, 1982.

A resolution (S.R. No. 121), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO CONDUCT A STUDY OF PRESENT STATE LAWS AND EXISTING COMPENSATION SYSTEMS AND MAKE RECOMMENDATIONS TO

ASSURE EQUALITY OF PAY FOR WORK OF COMPARABLE VALUE," was offered by Senator Abercrombie.

By unanimous consent, action on S.R. No. 121 was deferred until Wednesday, April 14, 1982.

A resolution (S.R. No. 122), entitled: "SENATE RESOLUTION URGING THE GOVERNOR TO PROCLAIM NOVEMBER 14-20, 1982 AS COMMUNITY EDUCATION WEEK," was offered by Senators Abercrombie, Kuroda, Kawasaki, Saiki, Kobayashi, Ajifu, Henderson, Cayetano, Ushijima, Mizuguchi, Yamasaki, Holt, Campbell, Anderson, Uwaine, Machida, George, Carpenter, Toyofuku, Cobb, Young, O'Connor, Soares and Wong.

By unanimous consent, action on S.R. No. 122 was deferred until Wednesday, April 14, 1982.

A resolution (S.R. No. 123), entitled: "SENATE RESOLUTION RELATING TO THE BOARD OF EDUCATION," was offered by Senator Abercrombie.

By unanimous consent, action on S.R. No. 123 was deferred until Wednesday, April 14, 1982.

A resolution (S.R. No. 124), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE CONCEPT OF CREATING A DEPARTMENT OF CORRECTIONS," was offered by Senators Carpenter, Uwaine, O'Connor, Abercrombie, Kuroda, Cayetano, Soares and Ushijima.

By unanimous consent, action on S.R. No. 124 was deferred until Wednesday, April 14, 1982.

A resolution (S.R. No. 125), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF THE PURCHASE AND USE BY THE STATE OF THE ARMED SERVICES YMCA," was offered by Senators Carpenter, Cayetano, O'Connor, Yamasaki, Kuroda and Soares.

By unanimous consent, action on S.R. No. 125 was deferred until Wednesday, April 14, 1982.

A resolution (S.R. No. 126), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE ORGANIZATIONAL PLACEMENT OF THE INTAKE SERVICE CENTER," was offered by Senators Carpenter, O'Connor, Abercrombie, Kuroda, Soares, Ushijima and Cayetano.

By unanimous consent, action on S.R. No. 126 was deferred until Wednesday, April 14, 1982.

A resolution (S.R. No. 127), entitled: "SENATE RESOLUTION REQUESTING

THE EXCHANGE OF PARKS AND RECREATION AREAS, INCLUDING RELATED PERSONNEL, EQUIPMENT AND OTHER RESOURCES BETWEEN THE STATE AND THE CITY AND COUNTY OF HONOLULU," was offered by Senator Kobayashi.

By unanimous consent, action on S.R. No. 127 was deferred until Wednesday, April 14, 1982.

A resolution (S.R. No. 128), entitled: "SENATE RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A SMALL BUSINESS ADVISORY COMMITTEE AND REQUESTING THE GOVERNOR TO APPOINT ITS MEMBERS," was offered by Senators Cobb, Kuroda, Carpenter, Henderson, Uwaine, Machida, Kobayashi, O'Connor and Ushijima.

By unanimous consent, action on S.R. No. 128 was deferred until Wednesday, April 14, 1982.

A resolution (S.R. No. 129), entitled: "SENATE RESOLUTION EXPRESSING OPPOSITION TO THE FEDERAL GOVERNMENT'S PROPOSAL TO SELL FORT DERUSSY IN HAWAII AND URGING THE PRESIDENT AND THE CONGRESS OF THE UNITED STATES AND HAWAII'S CONGRESSIONAL DELEGATION TO TAKE APPROPRIATE ACTION TO PREVENT THE SALE OF FORT DERUSSY," was offered by Senators Cobb, Kobayashi, Uwaine, Abercrombie, Kuroda, Machida, Saiki, Anderson, Yamasaki, Ajifu, Carpenter and Wong.

By unanimous consent, action on S.R. No. 129 was deferred until Wednesday, April 14, 1982.

A resolution (S.R. No. 130), entitled: "SENATE RESOLUTION REQUESTING A COMPREHENSIVE REVIEW OF HAWAII'S SUBSTANCE ABUSE AND MENTAL HEALTH SERVICE SYSTEM," was offered by Senator Carpenter.

By unanimous consent, action on S.R. No. 130 was deferred until Wednesday, April 14, 1982.

A resolution (S.R. No. 131), entitled: "SENATE RESOLUTION REQUESTING THE STATE TO TAKE OVER THE SADDLE ROAD ON THE BIG ISLAND," was offered by Senator Carpenter.

By unanimous consent, action on S.R. No. 131 was deferred until Wednesday, April 14, 1982.

A resolution (S.R. No. 132), entitled: "SENATE RESOLUTION RELATING TO THE SHORTAGE OF LICENSED NURSES," was offered by Senators Cayetano and Carpenter.

By unanimous consent, action on S.R. No. 132 was deferred until Wednesday, April 14, 1982.

A resolution (S.R. No. 133), entitled: "SENATE RESOLUTION REQUESTING THE JUDICIAL SELECTION COMMISSION TO ENCOURAGE PUBLIC INPUT TO THE SELECTION OF JUDGES," was offered by Senators Cayetano and Carpenter.

By unanimous consent, action on S.R. No. 133 was deferred until Wednesday, April 14, 1982.

A resolution (S.R. No. 134), entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE FEASIBILITY OF ALLOWING STATE EMPLOYEES TO ESTABLISH AN INDIVIDUAL RETIREMENT ACCOUNT WITH CONTRIBUTIONS FROM THE STATE IN LIEU OF PARTICIPATION IN THE STATE EMPLOYEES' RETIREMENT SYSTEM," was offered by Senators Cayetano, Carpenter and Uwaine.

By unanimous consent, action on S.R. No. 134 was deferred until Wednesday, April 14, 1982.

A resolution (S.R. No. 135), entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO CONDUCT MANAGEMENT AND PROGRAM AUDITS ON HUMAN SERVICES PROGRAMS RECEIVING LEGISLATIVE GRANTS-IN-AID," was offered by Senators Cayetano, Carpenter and Uwaine.

By unanimous consent, action on S.R. No. 135 was deferred until Wednesday, April 14, 1982.

A resolution (S.R. No. 136), entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO CONDUCT A PROGRAM AUDIT OF THE STATE'S PROGRAM OF SPECIAL TAX CREDITS AND EXEMPTIONS," was offered by Senators Cayetano and Carpenter.

By unanimous consent, action on S.R. No. 136 was deferred until Wednesday, April 14, 1982.

A resolution (S.R. No. 137), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY AND EFFECTS OF ENACTING LEGISLATION IN THE STATE OF HAWAII BASED ON THE MODEL BUSINESS CORPORATION ACT, THE MODEL NONPROFIT CORPORATION ACT, AND THE GENERAL CORPORATION LAW OF DELAWARE," was offered by Senator Wong.

By unanimous consent, action on S.R. No. 137 was deferred until Wednesday, April 14, 1982.

A resolution (S.R. No. 138), entitled: "SENATE RESOLUTION URGING THE CITY COUNCIL OF THE CITY AND COUNTY OF HONOLULU TO ADOPT AN ORDINANCE REQUIRING INSTALLATION OF AN EMERGENCY WARNING SYSTEM IN TAXICABS," was offered by Senators Carpenter and George.

By unanimous consent, action on S.R. No. 138 was deferred until Wednesday, April 14, 1982.

A resolution (S.R. No. 139), entitled: "SENATE RESOLUTION CONDUCTING AN INVESTIGATION OF THE ALLEGATIONS OF BRUTALITY AGAINST INMATES OF THE OAHU COMMUNITY CORRECTIONAL CENTER ARISING FROM THE PRISON SHAKEDOWN," was offered by Senator Carpenter.

By unanimous consent, action on S.R. No. 139 was deferred until Wednesday, April 14, 1982.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 817-82) informing the Senate that Senate Concurrent Resolution Nos. 65 to 72, Senate Resolution Nos. 91 to 103, Governor's Message Nos. 271 to 298, and Standing Committee Report Nos. 818-82 to 819-82 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 818-82) recommending that House Bill No. 2447-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Uwaine and carried, the report of the Committee was adopted and H.B. No. 2447-82, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DISPENSING OPTICIANS," passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 15, 1982.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 819-82) recommending that the Senate advise and consent to the following nominations:

Wayne T. Takahashi and Lawrence

N.C. Ng, to the Hawaii Housing Authority, in accordance with Gov. Msg. No. 166;

Maurice H. Yamasato and Jose L. Encarnacion, to the Factory-Built Housing Advisory Board, in accordance with Gov. Msg. No. 167;

George Nitta, to the Hawaii Community Development Authority, in accordance with Gov. Msg. No. 168;

Joseph A. Tanega and Howard H. Tasaka, to the Advisory Council for Housing and Construction Industry, in accordance with Gov. Msg. No. 219; and

Donald R. Gradle, Harry H. Kiyota and Christine G. K. Dahilig, to the Factory-Built Housing Advisory Board, in accordance with Gov. Msg. No. 220.

By unanimous consent, action on Stand. Com. Rep. No. 819-82 and Gov. Msg. Nos. 166, 167, 168, 219 and 220 was deferred until Wednesday, April 14, 1982.

ORDER OF THE DAY

MATTERS DEFERRED FROM APRIL 12, 1982

FINAL READING

Senate Bill No. 262, S.D. 1, H.D. 2:

By unanimous consent, action on S.B. No. 262, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DELINQUENT PENALTIES FOR LATE RENEWAL OF MOTOR VEHICLE REGISTRATIONS," was deferred until Wednesday, April 14, 1982.

Senate Bill No. 594, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 594, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CEMETERIES AND MORTUARIES," was deferred until Wednesday, April 14, 1982.

Senate Bill No. 1308, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 1308, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," was deferred until Wednesday, April 14, 1982.

Senate Bill No. 2389-82, H.D. 1:

By unanimous consent, action on S.B. No. 2389-82, H.D. 1, entitled: "A BILL

FOR AN ACT RELATING TO INTOXICATING LIQUOR," was deferred until Wednesday, April 14, 1982.

Senate Bill No. 2144-82, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 2144-82, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRUGS," was deferred until Wednesday, April 14, 1982.

Senate Bill No. 2189-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2189-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL," was deferred until Wednesday, April 14, 1982.

Senate Bill No. 2245-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2245-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECIPROCAL ENFORCEMENT OF SUPPORT," was deferred until Wednesday, April 14, 1982.

Senate Bill No. 2382-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2382-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY," was deferred until Wednesday, April 14, 1982.

Senate Bill No. 2401-82, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 2401-82, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE AND NEGLECT," was deferred until Wednesday, April 14, 1982.

Senate Bill No. 2470-82, S.D. 2, H.D. 2:

By unanimous consent, action on S.B. No. 2470-82, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH," was deferred until Wednesday, April 14, 1982.

Senate Bill No. 2496-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2496-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," was deferred until Wednesday, April 14, 1982.

Senate Bill No. 2646-82, H.D. 1:

By unanimous consent, action on S.B. No. 2646-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PATIENTS' COMPENSATION FUND," was deferred until Wednesday, April 14, 1982.

Senate Bill No. 2682-82, S.D. 1, H.D. 2:

By unanimous consent, action on S.B. No. 2682-82, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," was deferred until Wednesday, April 14, 1982.

Senate Bill No. 2696-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2696-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER COOPERATIVE ASSOCIATIONS," was deferred until Wednesday, April 14, 1982.

Senate Bill No. 2814-82, S.D. 2, H.D. 2:

By unanimous consent, action on S.B. No. 2814-82, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," was deferred until Wednesday, April 14, 1982.

Senate Bill No. 2868-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2868-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION," was deferred until Wednesday, April 14, 1982.

Senate Bill No. 2947-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2947-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FILIPINO 75TH ANNIVERSARY COMMISSION," was deferred until Wednesday, April 14, 1982.

Senate Bill No. 397, S.D. 2, H.D. 2:

By unanimous consent, action on S.B. No. 397, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Wednesday, April 14, 1982.

Senate Bill No. 2228-82, H.D. 1:

By unanimous consent, action on S.B. No. 2228-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," was deferred until Wednesday, April 14, 1982.

Senate Bill No. 2288-82, H.D. 1:

By unanimous consent, action on S.B. No. 2288-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF AGRICULTURE," was deferred until Wednesday, April 14, 1982.

Senate Bill No. 2309-82, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 2309-82, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," was deferred until Wednesday, April 14, 1982.

Senate Bill No. 2366-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2366-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING REPORT," was deferred until Wednesday, April 14, 1982.

Senate Bill No. 2477-82, H.D. 1:

By unanimous consent, action on S.B. No. 2477-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REPAIRS," was deferred until Wednesday, April 14, 1982.

Senate Bill No. 2517-82, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 2517-82, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred until Wednesday, April 14, 1982.

Senate Bill No. 2566-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2566-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO APPEALS BY THE STATE IN CRIMINAL CASES," was deferred until Wednesday, April 14, 1982.

Senate Bill No. 2615-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2615-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THEFT OF UTILITY SERVICES," was deferred until Wednesday, April 14, 1982.

Senate Bill No. 2624-82, S.D. 1, H.D. 1:

By unanimous consent, action on

S.B. No. 2624-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GRAND JURY COUNSEL," was deferred until Wednesday, April 14, 1982.

MISCELLANEOUS COMMUNICATION

A communication from the Office of the Honorable Daniel K. Inouye, United States Senator (Misc. Com. No. 2), acknowledging receipt of Senate Resolution No. 38, Regular Session of 1982, was placed on file.

At 11:43 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:49 o'clock a.m.

At this time, Senator Abercrombie rose and addressed the members of the Senate as follows:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, I have a smile on my face, but I have tears in my eyes, as I read this morning that the President, in another one of his classic economic 'standing-on-the-head' routines is about to announce his initiative with respect to giving tuition credit to private schools at the same time he is withdrawing funds from public schools, which should give us a brief idea of how it's possible in 1982, to go back to his Irish roots of about 1682.

"Thank you very much."

At this time, Senator Kawasaki rose and stated:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, I believe that it's perfectly in order for members of this Senate to compliment any person or any segment of our population that by its action does something that benefits the entire community and in this spirit, I'd like first of all, to commend our fellow Senator, Senator Abercrombie, on the fruition of an idea that germinated in his rather fertile mind...that being the very impressive dedication ceremonies conducted on Saturday, with the unveiling of the statue of Liliuokalani, the statue honoring a most worthy member of Hawaiian royalty in the history of these islands.

"It was a beautiful ceremony, and I was proud of the fact that it took one member of the Senate to germinate this idea that resulted in the fruition of this beautiful ceremony and a permanent

structure to be placed between Iolani Palace and this Capitol.

"I also want to, in the spirit of commending another segment of this population, as I put it, commend the employees and the management of Aloha Airlines for their very sensible settlement of their wage negotiation issue.

"I think it is very commendable that the employees of Aloha Airlines had the common sense and the concern for the community, when they settled for an 8% cut in their wages. I would wish that some of our public employee segments of the population would emulate this forthright, very intelligent concern that people have for the economic plight, not only of private companies, but for this state as well."

Senator Campbell then rose and stated:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, this morning, we had an earthquake in California.

"In the last session of this Legislature, Mr. President, I introduced a resolution requesting that the Office of Organized Research and the Institute of Geophysics to conduct a study dealing collectively with the entire class of sudden impact environmental hazards, including earthquakes, tsunamis and volcanic eruptions, and that was Senate Resolution No. 90, which passed this body and it requested such a study to include recommendations on the feasibility of an educational program on information dissemination aimed at reducing losses from natural hazards and assessment of the prediction capabilities of the state and recommendations to improve such capability.

"Mr. President, I felt then as I do now that the state should implement the most reliable system available for earthquake prediction. This would be a giant step forward in trying to alleviate the devastating effects of natural disasters and preventing unnecessary loss of lives and property due to possible weakness in our current system.

"The problem of earthquake and natural hazard prediction is a growing concern of the people of Hawaii because of the state's extremely sensitive location on the Molokai Fracture Zone, and the frequency of volcanic activity in the islands, in my judgment, necessitates a highly dependable prediction system.

"Now, Mr. President, I simply want

to read a section of that resolution as a background to the major point which I want to make today. The resolution, '...resolved that the Office of Organized Research and the Hawaii Institute of Geophysics in conducting the study, update earthquake and seismic information, assess the prediction capabilities of the State, provide for the mutual exchange of information among interested persons, research organizations, and government bodies active in the area of earthquake prediction, and recommend actions to improve earthquake prediction capabilities;' and, 'Be it further resolved that the Office of Organized Research and the Hawaii Institute of Geophysics report the findings and recommendations to the Legislature one week prior to the convening of the Regular Session of 1982;'

"Now Mr. President, if this information had been submitted to this Legislature in a timely manner, Senator Kawasaki could have cranked into his bill on earthquakes an earthquake prediction section. And to my knowledge, that full report was never sent to this body. In support of this feeling I have with me a memo from Dr. A. S. Furumoto, Professor of Geophysics at the University of Hawaii and an expert on earthquakes, and I'd like to just read a portion of that memo from Dr. Furumoto. This is what the memo says in part:

'Last night, Sunday, March 14, 1982, at 10 p.m., Senator Charles Campbell asked me where was the report on disaster mitigation, which was due to the Legislature before the legislative session. I told him the work done by the faculty members had been sent to the Director of the Hawaii Institute of Geophysics and the body of the report is in his hands.

'Senator Campbell stated emphatically that the report was needed the next day (that is, today) and that even if only parts were available, he wanted them.

'Therefore, I made a copy of my part entitled, "Evaluation of Mitigation Efforts in Regards to Earthquake Risk and Hazards," and a copy of W. M. Adams' landslide report and gave copies to a staff member from Senator Campbell's office who came to my office, Monday morning, March 15, 1982 at 7:45 a.m.'

"Mr. President, in further clarification of this point, I have a letter and I want to read a part of that from Dr. Furumoto to me, and he says:

'I hope the copy of the report sent to you was useful.

'Two other faculty members were

to have written a report of the type of instrumentation needed for an earthquake prediction program. I do not know about the status of those reports since the Director Helsley is supposed to have coordinated that whole thing.

'Actually, we wrote our part and handed them in to the Director of HIG in January.

'The enclosed memo'...and I just read a portion of that, ...'is for the record and to "cover my okole," as we say in street language. The Director, who is rather vindictive could get after me for bypassing the so called chain of command. Actually, in the University, there should be academic freedom so that a faculty member can disseminate his findings irrespective of the chain of command. A University exists for that purpose so seekers of truth can act freely, but not here. Censorship is imposed by ingenious ways, like assigning less than desirable office space, removing secretaries so that one has to type his own things, rotating chairmanships of important committees so that the rest of the faculty gets the clear message who is being punished. The University administration does nothing to protect academic freedom. The high administrators give the excuse that no corrective action is justified because the retaliatory measures were within the administrative purview. One administrator dodges responsibility by advising complainers, "to go see UHPA, the union."

'What I wish to emphasize'...and he goes on...'is what the Legislative Auditor said about the University's administration is all too true. You should read the Auditor's report, cover to cover. The Auditor did not go far enough. Unfortunately, the Auditor, not being a faculty member does not understand what academic freedom means.

'signed, Gus Furumoto.'

"That's just a part of the letter. Mr. President, the indifference with which the head of the University of Hawaii has treated an official request from this Senate, in my judgment, is not only shameful, but could be a violation of a section of our law which mandates that the departments of the state government cooperate by responding to legislative requests. And, Mr. President, may I further request of you to request of the chairman of the Higher Education Committee to conduct an informal investigation of this matter and report back to this body before the session is over."

The President then responded:

"With reference to your request, would the chairman of the Committee on Higher Education look into this matter?"

Senator Saiki then rose and stated:

"Mr. President, your chairman of the committee would be delighted to give serious thought and follow through on the concern expressed by Senator Campbell. It could turn out to be a rather 'eruptive' issue."

Senator Kawasaki then rose and stated:

"Mr. President, as chairman of the Government Operations and Efficiency Committee, I certainly would like to offer the services of my committee as a backup to the chairman of the Higher Education Committee, if we get no response in the typical 'ivory tower' fashion that we're accustomed to."

The President then replied:

"Thank you, Senator Kawasaki. Your spirit of cooperation is overwhelming."

APPOINTMENT OF CONFEREES

House Bill No. 2444-82, S.D. 1:

The President appointed Senators Cayetano, Chairman, Saiki and Toyofuku as Managers on the part of the Senate at the conference to be held for the consideration of the amendments made by the Senate to H.B. No. 2444-82.

The President then stated:

"This completes the Senate's appointments of conferees on all bills in disagreement with the House. Conferees on other House bills were named yesterday, and conferees on all Senate bills were named last Thursday. The Senate stands ready to meet with the House to resolve all our differences.

"I should note that as of this morning, we still have not received any notification from the House--either formally or informally --as to who their conferees are on any of the bills.

"Today is the 52nd Legislative Day. The 1982 Session is scheduled to adjourn sine die next week Friday. We have a lot of work to do on the 54 Senate bills and the 88 House bills in conference over the next few days. I think we are anxious to begin. I hope our colleagues in the House will name their conferees as soon as they can so that we can get the work of the Legislature started and

hopefully end on time."

Senator Cobb then rose and stated:

"Mr. President, one more announcement relative to receipt of boards and commissions. We've had some come down lately and as a matter of personal privilege, I'd like to say that it would be very difficult, if not impossible, to conduct a public hearing on any nominee submitted after noon tomorrow because of the advance 48-hour notice requirement, the requirement to print, the requirement to circulate a committee report for the decision making of the committee members. As a result, if a name is received after noon tomorrow it will be difficult, if not impossible, at least for my committee to conduct a hearing or to recommend that the Senate advise and consent to such a nomination."

The President then responded:

"Senator Cobb, the Chair feels that there is sufficient time. Hopefully, all nominations will be referred out to the Senate by Friday, and you will have the weekend to post notices. I believe we can get them reported out by next Thursday, so that you will have at least three or four days at the tail end of the session to have your hearings."

Senator Cobb then continued:

"I was talking about boards and commissions, in particular, Mr. President."

The President then replied:

"That is correct. Senator Cobb, before you proceed, the Chair would like to make one reminder to the members of the Senate. Today is the deadline for the introduction of substantive resolutions. The Chair would like to suggest strongly that the members of the Senate who care to submit substantive resolutions to do it by 4:30 p.m. this afternoon."

Senator Anderson then rose and stated:

"Mr. President, I have on my desk, two resolutions introduced this afternoon: Nos. 73 and 104. I'm sure they're perfectly legal, except when a resolution or two resolutions come in like this with no title, it's not fair for posting for the public because they have no idea of the content, and if the public isn't informed to at least the intent of the resolution by title, how then can the public come down and testify for or against it?

"So, while it may be legal in our rules, I would say that it's not the way to keep the public informed as to substantive resolutions going before this body."

Senator Abercrombie then interjected:

"I think that's because the resolution speaks for itself."

At 12:10 o'clock p.m., on motion by

Senator Cobb, seconded by Senator Anderson and carried, the Senate stood in recess for the purpose of receiving substantive resolutions.

ADJOURNMENT

At 4:30 o'clock p.m., the Senate adjourned until 11:30 o'clock a.m., Wednesday, April 14, 1982.

FIFTY-THIRD DAY

Wednesday, April 14, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Bishop Senchu Murano of the Nichiren Mission of Hawaii, after which the Roll was called showing all Senators present with the exception of Senators Saiki and Yee who were excused.

The President announced that he had read and approved the Journal of the Fifty-Second Day.

Senator Anderson introduced to the members of the Senate a group (42) of members from the Hui O'Halawa Senior Citizens Club and added that this is the last group of 15,000 senior citizens over the past ten years that he has invited to the Capitol.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 299 to 303) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 299), informing the Senate of the withdrawal of the nominations to the Board of Speech Pathology and Audiology of Ralph Uemae, term to expire December 31, 1985, Roland Tam, M.D., term to expire December 31, 1983, and Sandra K. Harada, term to expire December 31, 1985, under Governor's Message No. 244, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 300), submitting for consideration and confirmation to the Board of Speech Pathology and Audiology, the nominations of Ralph Uemae, term to expire December 31, 1985, and Roland Tam, M.D., term to expire December 31, 1983, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 301), submitting for consideration and confirmation to the Maui County Hospital Management Advisory Committee, the nominations of Herbert H. Sakakihara and John Schaumberg, terms to expire December 31, 1985, and Lyman M. Morikawa, term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 302), submitting for consideration and confirmation to the Board of Regents, University of Hawaii, the nomination of Tim Scott Farr, term to expire December 31, 1982, was referred to the Committee on Higher Education.

A message from the Governor (Gov. Msg. No. 303), submitting for consideration and confirmation to the Board of Taxation Review, First Taxation District, the nominations of Frank K. Hamada, term to expire December 31, 1982, and Sharon R. Himeno, term to expire December 31, 1983, was referred to the Committee on Ways and Means.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 820-82), informing the Senate that Senate Concurrent Resolution Nos. 73 to 91, Senate Resolution Nos. 104 to 139, Governor's Message Nos. 299 to 303, and Standing Committee Report Nos. 821-82 to 826-82 have been printed and distributed to all members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 821-82) recommending that House Bill No. 2027-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2027-82, entitled: "A BILL FOR AN ACT RELATING TO PEDDLING CAKE," passed Second Reading and was placed on the calendar for Third Reading on Friday, April 16, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 822-82) recommending that House Bill No. 2031-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2031-82, entitled:

"A BILL FOR AN ACT RELATING TO COUNTY LICENSES," passed Second Reading and was placed on the calendar for Third Reading on Friday, April 16, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 823-82) recommending that House Bill No. 3053-82, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 3053-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," passed Second Reading and was placed on the calendar for Third Reading on Friday, April 16, 1982.

Senator Soares, for the Committee on Public Utilities, presented a report (Stand. Com. Rep. No. 824-82) recommending Senate Resolution No. 56, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 824-82 and S.R. No. 56, S.D. 1, entitled: "SENATE RESOLUTION URGING AN INVESTIGATION CONCERNING THE REASON WHY '800' TOLL-FREE ENTERPRISE TELEPHONE NUMBERS CANNOT BE USED BY HAWAII RESIDENTS AND WHY ADVERTISING APPEARING IN THE STATE OF HAWAII CONTAINS REFERENCE TO '800' TOLL-FREE NUMBERS WHEN IN REALITY THESE NUMBERS ARE NOT AVAILABLE TO USERS IN THIS STATE," was deferred until Thursday, April 15, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 825-82) recommending that House Bill No. 2071-82, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2071-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION; AMENDING OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES FOR THE PURPOSE OF CORRECTING ERRORS, CLARIFYING LANGUAGE, CORRECTING REFERENCES, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS," passed Second Reading and was placed on the calendar for Third Reading on Friday, April 16, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report

(Stand. Com. Rep. No. 826-82) recommending that House Bill No. 1944-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 1944-82, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CODE OF MILITARY JUSTICE," passed Second Reading and was placed on the calendar for Third Reading on Friday, April 16, 1982.

ORDER OF THE DAY

MATTERS DEFERRED FROM APRIL 13, 1982

Senate Concurrent Resolution No. 72:

By unanimous consent, S.C.R. No. 72, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL TO SEEK A DECLARATORY JUDGMENT ON THE CONSTITUTIONALITY OF A TOTAL PROHIBITION ON TIME SHARING," was referred to the Committee on Consumer Protection and Commerce.

Senate Concurrent Resolution No. 73:

By unanimous consent, S.C.R. No. 73, pertaining to creating a context for world peace, was referred to the Committee on Government Operations and Intergovernmental Relations.

Senate Concurrent Resolution No. 74:

By unanimous consent, action on S.C.R. No. 74, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY INTO THE EXISTING DUTIES AND RESPONSIBILITIES OF THE REAL ESTATE COMMISSION AND TO DEVELOP RECOMMENDATIONS TO IMPROVE THE SERVICES TO LICENSEES AND THE PUBLIC," was referred to the Committee on Consumer Protection and Commerce.

Senate Concurrent Resolution No. 75:

By unanimous consent, S.C.R. No. 75, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING CONCURRENCE WITH THE FINDINGS OF THE HOSPITAL ASSOCIATION OF HAWAII REGARDING THE SHORTAGE OF NURSES AND ENCOURAGING THE ASSOCIATION IN ITS CONTINUED DATA GATHERING AND ANALYSIS OF THE PROBLEM," was referred to the Committee on Health.

Senate Concurrent Resolution No. 76:

By unanimous consent, S.C.R. No. 76, entitled: "SENATE CONCURRENT RESOLUTION DIRECTING THE DEPARTMENT

OF LAND AND NATURAL RESOURCES TO MAKE A STUDY OF THE HISTORICAL IMPORTANCE OF UMI'S HEIAU AND TO DO A FEASIBILITY STUDY TO RESTORE UMI'S HEIAU AND THE NECESSARY INFRASTRUCTURE FOR ACCESSIBILITY," was referred to the Committee on Ecology, Environment and Recreation.

Senate Concurrent Resolution No. 77:

By unanimous consent, S.C.R. No. 77, entitled: "SENATE CONCURRENT RESOLUTION URGING THE CITY AND COUNTY DEPARTMENT OF PARKS AND RECREATION TO WORK WITH ALL DUE DELIBERATE SPEED IN RESOLVING THE ISSUE OF ACCESS TO HOOMALUHIA PARK," was referred to the Committee on Ecology, Environment and Recreation.

Senate Concurrent Resolution No. 78:

By unanimous consent, S.C.R. No. 78, entitled: "SENATE CONCURRENT RESOLUTION URGING THE LEGISLATIVE REFERENCE BUREAU TO DRAFT A BILL FOR AN ACT TO CREATE A CENTRAL HOUSING FINANCE AGENCY," was referred to the Committee on Housing and Hawaiian Homes.

Senate Concurrent Resolution No. 79:

By unanimous consent, S.C.R. No. 79, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO CONDUCT A STUDY OF PRESENT STATE LAWS AND EXISTING COMPENSATION SYSTEMS AND MAKE RECOMMENDATIONS TO ASSURE EQUALITY OF PAY FOR WORK OF COMPARABLE VALUE," was referred to the Committee on Human Resources.

Senate Concurrent Resolution No. 80:

By unanimous consent, S.C.R. No. 80, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE EXCHANGE OF PARKS AND RECREATION AREAS, INCLUDING RELATED PERSONNEL, EQUIPMENT AND OTHER RESOURCES BETWEEN THE STATE AND THE CITY AND COUNTY OF HONOLULU," was referred to the Committee on Ecology, Environment and Recreation.

Senate Concurrent Resolution No. 81:

By unanimous consent, S.C.R. No. 81, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A SMALL BUSINESS ADVISORY COMMITTEE AND REQUESTING THE GOVERNOR TO APPOINT ITS MEMBERS,"

was referred to the Committee on Economic Development.

Senate Concurrent Resolution No. 82:

By unanimous consent, S.C.R. No. 82, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING OPPOSITION TO THE FEDERAL GOVERNMENT'S PROPOSAL TO SELL FORT DERUSSY IN HAWAII AND URGING THE PRESIDENT AND CONGRESS OF THE UNITED STATES AND HAWAII'S CONGRESSIONAL DELEGATION TO TAKE APPROPRIATE ACTION TO PREVENT THE SALE OF FORT DERUSSY," was referred to the Committee on Ecology, Environment and Recreation.

Senate Concurrent Resolution No. 83:

By unanimous consent, S.C.R. No. 83, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A COMPREHENSIVE REVIEW OF HAWAII'S SUBSTANCE ABUSE AND MENTAL HEALTH SERVICE SYSTEM," was referred to the Committee on Health.

Senate Concurrent Resolution No. 84:

By unanimous consent, S.C.R. No. 84, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE TO TAKE OVER THE SADDLE ROAD ON THE BIG ISLAND," was referred to the Committee on Transportation.

Senate Concurrent Resolution No. 85:

By unanimous consent, S.C.R. No. 85, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE SHORTAGE OF LICENSED NURSES," was referred to the Committee on Health.

Senate Concurrent Resolution No. 86:

By unanimous consent, S.C.R. No. 86, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE JUDICIAL SELECTION COMMISSION TO ENCOURAGE PUBLIC INPUT TO THE SELECTION OF JUDGES," was referred to the Committee on Judiciary.

Senate Concurrent Resolution No. 87:

By unanimous consent, S.C.R. No. 87, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE FEASIBILITY OF ALLOWING STATE EMPLOYEES TO ESTABLISH AN INDIVIDUAL RETIREMENT ACCOUNT WITH CONTRIBUTIONS FROM THE STATE IN LIEU OF PARTICIPATION IN THE STATE EMPLOYEES' RETIREMENT SYSTEM," was referred to the Committee on Human Resources.

Senate Concurrent Resolution No. 88:

By unanimous consent, S.C.R. No. 88, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO CONDUCT MANAGEMENT AND PROGRAM AUDITS ON HUMAN SERVICES PROGRAMS RECEIVING LEGISLATIVE GRANTS-IN-AID," was referred to the Committee on Human Resources.

Senate Concurrent Resolution No. 89:

By unanimous consent, S.C.R. No. 89, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO CONDUCT A PROGRAM AUDIT OF THE STATE'S PROGRAM OF SPECIAL TAX CREDITS AND EXEMPTIONS," was referred to the Committee on Ways and Means.

Senate Concurrent Resolution No. 90:

By unanimous consent, S.C.R. No. 90, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY AND EFFECTS OF ENACTING LEGISLATION IN THE STATE OF HAWAII BASED ON THE MODEL BUSINESS CORPORATION ACT, THE MODEL NONPROFIT CORPORATION ACT, AND THE GENERAL CORPORATION LAW OF DELAWARE," was referred to the Committee on Consumer Protection and Commerce.

Senate Concurrent Resolution No. 91:

By unanimous consent, S.C.R. No. 91, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO STUDY AND EVALUATE THE PROCEDURES USED BY THE STATE OF HAWAII TO AWARD NON-BID CONTRACTS," was referred to the Committee on Government Operations and Intergovernmental Relations.

Senate Resolution No. 102:

By unanimous consent, S.R. No. 102, entitled: "SENATE RESOLUTION REQUESTING THE ATTORNEY GENERAL TO SEEK A DECLARATORY JUDGMENT ON THE CONSTITUTIONALITY OF A TOTAL PROHIBITION ON TIME SHARING," was referred to the Committee on Consumer Protection and Commerce.

Senate Resolution No. 103:

By unanimous consent, S.R. No. 103, entitled: "SENATE RESOLUTION REQUESTING APPROPRIATE ACTION BY CONGRESS TO PROPOSE AN AMENDMENT TO THE CLEAN WATER ACT (P.L. 92-500) ELIMINATING THE REQUIRE-

MENT OF A NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT (NPDES PERMIT) FOR WATER RELEASES FROM RESERVOIRS," was referred to the Committee on Ecology, Environment and Recreation.

Senate Resolution No. 104:

By unanimous consent, S.R. No. 104, pertaining to creating a context for world peace, was referred to the Committee on Government Operations and Intergovernmental Relations.

Senate Resolution No. 105:

By unanimous consent, S.R. No. 105, entitled: "SENATE RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO REVIEW AND MODIFY POLICIES AND PROCEDURES RELATING TO THE REGULATION OF TAXI CAB DRIVERS," was referred to the Committee on Government Operations and Intergovernmental Relations.

Senate Resolution No. 106:

By unanimous consent, S.R. No. 106, entitled: "SENATE RESOLUTION REQUESTING A STUDY INTO THE EXISTING DUTIES AND RESPONSIBILITIES OF THE REAL ESTATE COMMISSION AND TO DEVELOP RECOMMENDATIONS TO IMPROVE THE SERVICES TO LICENSEES AND THE PUBLIC," was referred to the Committee on Consumer Protection and Commerce.

Senate Resolution No. 107:

By unanimous consent, S.R. No. 107, entitled: "SENATE RESOLUTION EXPRESSING CONCURRENCE WITH THE FINDINGS OF THE HOSPITAL ASSOCIATION OF HAWAII REGARDING THE SHORTAGE OF NURSES AND ENCOURAGING THE ASSOCIATION IN ITS CONTINUED DATA GATHERING AND ANALYSIS OF THE PROBLEM," was referred to the Committee on Health.

Senate Resolution No. 108:

By unanimous consent, S.R. No. 108, entitled: "SENATE RESOLUTION DIRECTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO MAKE A STUDY OF THE HISTORICAL IMPORTANCE OF UMI'S HEIAU AND TO DO A FEASIBILITY STUDY TO RESTORE UMI'S HEIAU AND THE NECESSARY INFRASTRUCTURE FOR ACCESSIBILITY," was referred to the Committee on Ecology, Environment and Recreation.

Senate Resolution No. 109:

By unanimous consent, S.R. No. 109, entitled: "SENATE RESOLUTION REQUESTING

A REVIEW OF THE HAWAII CRIMINAL JUSTICE SYSTEM TO INSURE THE RIGHT TO SPEEDY TRIAL," was referred to the Committee on Judiciary.

Senate Resolution No. 110:

By unanimous consent, S.R. No. 110, entitled: "SENATE RESOLUTION REQUESTING THE CHIEF JUSTICE OF THE SUPREME COURT OF THE STATE OF HAWAII TO INCLUDE DISPOSITIONAL INFORMATION IN HIS ANNUAL REPORT," was referred to the Committee on Judiciary.

Senate Resolution No. 111:

By unanimous consent, S.R. No. 111, entitled: "SENATE RESOLUTION REQUESTING THE HAWAII CRIME COMMISSION TO CONDUCT A STUDY ON SPEEDING UP HAWAII'S CRIMINAL JUSTICE PROCEDURES," was referred to the Committee on Judiciary.

Senate Resolution No. 112:

By unanimous consent, S.R. No. 112, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE MODEL CORPORATION ACT AND THE MODEL NONPROFIT CORPORATION ACT," was referred to the Committee on Consumer Protection and Commerce.

Senate Resolution No. 113:

By unanimous consent, S.R. No. 113, entitled: "SENATE RESOLUTION URGING THE CITY AND COUNTY DEPARTMENT OF PARKS AND RECREATION TO WORK WITH ALL DUE DELIBERATE SPEED IN RESOLVING THE ISSUE OF ACCESS TO HOOMALUHIA PARK," was referred to the Committee on Ecology, Environment and Recreation.

Senate Resolution No. 114:

By unanimous consent, S.R. No. 114, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON ALTERNATIVE SOLUTIONS TO THE PROBLEMS SURROUNDING THE TRANSPORTATION OF DIVERSIFIED AGRICULTURAL PRODUCTS IN HAWAII," was referred to the Committee on Agriculture.

Senate Resolution No. 115:

By unanimous consent, S.R. No. 115, entitled: "SENATE RESOLUTION RESPECTFULLY URGING THAT THE UNITED STATES CONGRESS AND PRESIDENT REAGAN EVALUATE ALL REASONABLE ALTERNATIVE APPROACHES TO THE U.S. CARIBBEAN AID PACKAGE BEFORE APPROVING OR OTHERWISE PERMITTING IMPLEMENTATION OF THE CARIBBEAN AID PACKAGE," was referred to the

Committee on Agriculture.

Senate Resolution No. 116:

By unanimous consent, S.R. No. 116, entitled: "SENATE RESOLUTION URGING A CONCERTED NATIONAL EFFORT TO CONTROL AND ERADICATE THE SO-CALLED 'TRI-FLY' PROBLEM," was referred to the Committee on Agriculture.

Senate Resolution No. 117:

By unanimous consent, S.R. No. 117, entitled: "SENATE RESOLUTION REQUESTING THE RELEASE OF THE EXISTING KAPALAMA MILITARY RESERVATION BY THE UNITED STATES GOVERNMENT TO THE STATE OF HAWAII AND ITS USE AS A CENTRAL MARSHALLING FACILITY FOR AN AGRICULTURAL COOPERATIVE," was referred to the Committee on Agriculture.

Senate Resolution No. 118:

By unanimous consent, S.R. No. 118, entitled: "SENATE RESOLUTION ENCOURAGING ACCELERATION AND BROADENING OF ECONOMIC TRADE RELATIONS BETWEEN CANADA AND HAWAII, REQUESTING THE GOVERNOR OF HAWAII TO PROCLAIM 'CANADA-HAWAII WEEK', AND REQUESTING A REPORT FROM THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT (DPED) AS TO THE FEASIBILITY OF ESTABLISHING A 'CANADA-HAWAII TRADE ASSOCIATION'," was referred to the Committee on Economic Development.

Senate Resolution No. 119:

By unanimous consent, S.R. No. 119, entitled: "SENATE RESOLUTION URGING THE LEGISLATIVE REFERENCE BUREAU TO DRAFT A BILL FOR AN ACT TO CREATE A CENTRAL HOUSING FINANCE AGENCY," was referred to the Committee on Housing and Hawaiian Homes, then to the Committee on Legislative Management.

Senate Resolution No. 120:

By unanimous consent, S.R. No. 120, entitled: "SENATE RESOLUTION URGING THE GOVERNOR TO ESTABLISH A STATEWIDE POLICY REQUIRING HOUSING PROJECTS ON PUBLIC LANDS TO INCLUDE AFFORDABLE HOUSING," was referred to the Committee on Housing and Hawaiian Homes.

Senate Resolution No. 121:

By unanimous consent, S.R. No. 121, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO CONDUCT A STUDY OF PRESENT STATE LAWS AND EXISTING COMPENSATION SYSTEMS AND MAKE RECOMMENDATIONS TO

ASSURE EQUALITY OF PAY FOR WORK OF COMPARABLE VALUE," was referred to the Committee on Human Resources.

Senate Resolution No. 122:

On motion by Senator Abercrombie, seconded by Senator Kuroda and carried, S.R. No. 122, entitled: "SENATE RESOLUTION URGING THE GOVERNOR TO PROCLAIM NOVEMBER 14-20, 1982 AS COMMUNITY EDUCATION WEEK," was adopted.

Senate Resolution No. 123:

By unanimous consent, S.R. No. 123, entitled: "SENATE RESOLUTION RELATING TO THE BOARD OF EDUCATION," was referred to the Committee on Education.

Senate Resolution No. 124:

By unanimous consent, S.R. No. 124, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE CONCEPT OF CREATING A DEPARTMENT OF CORRECTIONS," was referred to the Committee on Judiciary, then to the Committee on Legislative Management.

Senate Resolution No. 125:

By unanimous consent, S.R. No. 125, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF THE PURCHASE AND USE BY THE STATE OF THE ARMED SERVICES YMCA," was referred to the Committee on Government Operations and Intergovernmental Relations.

Senate Resolution No. 126:

By unanimous consent, S.R. No. 126, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE ORGANIZATIONAL PLACEMENT OF THE INTAKE SERVICE CENTER," was referred to the Committee on Judiciary.

Senate Resolution No. 127:

By unanimous consent, S.R. No. 127, entitled: "SENATE RESOLUTION REQUESTING THE EXCHANGE OF PARKS AND RECREATION AREAS, INCLUDING RELATED PERSONNEL, EQUIPMENT AND OTHER RESOURCES BETWEEN THE STATE AND THE CITY AND COUNTY OF HONOLULU," was referred to the Committee on Ecology, Environment and Recreation.

Senate Resolution No. 128:

By unanimous consent, S.R. No. 128, entitled: "SENATE RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A SMALL BUSINESS ADVISORY COMMITTEE AND REQUESTING THE GOVERNOR

TO APPOINT ITS MEMBERS," was referred to the Committee on Economic Development.

Senate Resolution No. 129:

By unanimous consent, S.R. No. 129, entitled: "SENATE RESOLUTION EXPRESSING OPPOSITION TO THE FEDERAL GOVERNMENT'S PROPOSAL TO SELL FORT DERUSSY IN HAWAII AND URGING THE PRESIDENT AND CONGRESS OF THE UNITED STATES AND HAWAII'S CONGRESSIONAL DELEGATION TO TAKE APPROPRIATE ACTION TO PREVENT THE SALE OF FORT DERUSSY," was referred to the Committee on Ecology, Environment and Recreation.

Senate Resolution No. 130:

By unanimous consent, S.R. No. 130, entitled: "SENATE RESOLUTION REQUESTING A COMPREHENSIVE REVIEW OF HAWAII'S SUBSTANCE ABUSE AND MENTAL HEALTH SERVICE SYSTEM," was referred to the Committee on Health, then to the Committee on Legislative Management.

Senate Resolution No. 131:

By unanimous consent, S.R. No. 131, entitled: "SENATE RESOLUTION REQUESTING THE STATE TO TAKE OVER THE SADDLE ROAD ON THE BIG ISLAND," was referred to the Committee on Transportation.

Senate Resolution No. 132:

By unanimous consent, S.R. No. 132, entitled: "SENATE RESOLUTION RELATING TO THE SHORTAGE OF LICENSED NURSES," was referred to the Committee on Health.

Senate Resolution No. 133:

By unanimous consent, S.R. No. 133, entitled: "SENATE RESOLUTION REQUESTING THE JUDICIAL SELECTION COMMISSION TO ENCOURAGE PUBLIC INPUT TO THE SELECTION OF JUDGES," was referred to the Committee on Judiciary.

Senate Resolution No. 134:

By unanimous consent, S.R. No. 134, entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE FEASIBILITY OF ALLOWING STATE EMPLOYEES TO ESTABLISH AN INDIVIDUAL RETIREMENT ACCOUNT WITH CONTRIBUTIONS FROM THE STATE IN LIEU OF PARTICIPATION IN THE STATE EMPLOYEES' RETIREMENT SYSTEM," was referred to the Committee on Human Resources, then to the Committee on Legislative Management.

Senate Resolution No. 135:

By unanimous consent, S.R. No. 135, entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO CONDUCT MANAGEMENT AND PROGRAM AUDITS ON HUMAN SERVICES PROGRAMS RECEIVING LEGISLATIVE GRANTS-IN-AID," was referred to the Committee on Human Resources, then to the Committee on Legislative Management.

Senate Resolution No. 136:

By unanimous consent, S.R. No. 136, entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO CONDUCT A PROGRAM AUDIT OF THE STATE'S PROGRAM OF SPECIAL TAX CREDITS AND EXEMPTIONS," was referred to the Committee on Ways and Means, then to the Committee on Legislative Management.

Senate Resolution No. 137:

By unanimous consent, S.R. No. 137, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY AND EFFECTS OF ENACTING LEGISLATION IN THE STATE OF HAWAII BASED ON THE MODEL BUSINESS CORPORATION ACT, THE MODEL NONPROFIT CORPORATION ACT, AND THE GENERAL CORPORATION LAW OF DELAWARE," was referred to the Committee on Consumer Protection and Commerce.

Senate Resolution No. 138:

By unanimous consent, S.R. No. 138, entitled: "SENATE RESOLUTION URGING THE CITY COUNCIL OF THE CITY AND COUNTY OF HONOLULU TO ADOPT AN ORDINANCE REQUIRING INSTALLATION OF AN EMERGENCY WARNING SYSTEM IN TAXICABS," was referred to the Committee on Government Operations and Intergovernmental Relations.

Senate Resolution No. 139:

By unanimous consent, S.R. No. 139, entitled: "SENATE RESOLUTION CONDUCTING AN INVESTIGATION OF THE ALLEGATIONS OF BRUTALITY AGAINST INMATES OF THE OAHU COMMUNITY CORRECTIONAL CENTER ARISING FROM THE PRISON SHAKEDOWN," was referred to the Committee on Judiciary.

THIRD READING

House Bill No. 2197-82, H.D. 1;

By unanimous consent, action on H.B. No. 2197-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DENTAL EXAMINERS,"

was deferred until Thursday, April 15, 1982.

House Bill No. 2194-82:

By unanimous consent, action on H.B. No. 2194-82, entitled: "A BILL FOR AN ACT RELATING TO BOARDS AND COMMISSIONS," was deferred until Thursday, April 15, 1982.

House Bill No. 2026-82, H.D. 1:

By unanimous consent, action on H.B. No. 2026-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SHOWS," was deferred until Thursday, April 15, 1982.

House Bill No. 2196-82, H.D. 1:

By unanimous consent, action on H.B. No. 2196-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONTRACTORS LICENSE LAW," was deferred until Thursday, April 15, 1982.

ADVISE AND CONSENT

Standing Committee Report No. 819-82 (Gov. Msg. Nos. 166, 167, 168, 219 and 220):

Senator Young moved that Stand. Com. Rep. No. 819-82 be received and placed on file, seconded by Senator Holt and carried.

Senator Young moved that the Senate advise and consent to the nominations of Wayne T. Takahashi and Lawrence N.C. Ing to the Hawaii Housing Authority, terms to expire December 31, 1985, seconded by Senator Holt.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Saiki and Yee).

Senator Young then moved that the Senate advise and consent to the nominations of Maurice H. Yamasato and Jose L. Encarnacion to the Factory-Built Housing Advisory Board, terms to expire December 31, 1985, seconded by Senator Holt.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Saiki and Yee).

Senator Young then moved that the Senate advise and consent to the nomination of George Nitta to the Hawaii Community Development Authority, term to expire

December 31, 1985, seconded by Senator Holt.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Saiki and Yee).

Senator Young then moved that the Senate advise and consent to the nominations of Joseph A. Tanega and Howard H. Tasaka to the Advisory Council for Housing and Construction Industry, terms to expire December 31, 1985, seconded by Senator Holt.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Saiki and Yee).

Senator Young then moved that the Senate advise and consent to the nominations of Donald R. Gradle, Harry H. Kiyota and Christine G.K. Dahilig to the Factory-Built Housing Advisory Board, terms to expire December 31, 1985, seconded by Senator Holt.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Saiki and Yee).

MATTERS DEFERRED FROM APRIL 14, 1985

FINAL READING

Senate Bill No. 262, S.D. 1, H.D. 2:

Senator Cobb moved that S.B. No. 262, S.D. 1, H.D. 2, having been read throughout, pass Final Reading, seconded by Senator Anderson.

Senator O'Connor, although in support of the measure, stated:

"Mr. President, this bill, among other things, relates to the owner of antique motor vehicles, and it exempts such owners of antique motor vehicles from tax during the entire period of non-use.

"Now, the most antique motor vehicle that I know of, Mr. President, belongs to one of our members. And I told him when this bill first came up before us that I had severe reservations because I think that his daily use really constitutes a non-use, and that car's a hazard to

the whole world. Now, I'm not sure if Senator Abercrombie is going to have to pay fees under this bill, if we pass it or not, but I would urge that everybody look with severe reservations at the antique motor vehicle provision of this as it relates to Senator Abercrombie's automobile."

At this time, Senator Abercrombie rose on a point of personal privilege and stated:

"Mr. President, I'm rising because I'm aggrieved. The previous speaker knows full well that I was going to rise and ask whether I had a conflict and would not even dare to vote or make a comment before I received a ruling. So, I do formally, at this time, even though I am aggrieved by the good Senator's belief that I would not act in good faith and ask you to rule on the conflict.

"Mr. President, do I have a conflict?"

The Chair answered: "Senator Abercrombie, you have no conflict; we have declared your automobile to be a symbol."

The motion was put by the Chair and carried, and S.B. No. 262, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DELINQUENT PENALTIES FOR LATE RENEWAL OF MOTOR VEHICLE REGISTRATIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Saiki and Yee).

At 11:54 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:56 o'clock a.m. with the Vice-President in the Chair.

Senate Bill No. 594, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Anderson and carried, S.B. No. 594, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CEMETERIES AND MORTUARIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Kuroda, Saiki, Wong and Yee).

Senate Bill No. 1308, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 1308, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

ENVIRONMENTAL PROTECTION," was deferred until Monday, April 19, 1982.

Senate Bill No. 2389-82, H.D. 1:

On motion by Senator Cobb, seconded by Senator Anderson and carried, S.B. No. 2389-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Kuroda, Saiki, Wong and Yee).

Senate Bill No. 2144-82, S.D. 2, H.D. 1:

On motion by Senator Cobb, seconded by Senator Anderson and carried, S.B. No. 2144-82, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRUGS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Kuroda, Saiki, Wong and Yee).

Senate Bill No. 2189-82, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Anderson and carried, S.B. No. 2189-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Kuroda, Saiki, Wong and Yee).

Senate Bill No. 2245-82, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Anderson and carried, S.B. No. 2245-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECIPROCAL ENFORCEMENT OF SUPPORT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Kuroda, Saiki, Wong and Yee).

Senate Bill No. 2382-82, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Anderson and carried, S.B. No. 2382-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY," having been read throughout, passed Final Reading on

the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Kuroda, Saiki, Wong and Yee).

Senate Bill No. 2401-82, S.D. 2, H.D. 1:

Senator Cobb moved that S.B. No. 2401-82, S.D. 2, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Anderson.

Senator Campbell rose to speak in favor of the measure and stated:

"Mr. President, the purpose of the bill is to facilitate the reporting of incidents involving child abuse or neglect.

"Mr. President, some of us have been very much concerned about the fact that in many instances it has taken a month before serious cases of child abuse were reported to DSSH and, it is my hope, being one of those who have been very much concerned about this area, that this bill will be properly implemented so that this problem, while we know will not be totally solved, but, hopefully, this problem will be considerably reduced. So, I urge everyone to vote for this measure."

The motion was put by the Chair and carried, and S.B. No. 2401-82, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE AND NEGLECT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Kuroda, Saiki, Wong and Yee).

Senate Bill No. 2470-82, S.D. 2, H.D. 2:

By unanimous consent, action on S.B. No. 2470-82, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH," was deferred until Monday, April 19, 1982.

Senate Bill No. 2496-82, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Anderson and carried, S.B. No. 2496-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Kuroda, Saiki, Wong and Yee).

Senate Bill No. 2646-82, H.D. 1:

On motion by Senator Cobb, seconded by Senator Anderson and carried, S.B. No. 2646-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PATIENTS' COMPENSATION FUND," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Kuroda, Saiki, Wong and Yee).

Senate Bill No. 2682-82, S.D. 1, H.D. 2:

On motion by Senator Cobb, seconded by Senator Anderson and carried, S.B. No. 2682-82, S.D. 1, H.D. 2, entitled: "A BILL FOR ACT RELATING TO MENTAL HEALTH," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Kuroda, Saiki, Wong and Yee).

Senate Bill No. 2696-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2696-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER COOPERATIVE ASSOCIATIONS," was deferred until Thursday, April 15, 1982.

Senate Bill No. 2814-82, S.D. 2, H.D. 2:

On motion by Senator Cobb, seconded by Senator Anderson and carried, S.B. No. 2814-82, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Kuroda, Saiki, Wong and Yee).

Senate Bill No. 2868-82, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Anderson and carried, S.B. No. 2868-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Kuroda, Saiki, Wong and Yee).

Senate Bill No. 2947-82, S.D. 1, H.D. 1:

Senator Cobb moved that S.B. No. 2947-82, S.D. 1, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Anderson.

At this time, Senator Cayetano requested a ruling as to a conflict of interest and the Chair ruled that he is not in conflict.

The motion was put by the Chair and S.B. No. 2947-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FILIPINO 75TH ANNIVERSARY COMMISSION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Kuroda, Saiki, Wong and Yee).

Senate Bill No. 397, S.D. 2, H.D. 2:

By unanimous consent, action on S.B. No. 397, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Thursday, April 15, 1982.

Senate Bill No. 2228-82, H.D. 1:

On motion by Senator Cobb, seconded by Senator Anderson and carried, S.B. No. 2228-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Kuroda, Saiki, Wong and Yee).

Senate Bill No. 2288-82, H.D. 1:

On motion by Senator Cobb, seconded by Senator Anderson and carried, S.B. No. 2288-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF AGRICULTURE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Kuroda, Saiki, Wong and Yee).

Senate Bill No. 2309-82, S.D. 2, H.D. 1:

On motion by Senator Cobb, seconded by Senator Anderson and carried, S.B. No. 2309-82, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 1 (Kawasaki). Excused, 4 (Kuroda, Saiki, Wong and Yee).

Senate Bill No. 2366-82, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Anderson and carried, S.B. No. 2366-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING REPORT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Kuroda, Saiki, Wong and Yee).

Senate Bill No. 2477-82, H.D. 1:

On motion by Senator Cobb, seconded by Senator Anderson and carried, S.B. No. 2477-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REPAIRS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Kuroda, Saiki, Wong and Yee).

Senate Bill No. 2517-82, S.D. 2, H.D. 1:

On motion by Senator Cobb, seconded by Senator Anderson and carried, S.B. No. 2517-82, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Kuroda, Saiki, Wong and Yee).

Senate Bill No. 2566-82, S.D. 1, H.D. 1:

Senator Cobb moved that S.B. No. 2566-82, S.D. 1, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Anderson.

Senator Cayetano rose to speak in support of the bill and stated:

"Mr. President, I support this bill, but for the record, however, I'd like to make it clear that my understanding of this bill is that the appeals will be made only if a judgment of acquittal by a jury is overturned by a judge. This means that where the court or the judge acts before a judgment of acquittal comes in or takes the case away from the jury the law does not apply. With that understanding, I will vote for this bill."

Senator O'Connor also rose to speak in support of the measure and stated:

"Mr. President, I join the earlier speaker in that that is my understanding of the bill also. I would not vote for it otherwise."

"This bill, I believe, only applies to a judgment of acquittal rendered after a jury verdict, and not at any time earlier in the trial. With that understanding, I would also vote for it."

Senator Carpenter then responded and stated:

"Mr. President, as the Judiciary Committee chairman, I would just like to say that that is the intent."

Senator Abercrombie, in support of the measure, stated:

"Mr. President, I'd like to add my note to that too, having objected before. I think this bill handles the objections that I had."

The motion was put by the Chair and carried, and S.B. No. 2566-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO APPEALS BY THE STATE IN CRIMINAL CASES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Kuroda, Saiki, Wong and Yee).

Senate Bill No. 2615-82, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Anderson and carried, S.B. No. 2615-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THEFT OF UTILITY SERVICES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Kuroda, Saiki, Wong and Yee).

Senate Bill No. 2624-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2624-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GRAND JURY COUNSEL," was deferred until Thursday, April 15, 1982.

At 12:08 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:10 o'clock p.m.

RE-REFERRAL OF SENATE RESOLUTION

The President re-referred Senate Resolution No. 114 which was offered on Tuesday, April 13, 1982, jointly to the Committee on Agriculture and the Committee on Transportation.

At this time, Senator Cayetano, chairman of the Committee on Health, requested a waiver of the 48-hour notice of a Public Hearing on the following resolutions:

S.C.R. No. 75, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING CONCURRENCE WITH THE FINDINGS OF THE HOSPITAL ASSOCIATION OF HAWAII REGARDING THE SHORTAGE OF NURSES AND ENCOURAGING THE ASSOCIATION IN ITS CONTINUED DATA GATHERING AND ANALYSIS OF THE PROBLEM";

S.C.R. No. 83, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A COMPREHENSIVE REVIEW OF HAWAII'S SUBSTANCE ABUSE AND MENTAL HEALTH SERVICE SYSTEM";

S.R. No. 107, entitled: "SENATE RESOLUTION EXPRESSING CONCURRENCE WITH THE FINDINGS OF THE HOSPITAL ASSOCIATION OF HAWAII REGARDING THE SHORTAGE OF NURSES AND ENCOURAGING THE ASSOCIATION IN ITS CONTINUED DATA GATHERING AND ANALYSIS OF THE PROBLEM"; and

S.R. No. 130, entitled: "SENATE RESOLUTION REQUESTING A COMPREHENSIVE REVIEW OF HAWAII'S SUBSTANCE ABUSE AND MENTAL HEALTH SERVICE SYSTEM,"

and the President granted the waiver.

Senator Young, chairman of the Committee on Housing and Hawaiian Homes, then requested a waiver of the 48-hour notice of a Public Hearing on the following resolutions:

S.C.R. No. 78, entitled: "SENATE CONCURRENT RESOLUTION URGING THE LEGISLATIVE REFERENCE BUREAU TO DRAFT A BILL FOR AN ACT TO CREATE A CENTRAL HOUSING FINANCE AGENCY";

S.R. No. 119, entitled: "SENATE RESOLUTION URGING THE LEGISLATIVE REFERENCE BUREAU TO DRAFT A BILL FOR AN ACT TO CREATE A CENTRAL HOUSING FINANCE AGENCY"; and

S.R. No. 120, entitled: "SENATE RESOLUTION URGING THE GOVERNOR

TO ESTABLISH A STATEWIDE POLICY REQUIRING HOUSING PROJECTS ON PUBLIC LANDS TO INCLUDE AFFORDABLE HOUSING,"

and the President granted the waiver.

Senator Cobb, chairman of the Committee on Consumer Protection and Commerce, also requested a waiver of the 48-hour notice of a Public Hearing on the following resolutions:

S.C.R. No. 74, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY INTO THE EXISTING DUTIES AND RESPONSIBILITIES OF THE REAL ESTATE COMMISSION AND TO DEVELOP RECOMMENDATIONS TO IMPROVE THE SERVICES TO LICENSEES AND THE PUBLIC";

S.C.R. No. 90, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY AND EFFECTS OF ENACTING LEGISLATION IN THE STATE OF HAWAII BASED ON THE MODEL BUSINESS CORPORATION ACT, THE MODEL NONPROFIT CORPORATION ACT, AND THE GENERAL CORPORATION LAW OF DELAWARE";

S.R. No. 106, entitled: "SENATE RESOLUTION REQUESTING A STUDY INTO THE EXISTING DUTIES AND RESPONSIBILITIES OF THE REAL ESTATE COMMISSION AND TO DEVELOP RECOMMENDATIONS TO IMPROVE THE SERVICES TO LICENSEES AND THE PUBLIC";

S.R. No. 112, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE MODEL CORPORATION ACT AND THE MODEL NONPROFIT CORPORATION ACT"; and

S.R. No. 137, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY AND EFFECTS OF ENACTING LEGISLATION IN THE STATE OF HAWAII BASED ON THE MODEL BUSINESS CORPORATION ACT, THE MODEL NONPROFIT CORPORATION ACT, AND THE GENERAL CORPORATION LAW OF DELAWARE,"

and the President granted the waiver.

Senator George, chairman of the Committee on Transportation, also requested a waiver of the 48-hour notice of a Public Hearing on the following resolutions:

S.C.R. No. 84, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE TO TAKE OVER THE SADDLE ROAD ON THE BIG ISLAND"; and

S.R. No. 131, entitled: "SENATE
RESOLUTION REQUESTING THE
STATE TO TAKE OVER THE SADDLE
ROAD ON THE BIG ISLAND,"

and the President granted the waiver.

ADJOURNMENT

At 12:26 o'clock p.m., on motion
by Senator Cobb, seconded by Senator
Anderson and carried, the Senate
adjourned until 11:30 o'clock a.m.,
Thursday, April 15, 1982.

FIFTY-FOURTH DAY

Thursday, April 15, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the Vice-President in the Chair.

The Divine Blessing was invoked by the Reverend Larry Kelley of the First Baptist Church of Pearl City, after which the Roll was called showing all Senators present with the exception of Senators Saiki, Toyofuku, Yee and Wong who were excused.

The Chair announced that he had read and approved the Journal of the Fifty-Third Day.

At this time, the following introductions were made to the members of the Senate:

Senator Kobayashi, on behalf of Senator Yee, introduced a group of 23 first graders from Kuhio Elementary School, accompanied by their teacher, Ms. Barbara Matsukawa.

Senator Carpenter, on behalf of the Senate, introduced Councilman William Kawahara from the Big Island.

Senator Abercrombie then rose and stated:

"Mr. President, and members of the Senate, we have a distinguished guest with us today who has come from India to Hawaii on a first stop of a United States tour. I am honored to present to this body, His Eminence Tai Situ Rinpoche, a Tibetan Buddhist spiritual leader. With His Eminence is a group of Tibetan monks which includes Lama Karma Rinchen, the resident teacher of the local Tibetan Buddhist Church here in Hawaii.

"I am very happy to say that His Eminence has announced that he will make Hawaii his home while he is living in the West."

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 304 and 305) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 304), informing the Senate of the withdrawal of the nominations to the Library Advisory Commission, County of Maui, of Alyce B. Haines and Susumu Matoi, terms to expire December 31, 1985, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 305), submitting for consideration

and confirmation to the Library Advisory Commission, County of Maui, the nominations of Alyce B. Haines and Winston S. Miyahira, terms to expire December 31, 1985, was referred to the Committee on Education.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 422 to 569) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 422), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 65, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 13, 1982, the Speaker appointed Representatives Blair, Chairman, Hirono, Taniguchi and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 423), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 103, and the request for a conference on the subject matter of said amendments, on April 13, 1982, the Speaker appointed Representatives Takitani, Chairman, Dods, D. Hagino, Tungpalan and Marumoto as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 424), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 365, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 13, 1982, the Speaker appointed Representatives Takamine and Kunimura, Co-Chairmen, Matsuura, Morioka, Okamura and Isbell as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 425), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 400, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 13, 1982, the Speaker appointed Representatives Blair, Chairman, Honda, Shito and Medeiros as Managers

on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 426), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 486, and the request for a conference on the subject matter of said amendments, on April 13, 1982, the Speaker appointed Representatives Kunimura, Chairman, Kiyabu, Albano, Andrews, Fukunaga, G. Hagino, Hashimoto, Kobayashi, Levin, Morioka, Nakasato, Okamura, Lacy, Marumoto, Narvaes and Wong as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 427), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 536, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 13, 1982, the Speaker appointed Representatives Chun and Kunimura, Co-Chairmen, Ige, Kobayashi, Lacy and Levin as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 428), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 544, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 13, 1982, the Speaker appointed Representatives Matsuura and Morioka, Co-Chairmen, Kawakami, Okamura, Takamine, Isbell and Monahan as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 429), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 553, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 13, 1982, the Speaker appointed Representatives Kiyabu, Chairman, Fukunaga, G. Hagino, Okamura and Marumoto as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 430), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 561, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 13, 1982, the Speaker appointed Representatives Matsuura, Chairman,

Blair, Morioka, Sakamoto and Narvaes as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 431), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 732, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 13, 1982, the Speaker appointed Representatives Kunimura, Chairman, Kiyabu, Albano, Andrews, Fukunaga, G. Hagino, Hashimoto, Kobayashi, Levin, Morioka, Nakasato, Okamura, Lacy, Marumoto, Narvaes and Wong as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 432), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 1287, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 13, 1982, the Speaker appointed Representatives Takitani and Kunimura, Co-Chairmen, de Heer, Nakasato and Lacy as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 433), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 1447, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 13, 1982, the Speaker appointed Representatives Takitani and Kunimura, Co-Chairmen, Albano, Waihee and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 434), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 1697, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 13, 1982, the Speaker appointed Representatives Kiyabu and Toguchi, Co-Chairmen, Albano, Takitani and Anderson as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 435), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 1859,

S.D. 1, and the request for a conference on the subject matter of said amendments, on April 13, 1982, the Speaker appointed Representatives Blair, Chairman, Hirono, Waihee and Ikeda as Managers on the part of the House for the consideration of said amendments was placed on file.

A communication from the House (Hse. Com. No. 436), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 1925, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 13, 1982, the Speaker appointed Representatives D. Hagino, Chairman, Albano, Nakasato, Taniguchi and Anderson as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 437), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2145-82, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 13, 1982, the Speaker appointed Representatives Dods and D. Hagino, Co-Chairmen, Tungpalan, Waihee and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 438), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2147-82, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 13, 1982, the Speaker appointed Representatives Nakamura, Chairman, Blair, Hirono, Taniguchi and Liu as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 439), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2183-82, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 13, 1982, the Speaker appointed Representatives Ige, Chairman, Nakamura, Segawa, Toguchi and Liu as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 440), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2224-82, S.D. 2, and the request for a conference on the subject matter of said amendments,

on April 13, 1982, the Speaker appointed Representatives Sakamoto and Morioka, Co-Chairmen, Baker, Blair, Matsuura, Nakasato, Narvaes and Wong as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 441), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2269-82, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 13, 1982, the Speaker appointed Representatives Nakamura and Kunimura, Co-Chairmen, Andrews, Kawakami, Nakasato, Waihee, Liu and Marumoto as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 442), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2304-82, S.D. 1, and the request for a conference on the subject matter on said amendments, on April 13, 1982, the Speaker appointed Representatives Nakamura, Chairman, Baker, Chun, Shito and Liu as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 443), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2334-82, and the request for a conference on the subject matter on said amendments, on April 13, 1982, the Speaker appointed Representatives Blair and Dods, Co-Chairmen, Hirono, Taniguchi and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 444), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2343-82, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 13, 1982, the Speaker appointed Representatives Baker, Chairman, Fukunaga, Kiyabu, Okamura and Monahan as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 445), informing the

Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2346-82, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 13, 1982, the Speaker appointed Representatives Kunimura and Toguchi, Co-Chairmen, Hashimoto, Matsuura and Lacy as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 446), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2350-82, and the request for a conference on the subject matter of said amendments, on April 13, 1982, the Speaker appointed Representatives Toguchi, Chairman, Hirono, Say, Taniguchi and Isbell as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 447), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2353-82, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 13, 1982, the Speaker appointed Representatives Kiyabu and Toguchi, Co-Chairmen, Albano, Takitani and Anderson as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 448), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2379-82, and the request for a conference on the subject matter of said amendments, on April 13, 1982, the Speaker appointed Representatives Nakamura, Chairman, Honda, Shito, Taniguchi and Liu as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 449), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2386-82, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 13, 1982, the Speaker appointed Representatives Blair, Chairman, Hirono, Taniguchi and Liu as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 450), informing the Senate that pursuant to the disagreement of

the Senate to the amendments proposed by the House to Senate Bill No. 2388-82, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 13, 1982, the Speaker appointed Representatives Blair, Chairman, Kawakami, Shito and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 451), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2399-82, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 13, 1982, the Speaker appointed Representatives Blair and Kunimura, Co-Chairmen, Kiyabu, Morioka and Wong as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 452), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2434-82, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 13, 1982, the Speaker appointed Representatives Kiyabu and Sakamoto, Co-Chairmen, Albano, Fukunaga, G. Hagino, Hashimoto, Kawakami, Takamine, Isbell and Monahan as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 453), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2454-82, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 13, 1982, the Speaker appointed Representatives Nakamura and Blair, Co-Chairmen, Hirono, Taniguchi and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 454), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2467-82, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 13, 1982, the Speaker appointed Representatives Nakamura, Chairman, Chun, Kawakami, Waihee and Liu as Managers on the part of the House for the consideration

of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 455), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2471-82, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 13, 1982, the Speaker appointed Representatives Dods and Blair, Co-Chairmen, Nakamura, Taniguchi and Anderson as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 456), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2513-82, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 13, 1982, the Speaker appointed Representatives Blair and Kunimura, Co-Chairmen, Kiyabu, Morioka and Wong as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 457), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2524-82, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 13, 1982, the Speaker appointed Representatives D. Hagino and Kiyabu, Co-Chairmen, Albano, Andrews, Hashimoto, Waihee, Lacy and Marumoto as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 458), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2531-82, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 13, 1982, the Speaker appointed Representatives D. Hagino, Chairman, Albano, Say, Tungpalan and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 459), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2550-82, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 13, 1982, the Speaker appointed Representatives Nakamura, Chairman, Chun, Kawakami, Waihee and Liu as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 460), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2561-82, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 13, 1982, the Speaker appointed Representatives Blair, Chairman, Kawakami, Shito and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 461), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2636-82, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 13, 1982, the Speaker appointed Representatives Segawa, Chairman, Nakamura, Shito, Toguchi and Liu as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 462), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2638-82, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 13, 1982, the Speaker appointed Representatives Blair, Chairman, Honda, Shito and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 463), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2642-82, and the request for a conference on the subject matter of said amendments, on April 13, 1982, the Speaker appointed Representatives Nakamura, Chairman, Honda, Shito, Taniguchi and Liu as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 464), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2709-82, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 13, 1982, the Speaker appointed Representatives Sakamoto, Chairman, Baker, Blair, Matsuura and Monahan as Managers on the part of the House for the consider-

ation of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 465), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2759-82, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 13, 1982, the Speaker appointed Representatives Takitani and Kunimura, Co-Chairmen, Kiyabu, Say and Anderson as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 466), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2760-82, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 13, 1982, the Speaker appointed Representatives Kunimura, Chairman, Hirono, Kiyabu, Sakamoto and Wong as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 467), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2765-82, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 13, 1982, the Speaker appointed Representatives Dods and Kiyabu, Co-Chairmen, Andrews, de Heer, Nakasato, Waihee, Anderson and Marumoto as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 468), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2816-82, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 13, 1982, the Speaker appointed Representatives Takitani and Kunimura, Co-Chairmen, Kiyabu, Taniguchi and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 469), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2829-82, and the request for a conference on the subject matter of said amendments, on April 13, 1982, the Speaker appointed Representatives Kunimura, Chairman, Albano, Kiyabu, Andrews, Fukunaga, G. Hagino, Hashimoto, Kobayashi, Levin,

Morioka, Nakasato, Okamura, Lacy, Marumoto, Narvaes and Wong as Managers on the part of the House for the consideration of said amendments was placed on file.

A communication from the House (Hse. Com. No. 470), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2904-82, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 13, 1982, the Speaker appointed Representatives Sakamoto and Kiyabu, Co-Chairmen, Andrews, Fukunaga, Hashimoto, Kawakami, Morioka, Nakasato, Isbell and Marumoto as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 471), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2913-82, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 13, 1982, the Speaker appointed Representatives D. Hagino, Chairman, Albano, Waihee and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 472), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2915-82, and the request for a conference on the subject matter of said amendments, on April 13, 1982, the Speaker appointed Representatives Matsuura and Fukunaga, Co-Chairmen, G. Hagino, Kawakami, Kobayashi, Takamine and Narvaes as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 473), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2926-82, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 13, 1982, the Speaker appointed Representatives Segawa, Chairman, Chun, Honda, Kobayashi and Wong as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 474), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2955-

82, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 13, 1982, the Speaker appointed Representatives Segawa, Chairman, Chun, Ige, Kobayashi and Lacy as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 475), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 2978-82, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 13, 1982, the Speaker appointed Representatives Segawa, Chairman, Aki, Kobayashi, Lacy and Levin as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 476), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 509, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Blair, Chairman, Dods, Hirono and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 477), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 791, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Shito, Chairman, Honda, Segawa, Lacy and Levin as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 478), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1340, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Nakamura, Chairman, Chun, Hirono, Taniguchi and Liu as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 479), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1488, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Blair, Chairman, Dods, Chun and Ikeda as Managers on the part of the House

for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 480), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1489, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Blair, Chairman, Dods, Chun and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 481), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1553, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Blair, Chairman, Hirono, Taniguchi and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 482), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1653, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Blair, Chairman, Hirono, Shito and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 483), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1882, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Sakamoto, Chairman, Fukunaga, Hashimoto, Kawakami and Monahan as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 484), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1948-82, H.D. 2, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives

Takamine and Kiyabu, Co-Chairmen, Morioka, Okamura and Isbell as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 485), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1970-82, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Sakamoto, Chairman, Fukunaga, Hashimoto, Kawakami and Isbell as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 486), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1988-82, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Shito and Morioka, Co-Chairmen, Chun, Honda and Lacy as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 487), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2022-82, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Nakamura, Chairman, Kawakami, Taniguchi, Waihee, Ikeda and Liu as Managers on the part of the House for the consideration of said amendments was placed on file.

A communication from the House (Hse. Com. No. 488), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2049-82, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Baker and Kiyabu, Co-Chairmen, G. Hagino, Levin and Isbell as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 489), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2057-82, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Segawa, Chairman, Blair, Ige, Shito and Liu as Managers on the part of the

House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 490), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2070-82, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Kunimura, Chairman, Kiyabu, Albano, Andrews, Fukunaga, G. Hagino, Hashimoto, Kobayashi, Levin, Morioka, Nakasato, Okamura, Lacy, Marumoto, Narvaes and Wong as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 491), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2086-82, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Kunimura, Chairman, Kiyabu, Albano, Andrews, Fukunaga, G. Hagino, Hashimoto, Kobayashi, Levin, Morioka, Nakasato, Okamura, Lacy, Marumoto, Narvaes and Wong as Managers on the part of the House for the consideration of said amendments was placed on file.

A communication from the House (Hse. Com. No. 492), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2092-82, H.D. 2, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Blair, Chairman, Dods, Hirono, Taniguchi, Ikeda, Kiyabu, Albano, Andrews, Fukunaga, G. Hagino, Hashimoto, Kobayashi, Levin, Morioka, Nakasato, Okamura, Lacy, Marumoto, Narvaes, Wong and Kunimura as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 493), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2113-82, H.D. 2, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Shito and Kiyabu, Co-Chairmen, Chun, Hashimoto, Honda, Ige, Kobayashi, Toguchi, Lacy and Liu as Managers

on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 494), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2155-82, H.D. 2, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Kunimura, Chairman, Kiyabu, Albano, Andrews, Fukunaga, G. Hagino, Hashimoto, Kobayashi, Levin, Morioka, Nakasato, Okamura, Lacy, Marumoto, Narvaes and Wong as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 495), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2176-82, H.D. 2, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Sakamoto, Chairman, Baker, Hirono, Okamura and Monahan as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 496), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2177-82, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Sakamoto, Chairman, Baker, Hirono, Okamura and Monahan as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 497), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2183-82, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Matsuura and Fukunaga, Co-Chairmen, G. Hagino, Kawakami, Kobayashi, Takamine and Narvaes as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 498), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2192-82, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Blair, Chairman, Hirono, Taniguchi and Ikeda as Managers on the part of the House for the consideration of said

amendments, was placed on file.

A communication from the House (Hse. Com. No. 499), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2201-82, H.D. 2, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Shito and Kunimura, Co-Chairmen, Albano, Chun, Honda, Ige, Kobayashi, Lacy, Levin and Wong as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 500), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2207-82, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Kiyabu, Chairman, Fukunaga, G. Hagino, Okamura and Marumoto as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 501), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2215-82, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Nakamura, Chairman, Hirono, Honda, Waihee and Liu as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 502), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2230-82, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Baker, Chairman, Blair, Kawakami, Takamine and Isbell as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 503), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2243-82, H.D. 1, and has requested a conference on the subject matter thereof, in con-

sequence of which on April 13, 1982, the Speaker appointed Representatives Ige, Chairman, Kobayashi, Nakamura, Shito and Lacy as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 504), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2295-82, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Blair, Chairman, Chun, Hirono and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 505), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2312-82, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Kunimura, Chairman, Kiyabu, Albano, Andrews, Fukunaga, G. Hagino, Hashimoto, Kobayashi, Levin, Morioka, Nakasato, Okamura, Lacy, Marumoto, Narvaes and Wong as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 506), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2313-82, H.D. 2, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Nakamura and Nakasato, Co-Chairmen, Andrews, Baker, Dods, G. Hagino, Liu and Marumoto as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 507), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2318-82, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Honda, Chairman, Hashimoto, Kawakami, Shito and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 508), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2331-82, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 13,

1982, the Speaker appointed Representatives Sakamoto, Chairman, G. Hagino, Okamura, Takamine and Narvaes as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 509), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2332-82, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Sakamoto, Chairman, G. Hagino, Okamura, Takamine and Narvaes as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 510), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2336-82, H.D. 2, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Takamine, Chairman, Fukunaga, G. Hagino, Hashimoto and Narvaes as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 511), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2348-82, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Blair, Chairman, Kawakami, Waihee and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 512), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2349-82, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Takitani, Chairman, D. Hagino, Kiyabu, Kunimura and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 513), informing the Senate that the House has disagreed

to the amendments proposed by the Senate to House Bill No. 2355-82, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Nakamura, Chairman, Honda, Shito, Taniguchi and Liu as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 514), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2359-82, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Nakamura and Kunimura, Co-Chairmen, Andrews, Nakasato, Taniguchi, Waihee, Liu and Marumoto as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 515), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2377-82, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Takamine, Chairman, Honda, Kawakami, Nakamura and Monahan as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 516), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2385-82, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Blair, Chairman, Dods, Kawakami, Nakamura and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 517), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2400-82, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Kunimura, Chairman, Kiyabu, Albano, Andrews, Fukunaga, G. Hagino, Hashimoto, Kobayashi, Levin, Morioka, Nakasato, Okamura, Lacy, Marumoto, Narvaes and Wong as Managers on the part of the House, for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 518), informing the Senate that the House has disagreed to the amend-

ments proposed by the Senate to House Bill No. 2404-82, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Blair, Chairman, Honda, Shito and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 519), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2407-82, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Blair, Chairman, Hirono, Taniguchi, Liu, Kunimura, Kiyabu, Albano, Andrews, Fukunaga, G. Hagino, Hashimoto, Kobayashi, Levin, Morioka, Nakasato, Okamura, Lacy, Marumoto, Narvaes and Wong as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 520), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2408-82, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Blair, Chairman, Honda, Kawakami and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 521), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2444-82, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Nakamura, Chairman, Baker, Chun, Shito and Liu as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 522), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2477-82, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Baker, Chairman, Fukunaga, Kiyabu, Okamura and Monahan as Managers on the part of the House for the consider-

ation of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 523), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2511-82, H.D. 2, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Blair, Chairman, Hirono, Ikeda, Kunimura, Kiyabu, Albano, Andrews, Fukunaga, G. Hagino, Hashimoto, Kobayashi, Levin, Morioka, Nakasato, Okamura, Lacy, Marumoto, Narvaes and Wong as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 524), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2551-82, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Aki and Kiyabu, Co-Chairmen, de Heer, Segawa and Monahan as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 525), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2559-82, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Nakamura, Chairman, Kunimura, Shito, Waihee and Liu as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 526), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2585-82, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Nakamura, Chairman, Hirono, Honda, Waihee and Liu as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 527), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2606-82, H.D. 2, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Honda, Chairman, Hashimoto, Kawakami, Shito and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 528), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2667-82, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Baker, Chairman, Fukunaga, G. Hagino, Hirono and Isbell as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 529), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2669-82, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Blair, Chairman, Hirono, Honda and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 530), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2674-82, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Nakamura and Andrews, Co-Chairmen, Chun, G. Hagino, Nakasato, Taniguchi, Liu and Narvaes as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 531), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2679-82, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Nakamura and Kunimura, Co-Chairmen, Kawakami, Waihee and Liu as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 532), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2682-82, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Segawa, Chairman, Chun, Ige, Kobayashi

and Wong as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 533), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2767-82, H.D. 3, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Kiyabu and Toguchi, Co-Chairmen, Aki, Albano, Andrews, Hashimoto, Say, Tungpalan, Marumoto and Monahan as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 534), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2806-82, H.D. 2, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Kiyabu and Dods, Co-Chairmen, Andrews, Nakasato and Marumoto as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 535), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2813-82, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Baker, Chairman, Fukunaga, Matsuura, Okamura and Isbell as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 536), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2817-82, H.D. 2, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Dods, Chairman, Levin, Okamura, Takitani, Taniguchi and Ikeda as Managers on the part of the House for the consideration of said amendments was placed on file.

A communication from the House (Hse. Com. No. 537), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2826-82, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Nakamura, Chairman, Honda, Shito, Taniguchi and Liu as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 538), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2836-82, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Blair, Chairman, Honda, Shito and Liu as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 539), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2838-82, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Shito and Kunimura, Co-Chairmen, Honda, Ige, Nakasato, Segawa, Toguchi, Lacy, Levin and Liu as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 540), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2870-82, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Blair, Chairman, Taniguchi, Waihee and Liu as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 541), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2888-82, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Blair, Chairman, Dods, Honda, Shito and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 542), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2890-82, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Blair, Chairman, Baker, Chun and Liu as Managers on the part of the House for the consideration of

said amendments, was placed on file.

A communication from the House (Hse. Com. No. 543), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2907-82, H.D. 2, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Kunimura and Chun, Co-Chairmen, Ige, Kobayashi and Lacy as Managers on the part of the House for the consideration of said amendments was placed on file.

A communication from the House (Hse. Com. No. 544), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2936-82, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Blair, Chairman, Baker, Chun and Liu as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 545), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2947-82, H.D. 2, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Takamine and Kiyabu, Co-Chairmen, Hashimoto, Matsuura, Monahan and Wong as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 546), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2965-82, H.D. 2, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Takitani, Chairman, Andrews, Morioka, Taniguchi and Marumoto as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 547), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 2972-82, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Sakamoto, Chairman, Fukunaga, Hirono, Nakamura and Monahan as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 548), informing the Senate

that the House has disagreed to the amendments proposed by the Senate to House Bill No. 3007-82, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Blair, Chairman, Dods, Waihee and Liu as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 549), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 3016-82, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Segawa, Chairman, Nakamura, Toguchi, Lacy and Levin as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 550), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 3078-82, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Blair, Chairman, Baker, Dods, Shito and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 551), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 3092-82, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Nakamura, Chairman, Hirono, Kawakami, Waihee and Liu as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 552), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 3119-82, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Shito and Chun, Co-Chairmen, Ige, Kobayashi and Lacy as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 553), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 3136-82, H.D. 2, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Sakamoto, Chairman, Fukunaga, Hashimoto, Kawakami and Monahan as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 554), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 3143-82, H.D. 2, and has requested a conference on the subject matter thereof, in consequence of which on April 13, 1982, the Speaker appointed Representatives Sakamoto, Chairman, Albano, de Heer, Fukunaga, G. Hagino, Kawakami, Kiyabu, Morioka, Isbell and Wong as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 555), informing the Senate that the House has reconsidered its action taken on April 8, 1982 in disagreeing to the amendments made by the Senate to House Bill No. 2765-82, H.D. 1, was placed on file.

A communication from the House (Hse. Com. No. 556), informing the Senate that the House has reconsidered its action taken on April 8, 1982, in disagreeing to the amendments made by the Senate to House Bill No. 2879-82, H.D. 2, was placed on file.

A communication from the House (Hse. Com. No. 557), informing the Senate that the House has reconsidered its action taken on April 8, 1982, in disagreeing to the amendments made by the Senate to House Bill No. 2975-82, H.D. 1, was placed on file.

A communication from the House (Hse. Com. No. 558), returning Senate Bill No. 2160-82, which passed Third Reading in the House of Representatives on April 14, 1982, was placed on file.

A communication from the House (Hse. Com. No. 559), returning Senate Bill No. 2180-82, S.D. 2, which passed Third Reading in the House of Representatives on April 14, 1982, was placed on file.

A communication from the House (Hse. Com. No. 560), returning Senate Bill No. 2198-82, which passed Third Reading in the House of Representatives on April 14, 1982, was placed on file.

A communication from the House (Hse. Com. No. 561), returning Senate Bill

No. 2297-82, S.D. 1, which passed Third Reading in the House of Representatives on April 14, 1982, was placed on file.

A communication from the House (Hse. Com. No. 562), returning Senate Bill No. 2600-82, S.D. 1, which passed Third Reading in the House of Representatives on April 14, 1982, was placed on file.

A communication from the House (Hse. Com. No. 563), returning Senate Bill No. 2643-82, S.D. 1, which passed Third Reading in the House of Representatives on April 14, 1982, was placed on file.

A communication from the House (Hse. Com. No. 564), returning Senate Bill No. 2869-82, S.D. 2, which passed Third Reading in the House of Representatives on April 14, 1982, was placed on file.

A communication from the House (Hse. Com. No. 565), returning Senate Bill No. 2919-82, S.D. 1, which passed Third Reading in the House of Representatives on April 14, 1982, was placed on file.

A communication from the House (Hse. Com. No. 566), transmitting House Concurrent Resolution No. 111, which was adopted by the House of Representatives on April 14, 1982, was placed on file.

On motion by Senator Cayetano, seconded by Senator Anderson and carried, H.C.R. No. 111, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING APRIL 1982 AS CANCER CONTROL MONTH," was adopted.

A communication from the House (Hse. Com. No. 567), transmitting House Concurrent Resolution No. 155, which was adopted by the House of Representatives on April 14, 1982, was placed on file.

On motion by Senator Kuroda, seconded by Senator Anderson and carried, H.C.R. No. 155, entitled: "HOUSE CONCURRENT RESOLUTION COMMEMORATING THE 100TH BIRTHDAY OF HENRY J. KAISER," was adopted.

A communication from the House (Hse. Com. No. 568), transmitting House Concurrent Resolution No. 156, which was adopted by the House of Representatives on April 14, 1982, was placed on file.

On motion by Senator Kuroda, seconded by Senator Anderson and carried, H.C.R. No. 156, entitled: "HOUSE CON-

CURRENT RESOLUTION TO PROUDLY RECOGNIZE AND SUPPORT THE NEWLY ORGANIZED INTERNATIONAL POLYNESIAN OUTRIGGER CANOE RACING FEDERATION," was adopted.

A communication from the House (Hse. Com. No. 569), returning Senate Concurrent Resolution No. 42, S.D. 1, which was adopted by the House of Representatives on April 14, 1982, was placed on file.

SENATE RESOLUTION

A resolution (S.R. No. 140), entitled: "SENATE RESOLUTION DECLARING WEDNESDAY, APRIL 21, 1982, AS NATIONAL SECRETARIES DAY," was offered by Senators Young, Abercrombie, Ajifu, Holt, Yamasaki, Ushijima, Campbell, George, Saiki, Kobayashi, O'Connor, Kuroda, Uwayne, Soares and Cobb.

On motion by Senator Kuroda, seconded by Senator Young and carried, S.R. No. 140 was adopted.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 827-82) informing the Senate that Governor's Message Nos. 304 and 305, Senate Resolution No. 140 and Standing Committee Report Nos. 828-82 to 836-82 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Kuroda, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 828-82) recommending that Senate Resolution No. 14 be adopted.

On motion by Senator Kuroda, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.R. No. 14, entitled: "SENATE RESOLUTION REQUESTING THE DIRECTOR OF TRANSPORTATION SERVICES OF THE CITY AND COUNTY OF HONOLULU TO PURCHASE AND USE SPECIAL HILL CLIMBING BUSES FOR THE MARINER'S RIDGE COMMUNITY AND TO EXPAND BUS SERVICE INTO KULIOUOU VALLEY," was adopted on the following showing of Ayes and Noes:

Ayes, 20. Noes, 1 (Kawasaki). Excused, 4 (Saiki, Toyofuku, Yee and Wong).

Senator Kuroda, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 829-82) recommending that Senate Resolution No. 81 be adopted.

On motion by Senator Kuroda, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.R. No. 81, entitled: "SENATE RESOLUTION CONCERNING THE CONSTRUCTION AND MAINTENANCE OF UNITED STATES DEEP-DRAFT HARBORS AND CHANNELS," was adopted.

Senator Kuroda, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 830-82) recommending that Senate Concurrent Resolution No. 59 be adopted.

On motion by Senator Kuroda, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.C.R. No. 59, entitled: "SENATE CONCURRENT RESOLUTION CONCERNING THE CONSTRUCTION AND MAINTENANCE OF UNITED STATES DEEP-DRAFT HARBORS AND CHANNELS," was adopted.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 831-82) recommending that House Bill No. 2971-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Young, seconded by Senator Holt and carried, the report of the Committee was adopted and H.B. No. 2971-82, entitled: "A BILL FOR AN ACT RELATING TO STATE POLICY CONCERNING THE UTILIZATION OF VOLUNTEER SERVICES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 19, 1982.

Senator Ajifu, for the Committee on Government Operations and Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 832-82) recommending that Senate Concurrent Resolution No. 55 be adopted.

On motion by Senator Ajifu, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.C.R. No. 55, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII CONGRESSIONAL DELEGATION TO JOIN IN A CONCERTED EFFORT TO URGE THE UNITED STATES AND THE SOVIET UNION TO NEGOTIATE AN AGREEMENT TO REDUCE NUCLEAR WEAPONS," was adopted.

Senator Ajifu, for the Committee on Government Operation and Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 833-82) recommending that Senate Resolution No. 75 be adopted.

On motion by Senator Ajifu, seconded by Senator Abercrombie and carried,

the report of the Committee was adopted and S.R. No. 75, entitled: "SENATE RESOLUTION REQUESTING THE HAWAII CONGRESSIONAL DELEGATION TO JOIN IN A CONCERTED EFFORT TO URGE THE UNITED STATES AND THE SOVIET UNION TO NEGOTIATE AN AGREEMENT TO REDUCE NUCLEAR WEAPONS," was adopted.

Senator Ajifu, for the Committee on Government Operations and Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 834-82) recommending that Senate Resolution No. 70 be referred to the Committee on Legislative Management.

On motion by Senator Ajifu, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.R. No. 70, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF RETAINAGE PRACTICES BETWEEN GENERAL AND SUBCONTRACTORS IN TRANSACTIONS INVOLVING PUBLIC CONTRACTS," was referred to the Committee on Legislative Management.

Senator Ajifu, for the Committee on Government Operations and Intergovernmental Relations presented a report (Stand. Com. Rep. No. 835-82) recommending that the Senate advise and consent to the nominations of Les S. Ihara, Sr. and Roy M. Seki, to the Civil Defense Advisory Council, in accordance with Governor's Message No. 211.

By unanimous consent, action on Stand. Com. Rep. No. 835-82 and Gov. Msg. No. 211 was deferred until Friday, April 16, 1982.

Senator Uwaine, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 836-82) recommending that House Bill No. 1521, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 836-82, and H.B. No. 1521, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAKE-OVER BIDS," was deferred until Friday, April 16, 1982.

At 12:00 o'clock noon, the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:01 o'clock p.m.

ORDER OF THE DAY

THIRD READING

House Bill No. 2447-82:

By unanimous consent, action on H.B. No. 2447-82, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DISPENSING OPTICIANS," was deferred until Friday, April 16, 1982.

MATTERS DEFERRED FROM APRIL 14, 1982

Standing Committee Report No. 824-82 (S.R. No. 56, S.D. 1):

Senator Campbell moved that Stand. Com. Rep. No. 824-82 be adopted and S.R. No. 56, S.D. 1, be adopted, seconded by Senator Yamasaki.

At this time, Senator Campbell rose to speak in favor of S.R. No. 56, S.D. 1 as follows:

"Mr. President and members of the Senate, just a few comments in support of the resolution.

"I think the long title has already told us what the resolution is about, but I might repeat for the sake of continuity that the resolution is designed to investigate the '800' toll-free enterprise telephone numbers which are advertised in Hawaii but are not available for use by those of us who live in Hawaii.

"Mr. President, there are several firms which advertise products and services in Hawaii but these firms also offer a toll-free '800' number to prospective Hawaii customers. But, when a prospective Hawaii customer calls that number he cannot get through. If he calls that number at his own expense and asks that the firm return that call, in many instances they will politely say, 'Yes, we will call you back,' but they never do. And you can wait and wait, but they won't return the call. If you write to them, in many instances they don't respond even in writing.

"Mr. President, I'm sure the members of this body are familiar with the radio announcement which says, 'Are you an author in search of a publisher? Please call the toll-free number "800"...' and so on. But if you happen to call that number, you will find that you can't get through.

"I have before me probably one of the biggest mailing list order firms in the country. It's entitled, 'Hugo Dunhill Mailing List, Inc.' Now, Mr. President, they list a toll-free number and if you call them from Hawaii, you can't get through. The primary purpose of this resolution is to find out why these firms advertise in Hawaii without a disclaimer. At least the advertisement should say, 'This offer

is not good in Hawaii,' and then the Consumer Protection Agency which this committee has asked to investigate this matter, we hope, will get on top of this issue and see to it that the citizens of this state are protected.

"Now, Mr. President, in closing let me mention a further step that the committee has taken.

"Firms subscribing to the '800' service have a choice of six calling bands from which to choose. These bands cover the entire country. A company has a right to choose any band or bands it thinks is a good market. Hawaii and Alaska are in band 6; California and other western states are in band 5. This makes it convenient, Mr. President, to leave Hawaii out because it's in band 6.

"Our committee has asked our able chairman to send a letter to the Federal Communications Commission requesting that Hawaii be placed in band 5 along with the lucrative California market. This would solve the problem because no firm would dare to leave Hawaii out if it were included in band 5.

"Mr. President, I just simply want to read, in closing, just a part of a letter that the chairman did send to Mr. Gary M. Epstein, the Chief Officer of the Federal Communications Commission. That letter read in part:

"It is the committee's request to include Hawaii and Alaska in band 5 so as not to allow a subscriber to opt out the 49th and 50th States. Although smaller in population than many states, Hawaii is no less important and should not be denied access to this service.'

"Now, in closing, Mr. President, I'm just simply saying that this Legislature, and I say this in closing, must continue to exercise this kind of watchful eye so that the people of this state will not be discriminated against because we happen to live 2,000 miles from the continental United States. So I urge everyone to vote aye on this resolution.

"Thank you."

The motion was put by the Chair and carried and Stand. Com. Rep. No. 824-82 was adopted and S.R. No. 56, S.D. 1, entitled: "SENATE RESOLUTION URGING AN INVESTIGATION CONCERNING THE REASONS WHY '800' TOLL-FREE ENTERPRISE TELEPHONE NUMBERS CANNOT BE USED BY HAWAII RESIDENTS AND WHY ADVERTISING APPEARING IN THE STATE OF HAWAII CONTAINS REFERENCE TO '800' TOLL-FREE NUMBERS

WHEN IN REALITY THESE NUMBERS ARE NOT AVAILABLE TO USERS IN THIS STATE," was adopted.

THIRD READING

House Bill No. 2197-82, H.D. 1:

By unanimous consent, action on H.B. No. 2197-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DENTAL EXAMINERS," was deferred until Friday, April 16, 1982.

House Bill No. 2194-82:

By unanimous consent, action on H.B. No. 2194-82, entitled: "A BILL FOR AN ACT RELATING TO BOARDS AND COMMISSIONS," was deferred until Friday, April 16, 1982.

House Bill No. 2026-82, H.D. 1:

By unanimous consent, action on H.B. No. 2026-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SHOWS," was deferred until Friday, April 16, 1982.

House Bill No. 2196-82, H.D. 1:

By unanimous consent, action on H.B. No. 2196-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONTRACTORS LICENSE LAW," was deferred until Friday, April 16, 1982.

FINAL READING

Senate Bill No. 2696-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2696-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER COOPERATIVE ASSOCIATIONS," was deferred until Friday, April 16, 1982.

Senate Bill No. 397, S.D. 2, H.D. 2:

By unanimous consent, action on S.B. 397, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Friday, April 16, 1982.

Senate Bill No. 2624-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2624-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GRAND JURY COUNSEL," was deferred until Friday, April 16, 1982.

At 12:09 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:12 o'clock p.m.

At this time, Senator Uwaine, Chairman of the Committee on Human Resources, requested a waiver of the 48-hour notice of a Public Hearing on the following measure:

H.B. No. 2849-82, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND,"

and the President granted the waiver.

At this time, Senator Ajifu, Chairman of the Committee on Government Operations and Intergovernmental Relations, requested a waiver of the 48-hour notice of a Public Hearing on the following measures:

S.R. No. 104, relating to creating a context for world peace;

S.R. No. 105, entitled: "SENATE RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO REVIEW AND MODIFY POLICIES AND PROCEDURES RELATING TO THE REGULATION OF TAXI CAB DRIVERS;"

S.R. No. 125, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF THE PURCHASE AND USE BY THE STATE OF THE ARMED SERVICES YMCA;"

S.R. No. 138, entitled: "SENATE RESOLUTION URGING THE CITY COUNCIL OF THE CITY AND COUNTY OF HONOLULU TO ADOPT AN ORDINANCE REQUIRING INSTALLATION OF AN EMERGENCY WARNING SYSTEM IN TAXICABS;"
and

S.C.R. No. 73, relating to creating a context for world peace.

and the President granted the waiver.

RECONSIDERATION OF ACTION TAKEN

Standing Committee Report No. 836-82

(H.B. No. 1521, H.D. 1):

Senator Cobb moved that the Senate reconsider its action on Stand. Com. Rep. No. 836-82 and H.B. No. 1521, H.D. 1, seconded by Senator Anderson and carried.

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 836-82 was adopted and H.B. No. 1521, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAKE-OVER BIDS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 19, 1982.

At this time, Senator Holt rose and addressed the members of the Senate as follows:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, it's my understanding that the Administrator of the Office of Hawaiian Affairs, Mr. Edwin Auld, submitted a letter of resignation to the Board of Trustees last night.

"Mr. President, my personal experience with Mr. Auld has confirmed my belief that he is an able administrator, well equipped to handle the difficult task of coordinating the work of a newly founded office. It is my earnest hope, Mr. President, and my recommendation to the Board of Trustees of the Office of Hawaiian Affairs that they request Mr. Auld to reconsider his resignation.

"Thank you."

The President then stated:

"Senator Holt, I think his resignation was the result of internal conflict within the organization itself, but I think your point is well taken."

ADJOURNMENT

At 12:17 o'clock p.m., on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, April 16, 1982.

FIFTY-FIFTH DAY

Friday, April 16, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Herman Gomes, Director of Sacred Hearts Seminary, after which the Roll was called showing all Senators present with the exception of Senators Holt, Mizuguchi and Yee who were excused.

The President announced that he had read and approved the Journal of the Fifty-Fourth Day.

Senator Kuroda introduced to the members of the Senate 42 fourth grade students from the Hongwanji Mission School and their teachers, Mrs. Dulcie Oshiro and Mrs. Cecelia Lindal.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 570 to 577) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 570), returning Senate Bill No. 2756-82, S.D. 1, which passed Third Reading in the House of Representatives on April 15, 1982, was placed on file.

A communication from the House (Hse. Com. No. 571), informing the Senate that the House reconsidered its action taken on April 8, 1982, in disagreeing to the amendments made by the Senate to House Bill No. 1642, H.D. 2, was placed on file.

At this time, the President discharged the Managers on the part of the Senate appointed pursuant to the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1642, H.D. 2.

A communication from the House (Hse. Com. No. 572), informing the Senate that the House reconsidered its action taken on April 8, 1982, in disagreeing to the amendments made by the Senate to House Bill No. 2355-82, H.D. 1, was placed on file.

At this time, the President discharged the Managers on the part of the Senate appointed pursuant to the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2355-82, H.D. 1.

A communication from the House (Hse. Com. No. 573), informing the Senate that the House reconsidered its action taken on April 8, 1982, in disagreeing to the amendments made by the Senate to House Bill No. 2742-82, H.D. 1, was placed on file.

At this time, the President discharged the Managers on the part of the Senate appointed pursuant to the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2742-82, H.D. 1.

A communication from the House (Hse. Com. No. 574), informing the Senate that the House reconsidered its action taken on April 8, 1982, in disagreeing to the amendments made by the Senate to House Bill No. 2210-82, H.D. 1, was placed on file.

At this time, the President discharged the Managers on the part of the Senate appointed pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 2210-82, H.D. 1.

A communication from the House (Hse. Com. No. 575), informing the Senate that the House reconsidered its action taken on April 8, 1982, in disagreeing to the amendments made by the Senate to House Bill No. 2682-82, was placed on file.

At this time, the President discharged the Managers on the part of the Senate appointed pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 2682-82.

A communication from the House (Hse. Com. No. 576), informing the Senate that the House reconsidered its action taken on April 8, 1982, in disagreeing to the amendments made by the Senate to House Bill No. 3016-82, H.D. 1, was placed on file.

At this time, the President discharged the Managers on the part of the Senate appointed pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 3016-82, H.D. 1.

A communication from the House (Hse. Com. No. 577), transmitting House Concurrent Resolution No. 174 which was adopted by the House of Representatives on April 16, 1982,

was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.C.R. No. 174, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING AND SUPPORTING THE FIFTH ANNUAL 'AUGUSTFEST' TO BE HELD IN THE 'MACADAMIA NUT CAPITOL OF THE WORLD', HONOKAA, HAWAII, DURING AUGUST, 1982; RECOGNIZING THE CONTRIBUTIONS OF PAUL AND ANITA DEDOMENICO AND THE MACADAMIANS, INC.; AND URGING THE GOVERNOR OF HAWAII AND AGENCIES OF THE EXECUTIVE BRANCH TO CONTINUE TO SUPPORT HAWAII'S IMPORTANT MACADAMIA NUT INDUSTRY," was adopted.

At this time, the President discharged the Managers on the part of the Senate appointed pursuant to the disagreement of the House to the amendments proposed by the Senate to the following House Bills:

House Bill No. 2765-82, H.D. 1;
House Bill No. 2879-82, H.D. 2; and
House Bill No. 2975-82, H.D. 1.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 837-82) informing the Senate that Standing Committee Report Nos. 838-82 to 849-82 have been printed and distributed to all members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 838-82) recommending that Senate Resolution No. 68 be referred to the Committee on Legislative Management.

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.R. No. 68, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE IMPACT OF AMENDING THE DEFINITION OF 'ADEQUATE RESERVE FUND,'" was referred to the Committee on Legislative Management.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 839-82) recommending that Senate Concurrent Resolution No. 51 be adopted.

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, the report of the Committee was adopted

and S.C.R. No. 51, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE IMPACT OF AMENDING THE DEFINITION OF 'ADEQUATE RESERVE FUND'," was adopted.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 840-82) recommending that Senate Resolution No. 79 be referred to the Committee on Legislative Management.

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.R. No. 79, entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF DIFFERENT WAYS OF PRESERVING THE MAJOR BENEFITS OR PROVISIONS OF HAWAII'S PREPAID HEALTH CARE ACT IN VIEW OF ITS PREEMPTION UNDER FEDERAL LAW," was referred to the Committee on Legislative Management.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 841-82) recommending that Senate Concurrent Resolution No. 57 be adopted.

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.C.R. No. 57, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW OF DIFFERENT WAYS OF PRESERVING THE MAJOR BENEFITS OR PROVISIONS OF HAWAII'S PREPAID HEALTH CARE ACT IN VIEW OF ITS PREEMPTION UNDER FEDERAL LAW," was adopted.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 842-82) recommending that Senate Resolution No. 53, as amended in S.D. 1, be adopted.

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.R. No. 53, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A COMPREHENSIVE REVIEW OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM," was adopted.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 843-82) recommending that Senate Concurrent Resolution No. 38, as amended in S.D. 1, be adopted.

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.C.R. No. 38, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION

REQUESTING A COMPREHENSIVE REVIEW OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM," was adopted.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 844-82) recommending that Senate Resolution No. 55, as amended in S.D. 1, be adopted.

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.R. No. 55, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE COMMISSION ON THE HANDICAPPED TO ESTABLISH AN INTERIM COMMITTEE TO STUDY AND SUBMIT A POLICY PROPOSAL FOR A MODEL STATE LAW; PROVIDING INTERPRETER SERVICES FOR THE HEARING IMPAIRED," was adopted.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 845-82) recommending that Senate Concurrent Resolution No. 40, as amended in S.D. 1, be adopted.

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.C.R. No. 40, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE COMMISSION ON THE HANDICAPPED TO ESTABLISH AN INTERIM COMMITTEE TO STUDY AND SUBMIT A POLICY PROPOSAL FOR A MODEL STATE LAW; PROVIDING INTERPRETER SERVICES FOR THE HEARING IMPAIRED," was adopted.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 846-82) recommending that Senate Resolution No. 78 be adopted.

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.R. No. 78, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING TO PLAN A DEMONSTRATION PROJECT WHICH SHALL PROVIDE HOME CARE SERVICES TO PERSONS WHO ARE ELIGIBLE FOR MEDICAID BENEFITS," was adopted.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 847-82) recommending that Senate Concurrent Resolution No. 56 be adopted.

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, the report of the Committee was adopted

and S.C.R. No. 56, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING TO PLAN A DEMONSTRATION PROJECT WHICH SHALL PROVIDE HOME CARE SERVICES TO PERSONS WHO ARE ELIGIBLE FOR MEDICAID BENEFITS," was adopted.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 848-82) recommending that Senate Resolution No. 54 be adopted.

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.R. No. 54, entitled: "SENATE RESOLUTION URGING EMPLOYERS TO DEVELOP POLICIES TO RETAIN, HIRE, AND PROMOTE OLDER WORKERS," was adopted.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 849-82) recommending that Senate Concurrent Resolution No. 39 be adopted.

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.C.R. No. 39, entitled: "SENATE CONCURRENT RESOLUTION URGING EMPLOYERS TO DEVELOP POLICIES TO RETAIN, HIRE, AND PROMOTE OLDER WORKERS," was adopted.

ORDER OF THE DAY

THIRD READING

House Bill No. 2027-82:

By unanimous consent, action on H.B. No. 2027-82, entitled: "A BILL FOR AN ACT RELATING TO PEDDLING CAKE," was deferred until Monday, April 19, 1982.

House Bill No. 2031-82:

By unanimous consent, action on H.B. No. 2031-82, entitled: "A BILL FOR AN ACT RELATING TO COUNTY LICENSES," was deferred until Monday, April 19, 1982.

House Bill No. 3053-82, H.D. 1:

By unanimous consent, action on H.B. No. 3053-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," was deferred until Monday, April 19, 1982.

House Bill No. 2071-82, H.D. 1:

By unanimous consent, action on H.B. No. 2071-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION; AMENDING OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES FOR THE PURPOSE OF CORRECTING ERRORS, CLARIFYING LANGUAGE, CORRECTING REFERENCES, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS," was deferred until Monday, April 19, 1982.

House Bill No. 1944-82:

By unanimous consent, action on H.B. No. 1944-82, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CODE OF MILITARY JUSTICE," was deferred until Monday, April 19, 1982.

ADVISE AND CONSENT

Standing Committee Report No. 835-82 (Gov. Msg. No. 211):

By unanimous consent, action on Stand. Com. Rep. No. 835-82 and Gov. Msg. No. 211 was deferred until Monday, April 19, 1982.

MATTERS DEFERRED FROM APRIL 15, 1982

THIRD READING

House Bill No. 2447-82:

By unanimous consent, action on H.B. No. 2447-82, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DISPENSING OPTICIANS," was deferred until Monday, April 19, 1982.

House Bill No. 2197-82, H.D. 1:

By unanimous consent, action on H.B. No. 2197-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DENTAL EXAMINERS," was deferred until Monday, April 19, 1982.

House Bill No. 2194-82:

By unanimous consent, action on H.B. No. 2194-82, entitled: "A BILL FOR AN ACT RELATING TO BOARDS AND COMMISSIONS," was deferred until Monday, April 19, 1982.

House Bill No. 2026-82, H.D. 1:

By unanimous consent, action on H.B. No. 2026-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SHOWS," was deferred until

Monday, April 19, 1982.

House Bill No. 2196-82, H.D. 1:

By unanimous consent, action on H.B. No. 2196-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONTRACTORS LICENSE LAW," was deferred until Monday, April 19, 1982.

FINAL READING

Senate Bill No. 2696-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2696-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER COOPERATIVE ASSOCIATIONS," was deferred until Monday, April 19, 1982.

Senate Bill No. 397, S.D. 2, H.D. 2:

By unanimous consent, action on S.B. No. 397, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Monday, April 19, 1982.

Senate Bill No. 2624-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2624-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GRAND JURY COUNSEL," was deferred until Monday, April 19, 1982.

At 11:50 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:52 o'clock a.m.

MISCELLANEOUS COMMUNICATION

A communication from the Office of the Honorable Spark M. Matsunaga, United States Senator (Misc. Com. No. 3), dated April 6, 1982, acknowledging receipt of Senate Resolution No. 38, Regular Session of 1982, relating to the shelling of Kahoolawe, was read by the Clerk and was placed on file.

ADJOURNMENT

At 12:00 o'clock noon, on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, April 19, 1982.

FIFTY-SIXTH DAY

Monday, April 19, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Mr. T. H. David of the First Church of Christ Scientist - Honolulu, after which the Roll was called showing all Senators present with the exception of Senators Machida and Yamasaki who were excused.

The President announced that he had read and approved the Journal of the Fifty-Fifth Day.

Senator Kuroda, on behalf of the Senate, introduced the former Undersecretary of Tourism of Mexico, Licenciado Armando Herrerias, accompanied by the Regional Vice-President of Western Airlines, Mr. Al Hoss.

Senator Abercrombie then rose and stated:

"Mr. President, may I make a few preliminary remarks before introducing our guest this morning. It is a privilege, as well as an honor, as well as a lot of fun today to have some friends with us. I want to say that our guests and our honoree this morning are here by way of the notable achievement that Mr. Bumatai made in Oklahoma last October where he won the first world championship cockroach race with his trained Hawaiian entry, 'Aku' in a record 4.4 seconds...a feat which as we all know was reported in the world press and which touched the hearts and funnybones of everyone.

"Now, Mr. President, in this year of the roach and in a depressed economy, cockroaches have become a bright new industry via the gold roach which you see displayed before you on my hat. The gold roach pin and other related gift items are already rivaling gold maile leaves and puka shell necklaces in popularity with visitors and residents alike.

"As chairman of the Education, Culture and Arts Committee, I will be requesting the Governor to issue a proclamation designating Sunday, September 5, 1982, the day of the sporting event of the year--the Andy Bumatai First Annual Cockroach Racing Classic--which will be taking place at the Blaisdell Auditorium, which has been renamed 'Kakaako Downs' for the event. I will be asking this in recognition of

the tremendous contribution that Andy has made to the laughter of the state and actually to the nation in these very troubled times. And with this certificate, Mr. President, the Senate will be recognizing the cockroach as the official insect emeritus of the State of Hawaii.

So, with that in mind, I would like to introduce, first, Andy Bumatai's long time friend, and a long time friend of mine, one of the great names from one of the great families in Hawaii, Kimo McVay. Next, I'd like to introduce Roxanne Bumatai, Andy's wife. And last, I would like to introduce Rap Reiplinger, but Andy Bumatai came in his place...Andy Bumatai."

At 11:53 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:58 o'clock a.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 306 to 309) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 306), requesting immediate consideration of House Bill No. 1948-82, H.D. 2, S.D. 1, relating to agriculture, which will enable the State through its farm loan program to assist farmers during the crisis due to the heptachlor problem, was placed on file.

A message from the Governor (Gov. Msg. No. 307), submitting for consideration and consent to the Board of Agriculture, the nominations of Jack K. Suwa, term to expire December 31, 1982, and Alexander Napier, Jr., term to expire December 31, 1985, was referred to the Committee on Agriculture.

A message from the Governor (Gov. Msg. No. 308), submitting for consideration and confirmation to the Land Use Commission, the nominations of Winona Rubin and Lawrence Chun, terms to expire December 31, 1985, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 309), submitting for consideration and confirmation to the Land

Use Commission, the nomination of Frederick P. Whittemore, term to expire December 31, 1985, was referred to the Committee on Economic Development.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 578 to 593) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 578), transmitting House Concurrent Resolution No. 53, H.D. 1, which was adopted by the House of Representatives on April 16, 1982, was placed on file.

By unanimous consent, H.C.R. No. 53, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REPORT ON ALTERNATIVES TO THE STORAGE OR DISPOSAL OF NUCLEAR MATERIALS IN THE PACIFIC BASIN," was referred to the Committee on Ecology, Environment and Recreation.

A communication from the House (Hse. Com. No. 579), transmitting House Concurrent Resolution No. 119, which was adopted by the House of Representatives on April 16, 1982, was placed on file.

By unanimous consent, H.C.R. No. 119, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES' INTENT TO EXPAND THE USE OF CONCESSION AGREEMENTS TO DEVELOP AND OPERATE CAMPING AND CABIN RENTAL FACILITIES IN CERTAIN STATE PARKS," was referred jointly to the Committee on Ecology, Environment and Recreation and the Committee on Economic Development.

A communication from the House (Hse. Com. No. 580), transmitting House Concurrent Resolution No. 120, which was adopted by the House of Representatives on April 16, 1982, was placed on file.

By unanimous consent, H.C.R. No. 120, entitled: "HOUSE CONCURRENT RESOLUTION RESPECTFULLY REQUESTING THE UNITED STATES CONGRESS TO AMEND FEDERAL TAX LAWS TO PROVIDE FOR THE ESTABLISHMENT OF INDIVIDUAL HOUSING ACCOUNTS TO ASSIST FIRST-TIME HOME BUYERS THROUGHOUT THE NATION TO SAVE MONEY FOR A HOME," was referred to the Committee on Housing and Hawaiian Homes.

A communication from the House (Hse. Com. No. 581), transmitting House Concurrent Resolution No.

123, which was adopted by the House of Representatives on April 16, 1982, was placed on file.

By unanimous consent, H.C.R. No. 123, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DEVELOP THROUGH PRIVATE DEVELOPERS AND CAPITAL CERTAIN LANDS FOR CERTAIN ENUMERATED PURPOSES," was referred jointly to the Committee on Ecology, Environment and Recreation and the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 582), transmitting House Concurrent Resolution No. 142, which was adopted by the House of Representatives on April 16, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.C.R. No. 142, entitled: "HOUSE CONCURRENT RESOLUTION DECLARING THE WEEK OF MAY 8 THROUGH 15, 1982 HAWAII GIFTED AND TALENTED CHILDREN'S WEEK," was adopted.

A communication from the House (Hse. Com. No. 583), returning Senate Bill No. 2261-82, S.D. 2, which passed Third Reading in the House of Representatives on April 16, 1982, was placed on file.

A communication from the House (Hse. Com. No. 584), returning Senate Bill No. 2890-82, S.D. 1, which passed Third Reading in the House of Representatives on April 16, 1982, was placed on file.

A communication from the House (Hse. Com. No. 585), returning Senate Bill No. 2970-82, S.D. 1, which passed Third Reading in the House of Representatives on April 16, 1982, was placed on file.

A communication from the House (Hse. Com. No. 586), transmitting House Concurrent Resolution No. 175, which was adopted by the House of Representatives on April 16, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.C.R. No. 175, entitled: "HOUSE CONCURRENT RESOLUTION EXTENDING GRATITUDE TO THE SHIBUYA LIONS CLUB," was adopted.

A communication from the House (Hse. Com. No. 587), informing the Senate that the House has reconsidered

its action taken on April 8, 1982 in disagreeing to the amendments made by the Senate to House Bill No. 329, H.D. 1, was placed on file.

A communication from the House (Hse. Com. No. 588), informing the Senate that the House has reconsidered its action taken on April 8, 1982 in disagreeing to the amendments made by the Senate to House Bill No. 765, H.D. 2, was placed on file.

A communication from the House (Hse. Com. No. 589), informing the Senate that the House has reconsidered its action taken on April 8, 1982 in disagreeing to the amendments made by the Senate to House Bill No. 2640-82, H.D. 1, was placed on file.

A communication from the House (Hse. Com. No. 590), informing the Senate that the House has reconsidered its action taken on April 8, 1982 in disagreeing to the amendments made by the Senate to House Bill No. 2336-82, H.D. 2, and the Speaker on April 16, 1982 has discharged the Managers on the part of the House for the consideration of said amendments to House Bill No. 2336-82, H.D. 2, S.D. 2, was placed on file.

A communication from the House (Hse. Com. No. 591), informing the Senate that the Speaker has on April 16, 1982, discharged the Managers on the part of the House on House Bill No. 2355-82, H.D. 1, S.D. 1, was placed on file.

A communication from the House (Hse. Com. No. 592), informing the Senate that the Speaker has on April 16, 1982, discharged the Managers on the part of the House on House Bill No. 2682-82, S.D. 1, was placed on file.

A communication from the House (Hse. Com. No. 593), informing the Senate that the Speaker has on April 16, 1982, discharged the Managers on the part of the House on House Bill No. 3016-82, H.D. 1, S.D. 1, was placed on file.

CONFERENCE COMMITTEE REPORTS

Senator Carpenter, for the majority of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 3092-82, H.D. 1, presented a report (Conf. Com. Rep. No. 1-82) recommending that H.B. No. 3092-82, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 1-82 and H.B. No. 3092-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," was deferred for a period of 48 hours.

Senator Carpenter, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2642-82, presented a report (Conf. Com. Rep. No. 2-82) recommending that S.B. No. 2642-82, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 2-82 and S.B. No. 2642-82, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUVENILE JUSTICE INTERAGENCY BOARD," was deferred for a period of 48 hours.

Senator Carpenter, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2585-82, H.D. 1, presented a report (Conf. Com. Rep. No. 3-82), recommending that H.B. No. 2585-82, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 3-82 and H.B. No. 2585-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE," was deferred for a period of 48 hours.

Senator Carpenter, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2215-82, H.D. 1, presented a report (Conf. Com. Rep. No. 4-82), recommending that H.B. No. 2215-82, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 4-82, and H.B. No. 2215-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE," was deferred for a period of 48 hours.

Senator Carpenter, for the Committee on Conference on the disagreeing vote of the Senate to the amendments

proposed by the House to Senate Bill No. 2379-82, presented a report (Conf. Com. Rep. No. 5-82) recommending that S.B. No. 2379-82, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 5-82, and S.B. No. 2379-82, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," was deferred for a period of 48 hours.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 850-82) informing the Senate that Governor's Message Nos. 307 to 309 and Standing Committee Report Nos. 851-82 to 868-82 have been printed and distributed to all members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 851-82) recommending that House Bill No. 2096-82, H.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2096-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NONRESIDENT VEHICLE PERMITS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 21, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 852-82) recommending that House Bill No. 2149-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2149-82, entitled: "A BILL FOR AN ACT RELATING TO BRANDS AND AMENDING SECTION 142-41, HAWAII REVISED STATUTES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 21, 1982.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 853-82) recommending that House Bill No. 2158-82, H.D. 1, pass Second Reading and be placed on the calendar

for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the majority of the Committee was adopted and H.B. No. 2158-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL OBLIGATION BONDS OF THE STATE OF HAWAII," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 21, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 854-82) recommending that House Bill No. 2163-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2163-82, entitled: "A BILL FOR AN ACT RELATING TO THE EXECUTIVE DEPARTMENTS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 21, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 855-82) recommending that House Bill No. 2166-82, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2166-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY/STATE HOSPITAL SYSTEM," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 21, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 856-82) recommending that House Bill No. 2271-82, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2271-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEASES OF PUBLIC LANDS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 21, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 857-82) recommending that House Bill No. 2445-82

pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2445-82, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT (MODIFIED)," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 21, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 858-82) recommending that House Bill No. 2564-82, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2564-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CREATION OF SPECIAL HANDLING FEES FOR REVIEW OF CORPORATION AND PARTNERSHIP DOCUMENTS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 21, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 859-82) recommending that House Bill No. 2684-82, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2684-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 21, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 860-82) recommending that House Bill No. 3121-82, H.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 3121-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE AND COUNTY HOUSING LOAN PROGRAMS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 21, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 861-82) recommending

that House Bill No. 3133-82, H.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 3133-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE FUNDING OF COUNTY EMERGENCY MEDICAL SERVICES DEFICITS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 21, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 862-82) recommending that House Bill No. 2010-82 pass Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2010-82, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR," was placed on the calendar for Third Reading on Wednesday, April 21, 1982.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 863-82) recommending that House Bill No. 3109-82, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 3109-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 21, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 864-82) recommending that the Senate advise and consent to the following nominations:

Charles J. Leland to the Board of Taxation Review, First Taxation District, in accordance with Gov. Msg. No. 175; and

Hugo Coutandin to the Board of Taxation Review, Third Taxation District, in accordance with Gov. Msg. No. 176.

By unanimous consent, action on Stand. Com. Rep. No. 864-82 and

Gov. Msg. Nos. 175 and 176 was deferred until Tuesday, April 20, 1982.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 865-82) recommending that House Bill No. 2017-82, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2017-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REGULATION OF EMPLOYMENT AGENCIES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 21, 1982.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 866-82) recommending that House Bill No. 2220-82, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2220-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REGULATION OF EMPLOYMENT AGENCIES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 21, 1982.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 867-82) recommending that House Bill No. 2451-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2451-82, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 21, 1982.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 868-82) recommending that House Bill No. 2811-82, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 2811-82, entitled:

"A BILL FOR AN ACT RELATING TO THE COMPOSITION OF THE BOARD OF TRUSTEES FOR THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 21, 1982.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 869-82) recommending that the Senate advise and consent to the nomination of Melvin D. Kalahiki to the Hawaiian Homes Commission, in accordance with Gov. Msg. No. 292.

By unanimous consent, action on Stand. Com. Rep. No. 869-82 and Gov. Msg. No. 292 was deferred until Tuesday, April 20, 1982.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 870-82) recommending that House Bill No. 725 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 725, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 21, 1982.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 871-82) recommending that Senate Resolution No. 23 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 871-82 and S.R. No. 23, entitled: "SENATE RESOLUTION URGING THE COUNTIES TO DEVELOP COST WRITE-DOWN PROGRAMS TO ENCOURAGE CONSTRUCTION OF AFFORDABLE RENTAL HOUSING," was deferred until Tuesday, April 20, 1982.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 872-82) recommending that Senate Resolution No. 51 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 872-82 and S.R. No. 51, entitled: "SENATE RESOLUTION REVIEW OF ACTION TAKEN BY THE HAWAII HOUSING AUTHORITY

ON LAND EXCHANGES," was deferred until Tuesday, April 20, 1982.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 873-82) recommending that Senate Resolution No. 120 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 873-82 and S.R. No. 120, entitled: "SENATE RESOLUTION URGING THE GOVERNOR TO ESTABLISH A STATEWIDE POLICY REQUIRING HOUSING PROJECTS ON PUBLIC LANDS TO INCLUDE AFFORDABLE HOUSING," was deferred until Tuesday, April 20, 1982.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 874-82) recommending that Senate Resolution No. 91 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 874-82 and S.R. No. 91, entitled: "SENATE RESOLUTION URGING THE COUNTIES TO ADOPT ORDINANCES TO ENSURE CONSTRUCTION OF AFFORDABLE HOUSING IN CONJUNCTION WITH NEW DEVELOPMENTS," was deferred until Tuesday, April 20, 1982.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 875-82) recommending that Senate Concurrent Resolution No. 65 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 875-82 and S.C.R. No. 65, entitled: "SENATE CONCURRENT RESOLUTION URGING THE COUNTIES TO ADOPT ORDINANCES TO ENSURE CONSTRUCTION OF AFFORDABLE HOUSING IN CONJUNCTION WITH NEW DEVELOPMENTS," was deferred until Tuesday, April 20, 1982.

Senator Cayetano, for the Committee on Health, presented a report (Stand. Com. Rep. No. 876-82) recommending that the Senate advise and consent to the following nominations:

Andrew P. Sackett, M.D., to the Board of Health, in accordance with Gov. Msg. No. 141;

Kathleen Campbell to the State Planning Council on Developmental Disabilities, in accordance with Gov. Msg. No. 142;

Chester Segawa and Russell D. Hicks, M.D., to the Advisory Commission on Drug Abuse and Controlled Substances, in accordance with Gov. Msg. No. 143;

Merle D. Crow and Shirley K. Takahashi, to the State Emergency Medical Services Advisory Committee, in accordance with Gov. Msg. No. 144;

Christian Peter Larson to the Commission on the Handicapped, in accordance with Gov. Msg. No. 145;

Verna M.K. Keyes and Barbara Dart to the Statewide Health Coordinating Council, in accordance with Gov. Msg. No. 146;

Reiko Iga to the Statewide Health Coordinating Council, in accordance with Gov. Msg. No. 147;

Ronald Nagano to the East Honolulu Subarea Health Planning Council, in accordance with Gov. Msg. No. 148;

Claudia Ann Shay and Leonard P. Paresa, Sr., to the East Honolulu Subarea Health Planning Council, in accordance with Gov. Msg. No. 149;

Reginald S. Lee and Donna Kishi to the Central Oahu Subarea Health Planning Council, in accordance with Gov. Msg. No. 150;

Tommy Tomimbang and James E. Roscher to the Waianae Coast Subarea Health Planning Council, in accordance with Gov. Msg. No. 151;

Carl T. Hamada and Kapua K. Sproat to the Windward Oahu Subarea Health Planning Council, in accordance with Gov. Msg. No. 152;

Hannah K. Springer to the Hawaii County Subarea Health Planning Council, in accordance with Gov. Msg. No. 153;

Virginia A. Rapozo to the Kauai County Subarea Health Planning Council, in accordance with Gov. Msg. No. 154;

Allen B. Oblow to the County Hospital Management Advisory Committee, City and County of Honolulu Hospital System, in accordance with Gov. Msg. No. 155;

Renee M. Bittle to the County Hospital Management Advisory Committee, Hawaii County Hospital System, in accordance with Gov. Msg. No. 156;

Ruth I. Johnson to the County

Hospital Management Advisory Committee, Maui County Hospital System, in accordance with Gov. Msg. No. 157;

Norman Akita to the County Hospital Management Advisory Committee, Kauai County Hospital System, in accordance with Gov. Msg. No. 158;

Duk Hee Murabayashi and Doris Segal Matsunaga to the Board of Health, in accordance with Gov. Msg. No. 212;

Robert Sing Jung Hu and Joseph Leonard Mancinelli to the Advisory Commission on Drug Abuse and Controlled Substances, in accordance with Gov. Msg. No. 213;

Paula C. Purington, Josephine G. Bucaneg, Ahmad Saidin and June K. Motokawa to the Commission on the Handicapped, in accordance with Gov. Msg. No. 214;

Jean J.L. Lum, Ph.D., to the County Hospital Management Advisory Committee, City and County of Honolulu Hospital System, in accordance with Gov. Msg. No. 215;

Ernest Matsumura and Patricia Akuna to the County Hospital Management Advisory Committee, Hawaii County Hospital System, in accordance with Gov. Msg. No. 216;

Jose S.L. Valencia, M.D., and Yolanda Liane to the County Hospital Management Advisory Committee, Kauai County Hospital System, in accordance with Gov. Msg. No. 217;

Hilda W. Ornitz to the East Honolulu Subarea Health Planning Council, in accordance with Gov. Msg. No. 252;

Judith Ann Naniole and Francis Okita to the West Honolulu Subarea Health Planning Council, in accordance with Gov. Msg. No. 253;

Alan K. Yoshida, D.D.S., to the Central Oahu Subarea Health Planning Council, in accordance with Gov. Msg. No. 254;

Leonard F.K. Kwan, Jr., and Denise M. Jones to the Waianae Coast Subarea Health Planning Council, in accordance with Gov. Msg. No. 255;

Claudette G. Mulder to the Windward Oahu Subarea Health Planning Council, in accordance with Gov. Msg. No. 256;

Michele A. Katsutani, Mamoru Tofukugi, M.D., and Richard Higashi to the Maui County Subarea Health Planning Council, in accordance with Gov. Msg. No. 257;

Herbert Morris, Jr., to the Kauai County Subarea Health Planning Council, in accordance with Gov. Msg. No. 258;

Dirk Wasano, Thomas Culbertson, Robert E. Laurie, M.D., and Jo-Alyce K. Peterson to the State Health Planning Council on Developmental Disabilities, in accordance with Gov. Msg. No. 284;

Eugene K. Kawaguchi, M.D., Karl T. Pregitzer, M.D., Cynthia C. Nakasato, M.D., and John R. Mueh, M.D., to the State Emergency Medical Services Advisory Committee, in accordance with Gov. Msg. No. 285;

Austin Dias, Justo Dela Cruz, Shaina V. Caporoz, Carl T. Hamada, Carol Zinger Kotsubo, Dean Tajima, Charles R. Lyden and Kenneth A. Haling, M.D., to the Statewide Health Coordinating Council, in accordance with Gov. Msg. No. 287;

Joseph W. Lapilio, III, to the Waianae Coast Subarea Health Planning Council, in accordance with Gov. Msg. No. 288;

Bert Ken Akitake, M.D., and Judith S. Mikami to the Maui County Subarea Health Planning Council, in accordance with Gov. Msg. No. 289; and

Herbert H. Sakakihara, John Schaumberg and Lyman M. Morikawa to the Maui County Hospital Management Advisory Committee, in accordance with Gov. Msg. No. 301.

By unanimous consent, action on Stand. Com. Rep. No. 876-82 and Gov. Msg. Nos. 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 157, 158, 212, 213, 214, 215, 216, 217, 252, 253, 254, 255, 256, 257, 258, 284, 285, 287, 288, 289 and 301, was deferred until Tuesday, April 20, 1982.

Senator Cayetano, for the Committee on Health, presented a report (Stand. Com. Rep. No. 877-82) recommending that the Senate advise and consent to the nomination of Charles G. Clark, Director of Health, in accordance with Gov. Msg. No. 283.

By unanimous consent, action on

Stand. Com. Rep. No. 877-82 and Gov. Msg. No. 283 was deferred until Tuesday, April 20, 1982.

Senator Cayetano, for the Committee on Health, presented a report (Stand. Com. Rep. No. 878-82) recommending that the Senate advise and consent to the nomination of Charles G. Clark to the Statewide Health Coordinating Council, in accordance with Gov. Msg. No. 286.

By unanimous consent, action on Stand. Com. Rep. No. 878-82 and Gov. Msg. No. 286 was deferred until Tuesday, April 20, 1982.

Senator Soares, for the Committee on Public Utilities, presented a report (Stand. Com. Rep. No. 879-82) recommending that Senate Concurrent Resolution No. 71, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 879-82 and S.C.R. No. 71, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION CONCERNING AN AD HOC COMMITTEE TO STUDY AND SUBMIT AMENDMENTS TO CHAPTER 269 OF THE HAWAII REVISED STATUTES RELATING TO PUBLIC UTILITIES," was deferred until Tuesday, April 20, 1982.

Senator Ajifu, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 880-82) recommending that the Senate advise and consent to the nomination of Howard Y. Takeshita to the Advisory Committee on Flowers and Foliage, in accordance with Gov. Msg. No. 104.

By unanimous consent, action on Stand. Com. Rep. No. 880-82 and Gov. Msg. No. 104 was deferred until Tuesday, April 20, 1982.

Senator Ajifu, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 881-82) recommending that the Senate advise and consent to the nominations of Federico Galdones and Shoichi Nagamine to the Board of Agriculture, in accordance with Gov. Msg. No. 186.

By unanimous consent, action on Stand. Com. Rep. No. 881-82 and Gov. Msg. No. 186 was deferred until Tuesday, April 20, 1982.

Senator Ajifu, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 882-82) recommending that the Senate advise and consent to the nomination of David K. Oshiro to the Board of Agriculture, in accordance with Gov. Msg. No. 187.

By unanimous consent, action on Stand. Com. Rep. No. 882-82 and Gov. Msg. No. 187 was deferred until Tuesday, April 20, 1982.

Senator Ajifu, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 883-82) recommending that the Senate advise and consent to the nomination of Wayne K. Ogasawara to the Advisory Committee on Pesticides, in accordance with Gov. Msg. No. 188.

By unanimous consent, action on Stand. Com. Rep. No. 883-82 and Gov. Msg. No. 188 was deferred until Tuesday, April 20, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 884-82) recommending that House Concurrent Resolution No. 117, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 884-82 and H.C.R. No. 117, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION COMMEMORATING THE TENTH ANNIVERSARY OF THE PASSAGE OF THE EQUAL RIGHTS AMENDMENTS IN THE STATE OF HAWAII," was deferred until Tuesday, April 20, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 885-82) recommending that Senate Resolution No. 65, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 885-82 and S.R. No. 65, S.D. 1, entitled: "SENATE RESOLUTION REGARDING THE EQUAL RIGHTS AMENDMENT TO THE HAWAII STATE CONSTITUTION AND RATIFICATION OF THE PROPOSED AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES PROVIDING FOR EQUAL RIGHTS UNDER THE LAW WITHOUT REGARD TO SEX," was deferred until Tuesday, April 20, 1982.

Senator George, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 886-82) recommending that the Senate advise and consent to the following nominations:

Betty Mae Ching and Joseph Dart, III, to the State Highway Safety Council, in accordance with Gov. Msg. No. 173; and

Keith Thomas Burley and Howard H. Tagomori to the State Highway Safety Council, in accordance

with Gov. Msg. No. 266.

By unanimous consent, action on Stand. Com. Rep. No. 886-82 and Gov. Msg. Nos. 173 and 266, was deferred until Tuesday, April 20, 1982.

Senator George, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 887-82) recommending that the Senate advise and consent to the following nominations:

James F. Pierce, M.D., to the Medical Advisory Board, in accordance with Gov. Msg. No. 174;

Danelo R. Canete, M.D., to the Medical Advisory Board, in accordance with Gov. Msg. No. 230; and

Arthur T. Kobayashi, O.D., to the Medical Advisory Board, in accordance with Gov. Msg. No. 298.

By unanimous consent, action on Stand. Com. Rep. No. 887-82 and Gov. Msg. Nos. 174, 230 and 298, was deferred until Tuesday, April 20, 1982.

Senator George, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 888-82) recommending that the Senate advise and consent to the nominations of Jack Richardson, Norrie Thompson, David Hasegawa and A. Duane Black to the Commission on Transportation, in accordance with Gov. Msg. No. 297.

By unanimous consent, action on Stand. Com. Rep. No. 888-82 and Gov. Msg. No. 297 was deferred until Tuesday, April 20, 1982.

Senator Ajifu, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 889-82) recommending that the Senate advise and consent to the nominations of Jack K. Suwa and Alexander Napier, Jr., to the Board of Agriculture, in accordance with Gov. Msg. No. 307.

By unanimous consent, action on Stand. Com. Rep. No. 889-82 and Gov. Msg. No. 307 was deferred until Tuesday, April 20, 1982.

Senator Ajifu, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 890-82) recommending that the Senate advise and consent to the nomination of Susan Matsushima to the Governor's Agricultural Coordinating Council, in accordance with Gov. Msg. No. 271.

By unanimous consent, action on

Stand. Com. Rep. No. 890-82 and Gov. Msg. No. 271 was deferred until Tuesday, April 20, 1982.

Senator Ajifu, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 891-82) recommending that the Senate advise and consent to the nominations of Patrick A. T. Takahashi and Leland C. Nishek to the Advisory Committee on Flowers and Foliage, in accordance with Gov. Msg. No. 272.

By unanimous consent, action on Stand. Com. Rep. No. 891-82 and Gov. Msg. No. 272 was deferred until Tuesday, April 20, 1982.

Senator Saiki, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 892-82) recommending that the Senate advise and consent to the nomination of Robert M. Fujimoto to the Board of Regents of the University of Hawaii, in accordance with Gov. Msg. No. 159.

By unanimous consent, action on Stand. Com. Rep. No. 892-82 and Gov. Msg. No. 159 was deferred until Tuesday, April 20, 1982.

Senator Saiki, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 893-82) recommending that the Senate advise and consent to the nomination of Leticia Tesoro Gaoing to the Postsecondary Education Commission, in accordance with Gov. Msg. No. 218.

By unanimous consent, action on Stand. Com. Rep. No. 893-82 and Gov. Msg. No. 218 was deferred until Tuesday, April 20, 1982.

Senator Saiki, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 894-82), recommending that the Senate advise and consent to the nomination of Walter R. Steiger to the Board of Regents of the University of Hawaii, in accordance with Gov. Msg. No. 290.

By unanimous consent, action on Stand. Com. Rep. No. 894-82 and Gov. Msg. No. 290 was deferred until Tuesday, April 20, 1982.

Senator Saiki, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 895-82) recommending that the Senate advise and consent to the nomination of James F. Gary to the Board of Regents of the University of Hawaii,

in accordance with Gov. Msg. No. 290.

By unanimous consent, action on Stand. Com. Rep. No. 895-82 and Gov. Msg. No. 290 was deferred until Tuesday, April 20, 1982.

Senator Saiki, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 896-82) recommending that the Senate advise and consent to the nomination of Kenneth N. Kato to the Board of Regents of the University of Hawaii, in accordance with Gov. Msg. No. 290.

By unanimous consent, action on Stand. Com. Rep. No. 896-82 and Gov. Msg. No. 290 was deferred until Tuesday, April 20, 1982.

Senator Saiki, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 897-82) recommending that the Senate advise and consent to the nominations of Robert M. Ota, Simon Schneiderman and Brian K. Minaai to the Board of Directors, Research Corporation, University of Hawaii, in accordance with Gov. Msg. No. 291.

By unanimous consent, action on Stand. Com. Rep. No. 897-82 and Gov. Msg. No. 291 was deferred until Tuesday, April 20, 1982.

Senator Saiki, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 898-82) recommending that Senate Resolution No. 39, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 898-82 and S.R. No. 39, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO MONITOR FEDERAL FINANCIAL AID CUTBACKS AND TO ASSESS THE IMPACT ON STATE FINANCIAL AID PROGRAMS," was deferred until Tuesday, April 20, 1982.

Senator Saiki, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 899-82) recommending that Senate Resolution No. 40 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 899-82 and S.R. No. 40, entitled: "SENATE RESOLUTION REQUESTING THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII TO ASSESS THE CURRENT STUDENT TUITION STRUCTURE," was deferred until Tuesday, April 20, 1982.

Senator Saiki, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 900-82) recommending that Senate Concurrent Resolution No. 64 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 900-82 and S.C.R. No. 64, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII TO ASSESS THE CURRENT STUDENT TUITION STRUCTURE," was deferred until Tuesday, April 20, 1982.

Senator Saiki, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 901-82) recommending that Senate Resolution No. 64, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 901-82 and S.R. No. 64, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO EXPLORE ALTERNATIVE MEANS OF ASSURING THE CONTINUANCE OF CAMPUS SUMMER SESSIONS," was deferred until Tuesday, April 20, 1982.

At 12:01 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:02 o'clock p.m.

ORDER OF THE DAY

MATTERS DEFERRED
FROM APRIL 14, 1982

FINAL READING

Senate Bill No. 1308, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 1308, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," was deferred until Thursday, April 22, 1982.

Senate Bill No. 2470-82, S.D. 2, H.D. 2:

By unanimous consent, action on S.B. No. 2470-82, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH," was deferred until Thursday, April 22, 1982.

MATTERS DEFERRED
FROM APRIL 15, 1982

THIRD READING

House Bill No. 2971-82:

By unanimous consent, action on H.B. No. 2971-82, entitled: "A BILL FOR AN ACT RELATING TO STATE POLICY CONCERNING THE UTILIZATION OF VOLUNTEER SERVICES," was deferred until Tuesday, April 20, 1982.

House Bill No. 1521, H.D. 1:

By unanimous consent, action on H.B. No. 1521, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAKE-OVER BIDS," was deferred until Tuesday, April 20, 1982.

House Bill No. 2027-82:

By unanimous consent, action on H.B. No. 2027-82, entitled: "A BILL FOR AN ACT RELATING TO PEDDLING CAKE," was deferred until Tuesday, April 20, 1982.

House Bill No. 2031-82:

By unanimous consent, action on H.B. No. 2031-82, entitled: "A BILL FOR AN ACT RELATING TO COUNTY LICENSES," was deferred until Tuesday, April 20, 1982.

House Bill No. 3053-82, H.D. 1:

By unanimous consent, action on H.B. No. 3053-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," was deferred until Tuesday, April 20, 1982.

House Bill No. 2071-82, H.D. 1:

By unanimous consent, action on H.B. No. 2071-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION; AMENDING OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES FOR THE PURPOSE OF CORRECTING ERRORS, CLARIFYING LANGUAGE, CORRECTING REFERENCES, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS," was deferred until Tuesday, April 20, 1982.

House Bill No. 1944-82:

By unanimous consent, action on H.B. No. 1944-82, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CODE OF MILITARY JUSTICE," was deferred until Tuesday, April 20, 1982.

ADVISE AND CONSENT

Standing Committee Report No. 835-82 (Gov. Msg. No. 211):

By unanimous consent, action on Stand. Com. Rep. No. 835-82 and Gov. Msg. No. 211 was deferred until Tuesday, April 20, 1982.

THIRD READING

House Bill No. 2447-82:

By unanimous consent, action on H.B. No. 2447-82, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DISPENSING OPTICIANS," was deferred until Tuesday, April 20, 1982.

House Bill No. 2197-82, H.D. 1:

By unanimous consent, action on H.B. No. 2197-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DENTAL EXAMINERS," was deferred until Tuesday, April 20, 1982.

House Bill No. 2194-82:

By unanimous consent, action on H.B. No. 2194-82, entitled: "A BILL FOR AN ACT RELATING TO BOARDS AND COMMISSIONS," was deferred until Tuesday, April 20, 1982.

House Bill No. 2026-82, H.D. 1:

By unanimous consent, action on H.B. No. 2026-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SHOWS," was deferred until Tuesday, April 20, 1982.

House Bill No. 2196-82, H.D. 1:

By unanimous consent, action on H.B. No. 2196-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONTRACTORS LICENSE LAW," was deferred until Tuesday, April 20, 1982.

FINAL READING

Senate Bill No. 2696-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2696-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER COOPERATIVE ASSOCIATIONS," was deferred until Tuesday, April 20, 1982.

Senate Bill No. 397, S.D. 2, H.D. 2:

By unanimous consent, action on S.B. No. 397, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Tuesday, April 20, 1982.

Senate Bill No. 2624-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2624-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GRAND JURY COUNSEL," was deferred until Tuesday, April 20, 1982.

At this time, Senator Ajifu, Chairman of the Committee on Agriculture, requested a waiver of the 48-hour notice of a Public Hearing on the following:

Gov. Msg. No. 307, submitting for consideration and confirmation to the Board of Agriculture, the nominations of Jack K. Suwa and Alexander Napier, Jr.;

S.B. No. 2434-82, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS; "

H.B. No. 2331-82, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS; " and

H.B. No. 2332-82, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND LEASES FOR AGRICULTURAL USE, "

and the President granted the waiver.

At this time, Senator Henderson, chairman of the Committee on Economic Development, requested a waiver of the 48-hour notice of a Public Hearing on the following measures:

H.B. No. 2207-82, entitled: "A BILL FOR AN ACT RELATING TO TAX INCENTIVES FOR SOLAR ENERGY DEVICES; "

H.B. No. 2176-82, entitled: "A BILL

FOR AN ACT RELATING TO PUBLIC LANDS; "

H.B. No. 2177-82, entitled: "A BILL FOR AN ACT RELATING TO FOREST AND WATER RESERVE ZONES; "

H.B. No. 1970-82, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS; "

H.B. No. 1882, entitled: "A BILL FOR AN ACT RELATING TO PROTECTION OF INSTREAM USES OF WATER; " and

H.B. No. 3136-82, entitled: "A BILL FOR AN ACT RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION, "

and the President granted the waiver.

The President then made the following announcement:

"The Chair would like to ask the respective committee chairmen, with reference to the nominations made by the Governor, that I would like to see those nominations on the floor at least by tomorrow, so that the Senators may vote on the respective nominees."

At 12:11 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:22 o'clock p.m.

At 12:23 o'clock p.m., on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate stood in recess for the purpose of receiving Conference Committee Reports and any other communications.

ADJOURNMENT

At 12:00 o'clock midnight, the Senate adjourned until 11:30 o'clock a.m., Tuesday, April 20, 1982.

FIFTY-SEVENTH DAY

Tuesday, April 20, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Richard Dickinson, Pastor of the Liliokalani United Church of Christ, after which the Roll was called showing all Senators present with the exception of Senators Anderson and Yamasaki who were excused.

The President announced that he had read and approved the Journal of the Fifty-Sixth Day.

The following introductions were then made to the members of the Senate:

Senator Saiki introduced a close personal friend and esteemed member of the WICHE Commission from the State of Oregon, Ms. Georgia Gratke.

Senator Abercrombie then made the following introduction and stated:

"Mr. President, I have another great pleasure this morning, as I did yesterday in introducing Andy Bumatai, introducing today an old, old friend. Some of us who are aging now, hopefully somewhat well, will remember the 'Poi Boys' from many years ago, and one of the 'Poi Boys' is now a record producer and he's here today, although the particular honor for which we're presenting him a certificate has to do with another of his many productions.

"Mr. President, Mr. Tom Moffatt, starting with the old KPOI radio days where he was indeed one of the 'Poi Boys' has emerged as a premier producer and most prolific producer and promoter in the State of Hawaii.

"Moving from his position as the top radio personality in Hawaii and general manager of KPOI, the number one radio station for many years when he was in charge, Tom became the Islands' top producer of concerts and theatrical attractions, showroom presentations and recordings. His Paradise and Blue Water record label features Hawaiian entertainers such as Andy Bumatai, Rap Reiplinger, 'The Krush,' Marlene Sai, Loyal Garner, Keola and Kapono Beamer.

"I'm sure that we all know that 'Honolulu City Lights' and the Beamers' first album the town produced became

the largest selling island record in Hawaii's history.

"He has been associate producer for two major island TV productions and produces shows in the Ocean Showroom, one of the finest theater clubs in Hawaii.

"Beginning his own production company in 1974, Tom has brought to Hawaii a stellar list of artists and theatrical attractions and I want to read just very briefly from a list leading up to what I think one of the caps in his career: the National Chinese Opera, Elton John, Linda Ronstadt, 'The Rolling Stones,' Hawaii's own Bette Midler, John Denver, 'The Who,' Dionne Warwick, Neil Sedaka, Hawaii's Yvonne Elliman, Neil Diamond, Aretha Franklin, Tony Orlando, and of course the absolute--Doobie Brothers.

"Today, Tom is here in recognition not just for his excellence in the field of entertainment production and appreciation but rather in particular, Mr. President, for a production that he is bringing to Hawaii which as some of the members of the Culture and the Arts Committee know, we were contemplating working with the State Foundation on Culture and the Arts to bring this unique and marvelous attraction to Hawaii, and lo and behold there was Tom Moffatt as usual right on top of it in bringing it.

"On May 7 and May 8 in the Waikiki Shell the Abel Gance silent film production of 'Napoleon' will be presented. Unfortunately, Mr. Gance passed away within the last three months at the age of 93. This is the most spectacular film production possibly ever made. The triptych screen and filming techniques were all invented by Mr. Gance in the 19th century...not the 20th century, but 19th century. And as a result of painstaking efforts on the part of devoted moviemakers over the last several years, the film has been reassembled. Francis Ford Coppola has produced it and his father Carmine Coppola has produced a four and a half hour movie score. This film is four and a half hours long, a spectacular film. Every single audience that has seen it has been mesmerized by it and it's just fantastic that the State of Hawaii will have the opportunity to see 'Napoleon.'

"There will be a 50-piece orchestra from the Symphony playing the

score, and I'm sure that everyone who has the opportunity not only will enjoy it, but remember it probably forever.

"So, Mr. President, I would ask now that Tom Moffatt stand and be recognized by this body and the members of our audience as one of the truly great entrepreneurs and presence in the entertainment field in the State of Hawaii, today."

Mr. Moffatt was then presented with a lei by Senator Kobayashi and Senator Abercrombie presented him with the Senate Certificate.

At 11:59 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:00 o'clock noon.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 310 to 320) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 310), transmitting copies of the Hawaii Coastal Zone Management Program 1981 Annual Report, prepared by the Department of Planning and Economic Development, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 311), transmitting copies of the Annual Report of the Department of Land and Natural Resources for Fiscal Year 1980-81, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 312), transmitting copies of a report prepared by the Executive Office on Aging, entitled: "Report of Achievements of Programs for the Aging - October 1, 1980 - September 30, 1981," was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 313), informing the Senate of the withdrawal of the nomination to the State Health Planning and Development Agency of KeNam Kim, term to expire December 6, 1982, under Governor's Message No. 251, was placed on file.

In compliance with Gov. Msg. No. 313, the nomination listed under Gov. Msg. No. 251 was returned.

A message from the Governor (Gov.

Msg. No. 314), informing the Senate of the withdrawal of the nomination to the Intermediate Court of Appeals of Arthur S.K. Fong, Judge, for a term of ten years, under Governor's Message No. 184, was placed on file.

In compliance with Gov. Msg. No. 314, the nomination listed under Gov. Msg. No. 184 was returned.

A message from the Governor (Gov. Msg. No. 315), transmitting Executive Order 82-2, transferring the responsibility for agricultural product promotion and market development and the state agricultural fairs from the Department of Planning and Economic Development to the Department of Agriculture, pursuant to Act 98, SLH 1981, was placed on file.

A message from the Governor (Gov. Msg. No. 316), transmitting copies of a document, entitled: "Supplemental and Technical Assistance Material to the State Policy on Senior Centers," dated February 1982, prepared by the Executive Office on Aging, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 317), transmitting copies of the Annual Report for the 1980-81 Fiscal Year for the Hawaii State Commission on the Status of Women, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 318), transmitting copies of the Annual Report for Fiscal Year Ending June 30, 1981 of the Department of Transportation, was referred to the Committee on Transportation.

A message from the Governor (Gov. Msg. No. 319), submitting for consideration and consent to the Intermediate Court of Appeals, the nomination of Walter M. Heen, Judge, for a term of 10 years, in accordance with Article VI, Section 3, of the Hawaii State Constitution, was referred to the Committee on Judiciary.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 594 to 619) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 594), returning Senate Concurrent Resolution No. 3, S.D. 2, which was adopted by the House of Representatives on April

19, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.C.R. No. 3, S.D. 2, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE AGRICULTURE FUNCTIONAL PLAN," was deferred until Wednesday, April 21, 1982.

A communication from the House (Hse. Com. No. 595), returning Senate Concurrent Resolution No. 4, S.D. 2, which was adopted by the House of Representatives on April 19, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.C.R. No. 4, S.D. 2, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE EDUCATION FUNCTIONAL PLAN," was deferred until Wednesday, April 21, 1982.

A communication from the House (Hse. Com. No. 596), returning Senate Concurrent Resolution No. 5, S.D. 2, which was adopted by the House of Representatives on April 19, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.C.R. No. 5, S.D. 2, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE HEALTH FUNCTIONAL PLAN," was deferred until Wednesday, April 21, 1982.

A communication from the House (Hse. Com. No. 597), returning Senate Concurrent Resolution No. 6, S.D. 1, which was adopted by the House of Representatives on April 19, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.C.R. No. 6, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE WATER RESOURCES DEVELOPMENT FUNCTIONAL PLAN," was deferred until Wednesday, April 21, 1982.

A communication from the House (Hse. Com. No. 598), returning Senate Concurrent Resolution No. 7, S.D. 2, which was adopted by the House of Representatives on April 19, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.C.R. No. 7, S.D. 2, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE RECREATION FUNCTIONAL PLAN," was deferred until Wednesday, April 21, 1982.

A communication from the House (Hse. Com. No. 599), returning Senate Concurrent Resolution No. 8, S.D. 2,

which was adopted by the House of Representatives on April 19, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.C.R. No. 8, S.D. 2, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE CONSERVATION LANDS FUNCTIONAL PLAN," was deferred until Wednesday, April 21, 1982.

A communication from the House (Hse. Com. No. 600), returning Senate Concurrent Resolution No. 9, S.D. 2, which was adopted by the House of Representatives on April 19, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.C.R. No. 9, S.D. 2, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE HISTORIC PRESERVATION FUNCTIONAL PLAN," was deferred until Wednesday, April 21, 1982.

A communication from the House (Hse. Com. No. 601), returning Senate Concurrent Resolution No. 10, S.D. 2, which was adopted by the House of Representatives on April 19, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.C.R. No. 10, S.D. 2, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE TOURISM FUNCTIONAL PLAN," was deferred until Wednesday, April 21, 1982.

A communication from the House (Hse. Com. No. 602), returning Senate Concurrent Resolution No. 11, S.D. 1, which was adopted by the House of Representatives on April 19, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.C.R. No. 11, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE ENERGY FUNCTIONAL PLAN," was deferred until Wednesday, April 21, 1982.

A communication from the House (Hse. Com. No. 603), returning Senate Concurrent Resolution No. 12, S.D. 2, which was adopted by the House of Representatives on April 19, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.C.R. No. 12, S.D. 2, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE HOUSING FUNCTIONAL PLAN," was deferred until Wednesday, April 21, 1982.

A communication from the House (Hse. Com. No. 604), returning Senate Concurrent Resolution No. 14, S.D. 2, which was adopted by the House of Representatives on April 19, 1982, in an amended form, was placed on file.

By unanimous consent, action on S.C.R. No. 14, S.D. 2, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE HIGHER EDUCATION FUNCTIONAL PLAN," was deferred until Wednesday, April 21, 1982.

At this time, the Chair, in observation of the foregoing functional plans, stated:

"Members of the Senate, I am pleased that the House has returned the various Senate concurrent resolutions dealing with the state functional plans. However, I note one omission--the Transportation Functional Plan, which I hope will be forthcoming shortly from the House.

"It is important for us in considering the functional plans to see how the Transportation Plan ties in with the other plans.

"I would like to ask the chairman of the Economic Development Committee, in consultation with the subject matter committee chairmen, to review the House amendments to the plans which have been returned and report back to the full Senate the action that should be taken. I must caution the chairman that time is of the essence. I would encourage him to meet with the chairmen of the respective subject matter areas and report to the Senate tomorrow on how the Senate should progress on the functional plans."

At 12:08 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:10 o'clock p.m.

A communication from the House (Hse. Com. No. 605), informing the Senate that the House has reconsidered its action taken on April 8, 1982, in disagreeing to the amendments by the Senate to House Bill No. 1488, H.D. 1, and the Speaker on April 20, 1982, discharged the Managers on the part of the House for the consideration of H.B. No. 1488, H.D. 1, S.D. 1, was placed on file.

At this time, the President discharged the Managers on the part of the Senate appointed pursuant to the disagreement

of the House to the amendments proposed by the Senate to H.B. No. 1488, H.D. 1.

A communication from the House (Hse. Com. No. 606), informing the Senate that the House has reconsidered its action taken on April 8, 1982, in disagreeing to the amendments by the Senate to House Bill No. 1489, H.D. 1, and the Speaker on April 20, 1982, discharged the Managers on the part of the House for the consideration of H.B. No. 1489, H.D. 1, S.D. 1, was placed on file.

At this time, the President discharged the Managers on the part of the Senate appointed pursuant to the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1489, H.D. 1.

A communication from the House (Hse. Com. No. 607), informing the Senate that the House has reconsidered its action taken on April 8, 1982, in disagreeing to the amendments by the Senate to House Bill No. 1882, H.D. 1, and the Speaker on April 20, 1982, discharged the Managers on the part of the House for the consideration of H.B. No. 1882, H.D. 1, S.D. 1, was placed on file.

At this time, the President discharged the Managers on the part of the Senate appointed pursuant to the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1882, H.D. 1.

A communication from the House (Hse. Com. No. 608), informing the Senate that the House has reconsidered its action taken on April 8, 1982, in disagreeing to the amendments by the Senate to House Bill No. 1970-82, H.D. 1, and the Speaker on April 20, 1982, discharged the Managers on the part of the House for the consideration of H.B. No. 1970-82, H.D. 1, S.D. 1, was placed on file.

At this time, the President discharged the Managers on the part of the Senate appointed pursuant to the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1970-82, H.D. 1.

A communication from the House (Hse. Com. No. 609), informing the Senate that the House has reconsidered its action taken on April 8, 1982, in disagreeing to the amendments made by the Senate to House Bill No. 2243-82, H.D. 1, and the Speaker on April 20, 1982, discharged the Managers on the part of the House for the consideration

of H.B. No. 2243-82, H.D. 1, S.D. 1, was placed on file.

At this time, the President discharged the Managers on the part of the Senate appointed pursuant to the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2243-82, H.D. 1.

A communication from the House (Hse. Com. No. 610), informing the Senate that the House has reconsidered its action taken on April 8, 1982, in disagreeing to the amendments made by the Senate to House Bill No. 2385-82, H.D. 1, and the Speaker on April 20, 1982, discharged the Managers on the part of the House for the consideration of H.B. No. 2385-82, H.D. 1, S.D. 1, was placed on file.

At this time, the President discharged the Managers on the part of the Senate appointed pursuant to the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2385-82, H.D. 1.

A communication from the House (Hse. Com. No. 611), informing the Senate that the House has reconsidered its action taken on April 8, 1982, in disagreeing to the amendments made by the Senate to House Bill No. 2669-82, H.D. 1, and the Speaker on April 20, 1982, discharged the Managers on the part of the House for the consideration of H.B. No. 2669-82, H.D. 1, S.D. 2, was placed on file.

At this time, the President discharged the Managers on the part of the Senate appointed pursuant to the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2669-82, H.D. 1.

A communication from the House (Hse. Com. No. 612), informing the Senate that the House has reconsidered its action taken on April 8, 1982, in disagreeing to the amendments made by the Senate to House Bill No. 2674-82, H.D. 1, and the Speaker on April 20, 1982, discharged the Managers on the part of the House for the consideration of H.B. No. 2674-82, H.D. 1, S.D. 1, was placed on file.

At this time, the President discharged the Managers on the part of the Senate appointed pursuant to the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2674-82, H.D. 1.

A communication from the House (Hse. Com. No. 613), informing the Senate that the House has reconsidered

its action taken on April 8, 1982, in disagreeing to the amendments made by the Senate to House Bill No. 2972-82, H.D. 1, and the Speaker on April 20, 1982, discharged the Managers on the part of the House for the consideration of H.B. No. 2972-82, H.D. 1, S.D. 1, was placed on file.

At this time, the President discharged the Managers on the part of the Senate appointed pursuant to the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2972-82, H.D. 1.

A communication from the House (Hse. Com. No. 614), transmitting House Concurrent Resolution No. 102, H.D. 1, which was adopted by the House of Representatives on April 20, 1982, was placed on file.

By unanimous consent, H.C.R. No. 102, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO MAKE A STUDY OF THE RATIONALE FOR THE IMPACT OF IMPOSING TAXES AND FEES UPON PRIVATELY-OWNED PUBLIC UTILITY COMPANIES," was referred to the Committee on Public Utilities, then to the Committee on Legislative Management.

A communication from the House (Hse. Com. No. 615), transmitting House Concurrent Resolution No. 104, which was adopted by the House of Representatives on April 20, 1982, was placed on file.

By unanimous consent, H.C.R. No. 104, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE LONG TERM CARE FOR THE ELDERLY REPORT," was referred to the Committee on Human Resources, then to the Committee on Legislative Management.

A communication from the House (Hse. Com. No. 616), transmitting House Concurrent Resolution No. 108, which was adopted by the House of Representatives on April 20, 1982, was placed on file.

By unanimous consent, H.C.R. No. 108, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE REPORT ON THE FINAL COMPENSATION PLAN AND THE COST THEREOF," was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 617), transmitting House Concurrent Resolution No. 115, H.D. 1, which was adopted by the House of

Representatives on April 20, 1982, was placed on file.

By unanimous consent, H.C.R. No. 115, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF THE NAVY AND RIMPAC TERMINATE THE USE OF KAHOLAWE AS A BOMBING TARGET," was referred to the Committee on Ecology, Environment and Recreation.

A communication from the House (Hse. Com. No. 618), transmitting House Concurrent Resolution No. 173, which was adopted by the House of Representatives on April 20, 1982, was placed on file.

By unanimous consent, H.C.R. No. 173, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE WAIKIKI WAR MEMORIAL PARK AND NATATORIUM," was referred to the Committee on Ecology, Environment and Recreation.

A communication from the House (Hse. Com. No. 619), transmitting House Concurrent Resolution No. 110, which was adopted by the House of Representatives on April 20, 1982, was placed on file.

By unanimous consent, H.C.R. No. 110, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO WORK TOWARDS LEGISLATION TO EXTEND THE TEN-YEAR DELIMIT PERIOD WITHIN WHICH VETERANS ARE ELIGIBLE FOR EDUCATIONAL ASSISTANCE UNDER THE 'G.I. BILL,'" was referred to the Committee on Government Operations and Intergovernmental Relations.

CONFERENCE COMMITTEE REPORTS

Senator George, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2815-82, H.D. 1, presented a report (Conf. Com. Rep. No. 6-82) recommending that H.B. No. 2815-82, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 6-82 and H.B. No. 2815-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REGISTRATION OF VEHICLES," was deferred for a period of 48 hours.

Senator George, for the Committee on Conference on the disagreeing vote of the House to the amendments

proposed by the Senate to House Bill No. 2817-82, H.D. 2, presented a report (Conf. Com. Rep. No. 7-82) recommending that H.B. No. 2817-82, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 7-82 and H.B. No. 2817-82, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFF-ROAD VEHICLES," was deferred for a period of 48 hours.

Senator Carpenter, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2826, H.D. 1, presented a report (Conf. Com. Rep. No. 8-82) recommending that H.B. No. 2826-82, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 8-82 and H.B. No. 2826-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WAIMANO TRAINING SCHOOL AND HOSPITAL," was deferred for a period of 48 hours.

Senator Carpenter, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2550-82, S.D. 1, presented a report (Conf. Com. Rep. No. 9-82) recommending that S.B. No. 2550-82, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 9-82 and H.B. No. 2550-82, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," was deferred for a period of 48 hours.

Senator Young, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 791, H.D. 1, presented a report (Conf. Com. Rep. No. 10-82) recommending that H.B. No. 791, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 10-82 and H.B. No. 791, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM,"

was deferred for a period of 48 hours.

Senator Cayetano, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1988-82, H.D. 1, presented a report (Conf. Com. Rep. No. 11-82) recommending that H.B. No. 1988-82, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 11-82 and H.B. No. 1988-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDIVIDUAL HOUSING ACCOUNTS," was deferred for a period of 48 hours.

Senator Young, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2201-82, H.D. 2, presented a report (Conf. Com. Rep. No. 12-82) recommending that H.B. No. 2201-82, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 12-82 and H.B. No. 2201-82, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was deferred for a period of 48 hours.

Senator Ajifu, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2838-82, H.D. 1, presented a report (Conf. Com. Rep. No. 13-82) recommending that H.B. No. 2838-82, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 13-82 and H.B. No. 2838-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY," was deferred for a period of 48 hours.

Senator Abercrombie, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1697, S.D. 1, presented a report (Conf. Com. Rep. No. 14-82) recommending that S.B. No. 1697, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State

of Hawaii, action on Conf. Com. Rep. No. 14-82 and S.B. No. 1697, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JOB-SHARING IN THE DEPARTMENT OF EDUCATION," was deferred for a period of 48 hours.

Senator Abercrombie, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2350-82, presented a report (Conf. Com. Rep. No. 15-82) recommending that S.B. No. 2350-82, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 15-82 and S.B. No. 2350-82, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS," was deferred for a period of 48 hours.

Senator Abercrombie, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2353-82, S.D. 1, presented a report (Conf. Com. Rep. No. 16-82) recommending that S.B. No. 2353-82, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 16-82 and S.B. No. 2353-82, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JQB SHARING PILOT PROJECT IN THE PUBLIC LIBRARY SYSTEM," was deferred for a period of 48 hours.

Senator Cobb, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2561-82, S.D. 1, presented a report (Conf. Com. Rep. No. 17-82) recommending that S.B. No. 2561-82, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 17-82 and S.B. No. 2561-82, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," was deferred for a period of 48 hours.

Senator Cayetano, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2444-82, presented a report (Conf. Com. Rep. No. 18-82) recommending that House Bill No. 2444-82, S.D. 1,

as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 18-82 and H.B. No. 2444-82, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEATH," was deferred for a period of 48 hours.

Senator George, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2765-82, S.D. 1, presented a report (Conf. Com. Rep. No. 19-82) recommending that S.B. No. 2765-82, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 19-82 and S.B. No. 2765-82, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," was deferred for a period of 48 hours.

Senator Cobb, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2192-82, presented a report (Conf. Com. Rep. No. 20-82) recommending that H.B. No. 2192-82, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 20-82 and H.B. No. 2192-82, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," was deferred for a period of 48 hours.

Senator Cobb, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1553, H.D. 1, presented a report (Conf. Com. Rep. No. 21-82) recommending that H.B. No. 1553, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 21-82 and H.B. No. 1553, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MERGERS OR CONSOLIDATIONS," was deferred for a period of 48 hours.

Senator Cobb, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill

No. 2890-82, presented a report (Conf. Com. Rep. No. 22-82) recommending that H.B. No. 2890-82, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 22-82 and H.B. No. 2890-82, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INDUSTRIAL LOAN COMPANY GUARANTY ACT," was deferred for a period of 48 hours.

Senator Cobb, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1653, H.D. 1, presented a report (Conf. Com. Rep. No. 23-82) recommending that H.B. No. 1653, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 23-82 and H.B. No. 1653, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REQUIREMENTS FOR AMENDMENT OF THE DECLARATION AND BYLAWS OF CONDOMINIUM ASSOCIATIONS UNDER THE HORIZONTAL PROPERTY ACT," was deferred for a period of 48 hours.

Senator Cobb, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2870-82, H.D. 1, presented a report (Conf. Com. Rep. No. 24-82) recommending that House Bill No. 2870-82, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 24-82 and H.B. No. 2870-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SENSITIVITY-AWARENESS GROUPS," was deferred for a period of 48 hours.

Senator Uwayne, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2531-82, S.D. 1, presented a report (Conf. Com. Rep. No. 25-82) recommending that S.B. No. 2531-82, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 25-82 and S.B. No. 2531-82, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYER-

EMPLOYEE RELATIONSHIPS," was deferred for a period of 48 hours.

Senator Henderson, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2183-82, H.D. 1, presented a report (Conf. Com. Rep. No. 26-82) recommending that H.B. No. 2183-82, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 26-82 and H.B. No. 2183-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MARINE AFFAIRS COORDINATION," was deferred for a period of 48 hours.

Senator Cobb, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2408-82, H.D. 1, presented a report (Conf. Com. Rep. No. 27-82) recommending that H.B. No. 2408-82, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 27-82 and H.B. No. 2408-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CREDIT UNIONS," was deferred for a period of 48 hours.

Senator Cobb, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2057-82, H.D. 1, presented a report (Conf. Com. Rep. No. 28-82) recommending that H.B. No. 2057-82, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 28-82 and H.B. No. 2057-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRUGS," was deferred for a period of 48 hours.

Senator Kobayashi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2477-82, H.D. 1, presented a report (Conf. Com. Rep. No. 29-82) recommending that H.B. No. 2477-82, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 29-82 and H.B. No. 2477-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE DISPOSAL," was deferred for a period of 48 hours.

Senator George, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2145-82, S.D. 1, presented a report (Conf. Com. Rep. No. 30-82) recommending that S.B. No. 2145-82, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 30-82 and S.B. No. 2145-82, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RIDESHARING," was deferred for a period of 48 hours.

Senator Cobb, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2836-82, H.D. 1, presented a report (Conf. Com. Rep. No. 31-82) recommending that H.B. No. 2836-82, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 31-82 and H.B. No. 2836-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE SERVICING," was deferred for a period of 48 hours.

Senator Cobb, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2936-82, H.D. 1, presented a report (Conf. Com. Rep. No. 32-82) recommending that H.B. No. 2936-82, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 32-82 and H.B. No. 2936-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," was deferred for a period of 48 hours.

Senator Henderson, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill

No. 2813-82, H.D. 1, presented a report (Conf. Com. Rep. No. 33-82) recommending that H.B. No. 2813-82, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 33-82 and H.B. No. 2813-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," was deferred for a period of 48 hours.

Senator Cobb, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2399-82, S.D. 2, presented a report (Conf. Com. Rep. No. 34-82) recommending that S.B. No. 2399-82, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 34-82 and S.B. No. 2399-82, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF REGULATORY AGENCIES," was deferred for a period of 48 hours.

Senator Soares, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2513-82, S.D. 1, presented a report (Conf. Com. Rep. No. 35-82) recommending that S.B. No. 2513-82, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 35-82 and S.B. No. 2513-82, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES: FRANCHISE TAX," was deferred for a period of 48 hours.

Senator Abercrombie, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2313-82, H.D. 2, presented a report (Conf. Com. Rep. No. 36-82) recommending that H.B. No. 2313-82, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 36-82 and H.B. No. 2313-82, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DRIVER EDUCATION AND TRAINING FUND," was deferred for a period

of 48 hours.

Senator Carpenter, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2359-82, H.D. 1, presented a report (Conf. Com. Rep. No. 37-82) recommending that H.B. No. 2359-82, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 37-82 and H.B. No. 2359-82, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WITNESS SECURITY AND PROTECTION," was deferred for a period of 48 hours.

Senator Cayetano, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2559-82, H.D. 1, presented a report (Conf. Com. Rep. No. 38-82) recommending that H.B. No. 2559-82, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 38-82 and H.B. No. 2559-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PAYMENT OF SETTLEMENT BETWEEN THE STATE OF HAWAII AND DILLINGHAM CORPORATION DBA HAWAIIAN DREDGING AND CONSTRUCTION COMPANY," was deferred for a period of 48 hours.

Senator Carpenter, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2679-82, presented a report (Conf. Com. Rep. No. 39-82) recommending that H.B. No. 2679-82, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 39-82 and H.B. No. 2679-82, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COUNSEL AND OTHER SERVICES FOR INDIGENT DEFENDANTS IN CRIMINAL AND RELATED CASES," was deferred for a period of 48 hours.

Senator Young, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 3119-82, H.D. 1, presented a report (Conf. Com. Rep. No. 40-82) recommending that H.B. No. 3119-82,

H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 40-82 and H.B. No. 3119-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL GROUP LIVING," was deferred for a period of 48 hours.

Senator Ajifu, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1948-82, H.D. 2, presented a report (Conf. Com. Rep. No. 41-82) recommending that H.B. No. 1948-82, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 41-82 and H.B. No. 1948-82, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred for a period of 48 hours.

Senator Cobb, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2511-82, H.D. 2, presented a report (Conf. Com. Rep. No. 42-82) recommending that H.B. No. 2511-82, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 42-82 and H.B. No. 2511-82, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMPLIANCE RESOLUTION," was deferred for a period of 48 hours.

Senator Ajifu, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2947-82, H.D. 2, presented a report (Conf. Com. Rep. No. 43-82) recommending that H.B. No. 2947-82, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 43-82 and H.B. No. 2947-82, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AN AQUACULTURE AND LIVE-STOCK FEEDS PRODUCTION PROGRAM," was deferred for a period of 48 hours.

Senator Cobb, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 509, H.D. 1, presented a report (Conf. Com. Rep. No. 44-82) recommending that H.B. No. 509, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 44-82 and H.B. No. 509, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred for a period of 48 hours.

Senator Cobb, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2295-82, H.D. 1, presented a report (Conf. Com. Rep. No. 45-82) recommending that H.B. No. 2295-82, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 45-82 and H.B. No. 2295-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII REGULATORY LICENSING REFORM ACT," was deferred for a period of 48 hours.

Senator Abercrombie, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2778-82, H.D. 2, presented a report (Conf. Com. Rep. No. 46-82) recommending that H.B. No. 2778-82, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 46-82 and H.B. No. 2778-82, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXCEPTIONAL CHILDREN," was deferred for a period of 48 hours.

Senator Abercrombie, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2767-82, H.D. 3, presented a report (Conf. Com. Rep. No. 47-82) recommending that H.B. No. 2767-82, H.D. 3, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 47-82 and H.B. No. 2767-82,

H.D. 3, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

Senator Abercrombie, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2346-82, S.D. 2, presented a report (Conf. Com. Rep. No. 48-82) recommending that S.B. No. 2346-82, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 48-82 and S.B. No. 2346-82, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL FEES," was deferred for a period of 48 hours.

Senator Ajifu, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2331-82, H.D. 1, presented a report (Conf. Com. Rep. No. 49-82) recommending that H.B. No. 2331-82, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 49-82 and H.B. No. 2331-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," was deferred for a period of 48 hours.

Senator Ajifu, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2332-82, H.D. 1, presented a report (Conf. Com. Rep. No. 50-82) recommending that H.B. No. 2332-82, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 50-82 and H.B. No. 2332-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND LEASES FOR AGRICULTURAL USE," was deferred for a period of 48 hours.

Senator Cobb, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2888-82, H.D. 1, presented a report (Conf. Com. Rep. No. 51-82) recommending that H.B. No. 2888-82, H.D. 1, S.D. 1, as amended in C.D.

1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 51-82 and H.B. No. 2888-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING," was deferred for a period of 48 hours.

Senator Cobb, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 3078-82, H.D. 1, presented a report (Conf. Com. Rep. No. 52-82) recommending that H.B. No. 3078-82, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 52-82 and H.B. No. 3078-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING," was deferred for a period of 48 hours.

Senator Cobb, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 400, S.D. 1, presented a report (Conf. Com. Rep. No. 53-82) recommending that S.B. No. 400, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 53-82 and S.B. No. 400, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTEREST," was deferred for a period of 48 hours.

Senator Cobb, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2388-82, S.D. 1, presented a report (Conf. Com. Rep. No. 54-82) recommending that S.B. No. 2388-82, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 54-82 and S.B. No. 2388-82, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," was deferred for a period of 48 hours.

Senator Cobb, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2638-82, S.D. 1, presented a report (Conf. Com. Rep. No. 55-82) recommending

that S.B. No. 2638-82, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 55-82 and S.B. No. 2638-82, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SALES AND TRANSFER OF REAL PROPERTY SITUATED IN HAZARDOUS AREAS," was deferred for a period of 48 hours.

Senator Carpenter, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 65, S.D. 1, presented a report (Conf. Com. Rep. No. 56-82) recommending that S.B. No. 65, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 56-82 and S.B. No. 65, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND TRUSTS," was deferred for a period of 48 hours.

Senator Carpenter, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2147-82, S.D. 2, presented a report (Conf. Com. Rep. No. 57-82) recommending that S.B. No. 2147-82, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 57-82 and S.B. No. 2147-82, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," was deferred for a period of 48 hours.

Senator Carpenter, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2467-82, S.D. 1, presented a report (Conf. Com. Rep. No. 58-82) recommending that S.B. No. 2467-82, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 58-82 and S.B. No. 2467-82, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS AND AMMUNITION," was deferred for a period of 48 hours.

Senator Carpenter, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2348-82, H.D. 1, presented a report (Conf. Com. Rep. No. 59-82) recommending that H.B. No. 2348-82, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 59-82 and H.B. No. 2348-82, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL RELATING TO METAL AND GEM DEALERS," was deferred for a period of 48 hours.

Senator Carpenter, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2377-82, H.D. 1, presented a report (Conf. Com. Rep. No. 60-82) recommending that H.B. No. 2377-82, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 60-82 and H.B. No. 2377-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII RIGHT TO FARM ACT," was deferred for a period of 48 hours.

Senator Carpenter, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2606-82, H.D. 2, presented a report (Conf. Com. Rep. No. 61-82) recommending that H.B. No. 2606-82, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 61-82 and H.B. No. 2606-82, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMITTED PERSONS, FURLOUGH, EMPLOYMENT," was deferred for a period of 48 hours.

Senator Young, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2454-82, S.D. 1, presented a report (Conf. Com. Rep. No. 62-82) recommending that S.B. No. 2454-82, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep.

No. 62-82 and S.B. No. 2454-82, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY TRANSACTIONS," was deferred for a period of 48 hours.

Senator Cobb, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2407-82, H.D. 1, presented a report (Conf. Com. Rep. No. 63-82) recommending that H.B. No. 2407-82, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 63-82 and H.B. No. 2407-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR LICENSE," was deferred for a period of 48 hours.

Senator Henderson, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2176-82, H.D. 2, presented a report (Conf. Com. Rep. No. 64-82) recommending that H.B. No. 2176-82, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 64-82 and H.B. No. 2176-82, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," was deferred for a period of 48 hours.

Senator Henderson, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 3136-82, H.D. 2, presented a report (Conf. Com. Rep. No. 65-82) recommending that H.B. No. 3136-82, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 65-82 and H.B. No. 3136-82, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION," was deferred for a period of 48 hours.

Senator Carpenter, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2318-82, presented a report (Conf. Com. Rep. No. 66-82) recommending that H.B. No. 2318-82, S.D. 1, as

amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 66-82 and H.B. No. 2318-82, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTAKE SERVICE CENTERS," was deferred for a period of 48 hours.

Senator Henderson, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2177-82, H.D. 1, presented a report (Conf. Com. Rep. No. 67-82) recommending that H.B. No. 2177-82, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 67-82 and H.B. No. 2177-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOREST AND WATER RESERVE ZONES," was deferred for a period of 48 hours.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 902-82) informing the Senate that Governor's Message Nos. 313 and 314, Conference Committee Report Nos. 1-82 to 7-82, and Standing Committee Report Nos. 869-82 to 918-82 have been printed and distributed to all members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 903-82) recommending that Senate Concurrent Resolution No. 90 be adopted.

On motion by Senator Cobb, seconded by Senator Yee and carried, the report of the Committee was adopted and S.C.R. No. 90, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY AND EFFECTS OF ENACTING LEGISLATION IN THE STATE OF HAWAII BASED ON THE MODEL BUSINESS CORPORATION ACT, THE MODEL NONPROFIT CORPORATION ACT, AND THE GENERAL CORPORATION LAW OF DELAWARE," was adopted.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 904-82) recommending that Senate Resolution No. 137 be adopted.

On motion by Senator Cobb, seconded by Senator Yee and carried, the report of the Committee was adopted and S.R. No. 137, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY AND EFFECTS OF ENACTING LEGISLATION IN THE STATE OF HAWAII BASED ON THE MODEL BUSINESS CORPORATION ACT, THE MODEL NONPROFIT CORPORATION ACT, AND THE GENERAL CORPORATION LAW OF DELAWARE," was adopted.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 905-82) recommending that Senate Concurrent Resolution No. 60, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Yee and carried, the report of the Committee was adopted and S.C.R. No. 60, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON POSSIBLE MODIFICATIONS OF THE OPTIONAL COVERAGE REQUIREMENT OF THE HAWAII NO-FAULT LAW," was adopted.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 906-82) recommending that Senate Resolution No. 87, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Yee and carried, the report of the Committee was adopted and S.R. No. 87, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON POSSIBLE MODIFICATIONS OF THE OPTIONAL COVERAGE REQUIREMENT OF THE HAWAII NO-FAULT LAW," was adopted.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 907-82) recommending that Senate Concurrent Resolution No. 19, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Yee and carried, the report of the Committee was adopted and S.C.R. No. 19, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE STATE LAND USE COMMISSION INITIATE A PETITION FOR A BOUNDARY AMENDMENT TO RECLASSIFY LAND IN WAILUPE VALLEY, AINA HAINA," was adopted.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 908-82) recommending that Senate Resolution No. 92 be adopted.

On motion by Senator Cobb, seconded by Senator Yee and carried, the report of the Committee was adopted and S.R. No. 92, entitled: "SENATE RESOLUTION REQUESTING THAT THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE CITY AND COUNTY OF HONOLULU DEPARTMENT OF PARKS AND RECREATION ADDRESS THE FUTURE OF THE WAIKIKI WAR MEMORIAL NATATORIUM," was adopted.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 909-82) recommending that Senate Resolution No. 72, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 909-82 and S.R. No. 72, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE ADOPTION OF ELECTRIC CARS FOR STATE AND COUNTY VEHICLES," was deferred until Wednesday, April 21, 1982.

Senator Ajifu, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 910-82) recommending that Senate Resolution No. 6, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator Cobb, seconded by Senator Yee and carried, the report of the Committee was adopted and S.R. No. 6, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF POSSIBLE ALTERNATIVES WITH RESPECT TO THE OPERATIONS OF THE PUNA SUGAR COMPANY," was referred to the Committee on Legislative Management.

Senator Ajifu, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 911-82) recommending that Senate Concurrent Resolution No. 2, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Yee and carried, the report of the Committee was adopted and S.C.R. No. 2, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF POSSIBLE ALTERNATIVES WITH RESPECT TO THE OPERATIONS OF THE PUNA SUGAR COMPANY," was adopted.

Senator Ajifu, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 912-82) recommending that Senate Resolution No. 42, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Yee and carried, the report of the Committee was adopted and

S.R. No. 42, S.D. 1, entitled: "SENATE RESOLUTION EXPRESSING SUPPORT FOR THE ESTABLISHMENT OF A UNITED STATES AGRICULTURAL COOPERATIVE SERVICE BRANCH OFFICE IN HAWAII," was adopted.

Senator Ajifu, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 913-82) recommending that Senate Concurrent Resolution No. 25, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Yee and carried, the report of the Committee was adopted and S.C.R. No. 25, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR THE ESTABLISHMENT OF A UNITED STATES AGRICULTURAL COOPERATIVE SERVICE BRANCH OFFICE IN HAWAII," was adopted.

Senator Ajifu, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 914-82) recommending that Senate Resolution No. 44, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Yee and carried, the report of the Committee was adopted and S.R. No. 44, S.D. 1, entitled: "SENATE RESOLUTION ENCOURAGING THE DEVELOPMENT OF AND REQUESTING A STUDY ON PRIVATE DEVELOPMENT OF AGRICULTURAL PARKS," was adopted.

Senator Ajifu, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 915-82) recommending that Senate Concurrent Resolution No. 27, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Yee and carried, the report of the Committee was adopted and S.C.R. No. 27, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE DEVELOPMENT OF AND REQUESTING A STUDY ON PRIVATE DEVELOPMENT OF AGRICULTURAL PARKS," was adopted.

Senator Ajifu, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 916-82) recommending that Senate Resolution No. 45, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Yee and carried, the report of the Committee was adopted and S.R. No. 45, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF STATE AND COUNTY LAND USE AND ZONING LAWS AND RULES WHICH IMPEDE THE DEVELOPMENT OF AGRICULTURE," was adopted.

Senator Ajifu, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 917-82) recommending that Senate Concurrent Resolution No. 28, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Yee and carried, the report of the Committee was adopted and S.C.R. No. 28, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW OF STATE AND COUNTY LAND USE AND ZONING LAWS AND RULES WHICH IMPEDE THE DEVELOPMENT OF AGRICULTURE," was adopted.

Senator Ajifu, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 918-82) recommending that Senate Concurrent Resolution No. 26, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Yee and carried, the report of the Committee was adopted and S.C.R. No. 26, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING A CONCERTED STATEWIDE EFFORT TO PROMOTE AND DEVELOP PUBLIC GARDENING PROJECTS, ESPECIALLY FOR SENIOR CITIZENS," was adopted.

At 12:15 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:16 o'clock p.m.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 919-82) recommending that Senate Resolution No. 74, as amended in S.D. 1, be referred to the Committee on Legislative Management.

By unanimous consent, action on Stand. Com. Rep. No. 919-82 and S.R. No. 74, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF AMENDING HEALTH INSURANCE POLICIES TO INCLUDE DOCTORS OF CHIROPRACTIC," was deferred until Wednesday, April 21, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 920-82) recommending that Senate Concurrent Resolution 53, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 920-82 and S.C.R. No. 53, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING

A STUDY OF THE FEASIBILITY OF AMENDING HEALTH INSURANCE POLICIES TO INCLUDE DOCTORS OF CHIROPRACTIC," was deferred until Wednesday, April 21, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 921-82) recommending that Senate Resolution No. 102 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 921-82 and S.R. No. 102, entitled: "SENATE RESOLUTION REQUESTING THE ATTORNEY GENERAL TO SEEK A DECLARATORY JUDGMENT ON THE CONSTITUTIONALITY OF A TOTAL PROHIBITION ON TIME SHARING," was deferred until Wednesday, April 21, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 922-82) recommending that Senate Concurrent Resolution No. 72 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 922-82 and S.C.R. No. 72, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL TO SEEK A DECLARATORY JUDGMENT ON THE CONSTITUTIONALITY OF A TOTAL PROHIBITION ON TIME SHARING," was deferred until Wednesday, April 21, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 923-82) recommending that the Senate advise and consent to the following nominations:

John K. Char, D.D.S., to the Board of Acupuncture, in accordance with Governor's Message No. 105;

Warren J. Makalii to the Board of Cosmetology, in accordance with Governor's Message No. 108;

Paul R. Hoffmeister to the Board of Acupuncture, in accordance with Governor's Message No. 189;

Donald F. Kaye and Otto M. Ah Ching to the Board of Barbers, in accordance with Governor's Message No. 190;

Esther C. Izu to the Board of Cosmetology, in accordance with Governor's Message No. 194;

George D. Curtis and Ella Kuulei Takenouchi to the Board of Massage, in accordance with Governor's Message No. 195; and

John R. Wheat, Jr., to the Board

of Massage, in accordance with Governor's Message No. 195.

By unanimous consent, action on Stand. Com. Rep. No. 923-82 and Gov. Msg. Nos. 105, 108, 189, 190, 194, and 195 was deferred until Wednesday, April 21, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 924-82) recommending that the Senate advise and consent to the following nominations:

Edward Turner and Francis Y. Yamashiro to the Elevator Mechanics Licensing Board, in accordance with Governor's Message No. 110;

William B.C. Hee and Kenneth C.W. Kwock to the Board of Registration of Professional Engineers, Architects, Land Surveyors and Landscape Architects, in accordance with Governor's Message No. 111;

Randall D. Souza to the Motor Vehicle Repair Industry Board, in accordance with Governor's Message No. 113;

S.R. Schenck, Malcolm T. Koga and Marvin Sagum to the Contractors License Board, in accordance with Governor's Message No. 193;

John H. Sakamoto to the Board of Electricians and Plumbers, in accordance with Governor's Message No. 238;

Armando Q. Rollolazo and Jerry Michael Hiatt to the Board of Registration of Professional Engineers, Architects, Land Surveyors and Landscape Architects, in accordance with Governor's Message No. 239; and

Toru Suzuki to the Motor Vehicle Repair Industry Board, in accordance with Governor's Message No. 240.

By unanimous consent, action on Stand. Com. Rep. No. 924-82 and Gov. Msg. Nos. 110, 111, 113, 193, 238, 239, and 240 was deferred until Wednesday, April 21, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 925-82) recommending that the Senate advise and consent to the nomination of Ronald Okamura to the Board of Dispensing Opticians, in accordance with Governor's Message No. 277.

By unanimous consent, action on Stand. Com. Rep. No. 925-82 and Gov. Msg. No. 277 was deferred until Wednesday, April 21, 1982.

Senators Kobayashi and Henderson, for the Committee on Ecology, Environment and Recreation and the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 926-82) recommending that Senate Concurrent Resolution No. 45, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 926-82 and S.C.R. No. 45, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES' INTENT TO EXPAND THE USE OF CONCESSION AGREEMENTS TO DEVELOP AND OPERATE CAMPING AND CABIN RENTAL FACILITIES IN CERTAIN STATE PARKS," was deferred until Wednesday, April 21, 1982.

Senator Kawasaki, for the Committee on Government Operations and Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 927-82) recommending that Senate Resolution No. 95 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 927-82 and S.R. No. 95, entitled: "SENATE RESOLUTION OPPOSING THE NUCLEAR ARMS RACE," was deferred until Wednesday, April 21, 1982.

Senator Kawasaki, for the Committee on Government Operations and Intergovernmental Relations presented a report (Stand. Com. Rep. No. 928-82) recommending that Senate Resolution No. 105, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 928-82 and S.R. No. 105, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO REVIEW AND MODIFY POLICIES AND PROCEDURES RELATING TO THE REGULATION OF TAXI CAB DRIVERS," was deferred until Wednesday, April 21, 1982.

Senator Kawasaki, for the Committee on Government Operations and Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 929-82) recommending that Senate Resolution No. 125 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 929-82 and S.R. No. 125, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF THE PURCHASE AND USE BY THE STATE OF THE ARMED SERVICES YMCA," was deferred until Wednesday, April 21, 1982.

Senator Kawasaki, for the Committee on Government Operations and Intergovernmental Relations presented a report

(Stand. Com. Rep. No. 930-82) recommending that Senate Resolution No. 138 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 930-82 and S.R. No. 138, entitled: "SENATE RESOLUTION URGING THE CITY COUNCIL OF THE CITY AND COUNTY OF HONOLULU TO ADOPT AN ORDINANCE REQUIRING INSTALLATION OF AN EMERGENCY WARNING SYSTEM IN TAXICABS," was deferred until Wednesday, April 21, 1982.

Senators Uwaine and Cayetano, for the Committee on Human Resources and the Committee on Health, presented a report (Stand. Com. Rep. No. 931-82) recommending that Senate Resolution No. 66 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 931-82 and S.R. No. 66, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING WITH THE DEPARTMENT OF HEALTH TO DEVELOP A PLAN TO AMEND THE STATE'S MEDICAID PROGRAM TO INCLUDE WAIVERS FOR HOME AND COMMUNITY-BASED SERVICES," was deferred until Wednesday, April 21, 1982.

Senator Cayetano, for the Committee on Health, presented a report (Stand. Com. Rep. No. 932-82) recommending that Senate Resolution No. 15 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 932-82 and S.R. No. 15, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF ESTABLISHING STATE VETERANS HOMES ON THE ISLANDS OF HAWAII, MAUI, AND KAUAI," were deferred until Wednesday, April 21, 1982.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 933-82) recommending that the Senate advise and consent to the nomination of Walter Nunokawa to the Advisory Council for Children and Youth, in accordance with Governor's Message No. 160.

By unanimous consent, action on Stand. Com. Rep. No. 933-82 and Gov. Msg. No. 160 was deferred until Wednesday, April 21, 1982.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 934-82) recommending that the Senate advise and consent to the nomination of Conrad Hokama to the Advisory Council for Children and Youth, in accordance with Governor's Message No. 161.

By unanimous consent, action on Stand. Com. Rep. No. 934-82 and Gov. Msg. No. 161 was deferred until Wednesday, April 21, 1982.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 935-82) recommending that the Senate advise and consent to the nomination of Julie-Ellen K. Simmons and Takumi Akama to the Civil Service Commission, in accordance with Governor's Message No. 162.

By unanimous consent, action on Stand. Com. Rep. No. 935-82 and Gov. Msg. No. 162 was deferred until Wednesday, April 21, 1982.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 936-82) recommending that the Senate advise and consent to the nominations of Valri Lei Kunimoto, Robert E. Cooling, Mitsuyoshi Fukuda, Herbert M. Dias and Ronald N. Hirano to the Board of Trustees of the Deferred Compensation Plan, in accordance with Governor's Message No. 163.

By unanimous consent, action on Stand. Com. Rep. No. 936-82 and Gov. Msg. No. 163 was deferred until Wednesday, April 21, 1982.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 937-82) recommending that the Senate advise and consent to the nominations of Virgie Chattergy, Gerri Watanabe, Sandra L. Hammond and Henry V. Rosario to the Advisory Commission on Manpower and Full Employment, in accordance with Governor's Message No. 164.

By unanimous consent, action on Stand. Com. Rep. No. 937-82 and Gov. Msg. No. 164 was deferred until Wednesday, April 21, 1982.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 938-82) recommending that the Senate advise and consent to the nomination of Daisy Mae Slagle to the Board of Vocational Rehabilitation, in accordance with Governor's Message No. 165.

By unanimous consent, action on Stand. Com. Rep. No. 938-82 and Gov. Msg. No. 165 was deferred until Wednesday, April 21, 1982.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 939-

82) recommending that the Senate advise and consent to the nominations of Glen Makakaulii Kila, Rodney Veary, Mildred Macuagy and Jerry Susumu Hashimoto to the Advisory Council for Children and Youth, in accordance with Governor's Message No. 221.

By unanimous consent, action on Stand. Com. Rep. No. 939-82 and Gov. Msg. No. 221 was deferred until Wednesday, April 21, 1982.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 940-82) recommending that the Senate advise and consent to the nominations of Frank E. Wherley and Laura T. Chock to the Board of Vocational Rehabilitation, in accordance with Governor's Message No. 223.

By unanimous consent, action on Stand. Com. Rep. No. 940-82 and Gov. Msg. No. 223 was deferred until Wednesday, April 21, 1982.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 941-82) recommending that the Senate advise and consent to the nominations of Alice H. Kim and Roy R. Yonahara to the Advisory Commission on Manpower and Full Employment, in accordance with Governor's Message No. 262.

By unanimous consent, action on Stand. Com. Rep. No. 941-82 and Gov. Msg. No. 262 was deferred until Wednesday, April 21, 1982.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 942-82) recommending that the Senate advise and consent to the nomination of Marilyn Wong to the Board of Social Services and Housing, in accordance with Governor's Message No. 263.

By unanimous consent, action on Stand. Com. Rep. No. 941-82 and Gov. Msg. No. 263 was deferred until Wednesday, April 21, 1982.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 943-82) recommending that the Senate advise and consent to the nomination of Beppie Shapiro to the Board of Social Services and Housing, in accordance with Governor's Message No. 293.

By unanimous consent, action on Stand. Com. Rep. No. 943-82 and Gov. Msg. No. 293 was deferred until Wednesday, April 21, 1982.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 944-82) recommending that the Senate advise and consent to the nomination of Dean Edward Hutter to the Hawaii Employment Relations Board, in accordance with Governor's Message No. 294.

By unanimous consent, action on Stand. Com. Rep. No. 944-82 and Gov. Msg. No. 294 was deferred until Wednesday, April 21, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 945-82) recommending that the Senate advise and consent to the nomination of George Kaahanui, Jr., to the Boxing Commission, in accordance with Gov. Msg. No. 236.

By unanimous consent, action on Stand. Com. Rep. No. 945-82 and Gov. Msg. No. 236 was deferred until Wednesday, April 21, 1982.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 946-82) recommending that the Senate advise and consent to the nominations to the Hawaii Housing Authority as follows:

Vance Cannon, in accordance with Governor's Message No. 259;

Masanori Emoto, in accordance with Governor's Message No. 260; and

Roy Nakamoto, in accordance with Governor's Message No. 261.

By unanimous consent, action on Stand. Com. Rep. No. 946-82 and Gov. Msg. Nos. 259, 260, and 261 was deferred until Wednesday, April 21, 1982.

Senator Saiki, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 947-82) recommending that the Senate advise and consent to the nomination of Tim Scott Farr to the Board of Regents, University of Hawaii, in accordance with Governor's Message No. 302.

By unanimous consent, action on Stand. Com. Rep. No. 947-82 and Gov. Msg. No. 302 was deferred until Wednesday, April 21, 1982.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 948-82) recommending that Senate Resolution No. 93, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 948-82 and S.R.

No. 93, entitled: "SENATE RESOLUTION URGING THE ENVIRONMENTAL PROTECTION AGENCY AND THE HAWAII STATE DEPARTMENT OF HEALTH TO CONSIDER REDUCING WATER QUALITY STANDARDS FOR SUGAR PRODUCERS ON HAWAII'S HILO COAST," was deferred until Wednesday, April 21, 1982.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 949-82) recommending that Senate Resolution No. 96 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 949-82 and S.R. No. 96, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONDUCT A STUDY ON CULTURAL LIVE-IN PARKS," was deferred until Wednesday, April 21, 1982.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 950-82) recommending that Senate Resolution No. 103 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 950-82 and S.R. No. 103, entitled: "SENATE RESOLUTION REQUESTING APPROPRIATE ACTION BY CONGRESS TO PROPOSE AN AMENDMENT TO THE CLEAN WATER ACT (P.L. 92-500) ELIMINATING THE REQUIREMENT OF A NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT (NPDES PERMIT) FOR WATER RELEASES FROM RESERVOIRS," was deferred until Wednesday, April 21, 1982.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 951-82) recommending that Senate Resolution No. 94 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 951-82 and S.R. No. 94, entitled: "SENATE RESOLUTION REQUESTING THE FEDERAL GOVERNMENT TO GIVE THE STATE OF HAWAII THE FIRST RIGHT TO PURCHASE ANY FEDERAL PROPERTY IN THE FORT DERUSSY AREA IF THE PROPERTY IS OFFERED FOR SALE," was deferred until Wednesday, April 21, 1982.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 952-82) recommending that Senate Concurrent Resolution No. 66 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 952-82 and S.C.R. No. 66, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE FEDERAL GOVERNMENT TO GIVE THE STATE OF HAWAII THE FIRST RIGHT TO PURCHASE

ANY FEDERAL PROPERTY IN THE FORT DERUSSY AREA IF THE PROPERTY IS OFFERED FOR SALE," was deferred until Wednesday, April 21, 1982.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 953-82) recommending that Senate Resolution No. 127 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 953-82 and S.R. No. 127, entitled: "SENATE RESOLUTION REQUESTING THE EXCHANGE OF PARKS AND RECREATION AREAS, INCLUDING RELATED PERSONNEL, EQUIPMENT AND OTHER RESOURCES BETWEEN THE STATE AND THE CITY AND COUNTY OF HONOLULU," was deferred until Wednesday, April 21, 1982.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 954-82) recommending that Senate Concurrent Resolution No. 80 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 954-82 and S.C.R. No. 80, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE EXCHANGE OF PARKS AND RECREATION AREAS, INCLUDING RELATED PERSONNEL, EQUIPMENT AND OTHER RESOURCES BETWEEN THE STATE AND THE CITY AND COUNTY OF HONOLULU," was deferred until Wednesday, April 21, 1982.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 955-82) recommending that Senate Resolution No. 129 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 956-82 and S.R. No. 129, entitled: "SENATE RESOLUTION EXPRESSING OPPOSITION TO THE FEDERAL GOVERNMENT'S PROPOSAL TO SELL FORT DERUSSY IN HAWAII AND URGING THE PRESIDENT AND CONGRESS OF THE UNITED STATES AND HAWAII'S CONGRESSIONAL DELEGATION TO TAKE APPROPRIATE ACTION TO PREVENT THE SALE OF FORT DERUSSY," was deferred until Wednesday, April 21, 1982.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 956-82) recommending that Senate Concurrent Resolution No. 82 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 956-82 and S.C.R. No. 82, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING OPPOSITION TO THE FEDERAL GOVERNMENT'S

PROPOSAL TO SELL FORT DERUSSY IN HAWAII AND URGING THE PRESIDENT AND CONGRESS OF THE UNITED STATES AND HAWAII'S CONGRESSIONAL DELEGATION TO TAKE APPROPRIATE ACTION TO PREVENT THE SALE OF FORT DERUSSY," was deferred until Wednesday, April 21, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 957-82) recommending that Senate Resolution No. 106, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 957-82 and S.R. No. 106, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY INTO THE EXISTING DUTIES AND RESPONSIBILITIES OF THE REAL ESTATE COMMISSION AND TO DEVELOP RECOMMENDATIONS TO IMPROVE THE SERVICES TO LICENSEES AND THE PUBLIC," was deferred until Wednesday, April 21, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 958-82) recommending that Senate Concurrent Resolution No. 74, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 958-82 and S.C.R. No. 74, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY INTO THE EXISTING DUTIES AND RESPONSIBILITIES OF THE REAL ESTATE COMMISSION AND TO DEVELOP RECOMMENDATIONS TO IMPROVE THE SERVICES TO LICENSEES AND THE PUBLIC," was deferred until Wednesday, April 21, 1982.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 959-82) recommending that the Senate advise and consent to the nominations to the Environmental Quality Commission as follows:

Miles A. Kinley, in accordance with Governor's Message No. 124; and

James W. Morrow, Richard Santiago, Jessie Hoomalu and Jake Manegdeg, in accordance with Governor's Message No. 279.

By unanimous consent, action on Stand. Com. Rep. No. 959-82 and Gov. Msg. Nos. 124 and 279 was deferred until Wednesday, April 21, 1982.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation,

presented a report (Stand. Com. Rep. No. 960-82) recommending that the Senate advise and consent to the nominations to the Animal Species Advisory Commission, as follows:

Spencer R. Malecha, Ph.D, in accordance with Governor's Message No. 125; and

Vincent Chuen-Sun Chang, in accordance with Governor's Message No. 202.

By unanimous consent, action on Stand. Com. Rep. No. 960-82 and Gov. Msg. Nos. 125 and 202 was deferred until Wednesday, April 21, 1982.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 961-82) recommending that the Senate advise and consent to the nominations to the Aquatic Life and Wildlife Advisory Committee, as follows:

Bruce Heidenfeldt, in accordance with Governor's Message No. 127;

Wallace H. Fujii, in accordance with Governor's Message No. 128;

Gerald H. Kang, in accordance with Governor's Message No. 203;

Edwin K. Yokouchi and Marvin Romme, in accordance with Governor's Message No. 204; and

Glenn Y. Ikemoto and Herbert H. Honjo, in accordance with Governor's Message No. 205.

By unanimous consent, action on Stand. Com. Rep. No. 961-82 and Gov. Msg. Nos. 127, 128, 203, 204 and 205 was deferred until Wednesday, April 21, 1982.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 962-82) recommending that the Senate advise and consent to the nomination of John J.N. Springer to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, in accordance with Governor's Message No. 131.

By unanimous consent, action on Stand. Com. Rep. No. 962-82 and Gov. Msg. No. 131 was deferred until Wednesday, April 21, 1982.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 963-82) recommending that the Senate advise and consent to the nomination of William L. Theobald, Ph.D., to

the Natural Area Reserves System Commission, in accordance with Governor's Message No. 206.

By unanimous consent, action on Stand. Com. Rep. No. 963-82 and Gov. Msg. No. 206 was deferred until Wednesday, April 21, 1982.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 964-82) recommending that the Senate advise and consent to the nominations to the Stadium Authority, as follows:

Alfred P. Fernandez, in accordance with Governor's Message No. 245; and

Wallace Fujiyama and R.J. Pfeiffer, in accordance with Governor's Message No. 280.

By unanimous consent, action on Stand. Com. Rep. No. 964-82 and Gov. Msg. Nos. 245 and 280 was deferred until Wednesday, April 21, 1982.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 965-82) recommending that the Senate advise and consent to the nominations of Royce S. Fukunaga, Arthur Jack Darvill and George Krasnick to the Environmental Council, in accordance with Governor's Message No. 278.

By unanimous consent, action on Stand. Com. Rep. No. 965-82 and Gov. Msg. No. 278 was deferred until Wednesday, April 21, 1982.

Senator Kobayashi, for the majority of the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 966-82) recommending that Senate Resolution No. 89 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 966-82 and S.R. No. 89, entitled: "SENATE RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO TERMINATE ITS PLANS TO ACQUIRE THE RESIDENTIAL LOTS IN THE BLOCK BOUNDED BY MONSARRAT AVENUE, LEAHI AVENUE, NOELA AVENUE, AND PAKI AVENUE FOR USE AS PART OF KAPIOLANI PARK," was deferred until Wednesday, April 21, 1982.

Senator Kobayashi, for the majority of the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 967-82) recommending that Senate Concurrent Resolution No. 62 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 967-82 and S.C.R. No. 62, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO TERMINATE ITS PLANS TO ACQUIRE THE RESIDENTIAL LOTS IN THE BLOCK BOUNDED BY MONSARRAT AVENUE, LEAHI AVENUE, NOELA AVENUE, AND PAKI AVENUE FOR USE AS PART OF KAPIOLANI PARK," was deferred until Wednesday, April 21, 1982.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 968-82) recommending that Senate Resolution No. 113, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 968-82 and S.R. No. 113, S.D. 1, entitled: "SENATE RESOLUTION URGING THE CITY AND COUNTY DEPARTMENT OF PARKS AND RECREATION AND THE STATE DEPARTMENT OF TRANSPORTATION TO WORK TOGETHER IN RESOLVING THE ISSUE OF ACCESS TO HOOMALUHIA PARK," was deferred until Wednesday, April 21, 1982.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 969-82) recommending that Senate Concurrent Resolution No. 77, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 969-82 and S.C.R. No. 77, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE CITY AND COUNTY DEPARTMENT OF PARKS AND RECREATION AND THE STATE DEPARTMENT OF TRANSPORTATION TO WORK TOGETHER IN RESOLVING THE ISSUE OF ACCESS TO HOOMALUHIA PARK," was deferred until Wednesday, April 21, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 970-82) recommending that the Senate advise and consent to the following nominations:

Francisco V. Mariano to the Board of Chiropractic Examiners, in accordance with Governor's Message No. 107;

George Goto, M.D., and Kenneth N. Sumimoto to the Board of Medical Examiners, in accordance with Governor's Message No. 112;

Dorothy Hoe and Elroy Chong to the Board of Examiners of Nursing Home Administrators, in accordance

with Governor's Message No. 114;

Earl H. Baxendale to the Board of Examiners of Nursing Home Administrators, in accordance with Governor's Message No. 115;

Carolee Stamper to the Board of Examiners in Optometry, in accordance with Governor's Message No. 116;

Douglas H. Kaya, Jr., to the Board of Osteopathic Examiners, in accordance with Governor's Message No. 117;

William G. Joor, Jr., to the Board of Pharmacy, in accordance with Governor's Message No. 118;

Jayne G. Garside, Ph.D., and Leighton Oshima to the Board of Certification for Practicing Psychologists, in accordance with Governor's Message No. 121;

John T. Rathjen, D.C., to the Board of Chiropractic Examiners, in accordance with Governor's Message No. 192;

Carole Ann Ishimaru to the Board of Nursing, in accordance with Governor's Message No. 196;

Dennis Kuwabara to the Board of Examiners in Optometry, in accordance with Governor's Message No. 197;

Garth T. Hansen to the Board of Pharmacy, in accordance with Governor's Message No. 198;

Herbert B. Weaver and Craig H. Robinson to the Board of Certification for Practicing Psychologists, in accordance with Governor's Message No. 199;

Bella Ayako Nagatoshi and Akira Tanaka to the Board of Radiologic Technologists, in accordance with Governor's Message No. 200;

Gary Toshio Ota, D.V.M., and Zacarias Baricuatro to the Board of Veterinary Examiners, in accordance with Governor's Message No. 201;

Rodney C.Y. Chun, N.D., and Arthur K. Kusumoto to the Board of Examiners in Naturopathy, in accordance with Governor's Message No. 241;

Philip R. Baltch and Janet M. Hirata to the Board of Examiners of Nursing Home Administrators, in accordance with Governor's Message No. 242;

Howard K. Miyamoto, D.D.S., Walter A. Lichota, D.D.S., and Shirley A. Batad, to the Board of Dental

Examiners, in accordance with Governor's Message No. 275;

Ben K. Azman, M.D., and Thomas G. Cahill, M.D., to the Board of Medical Examiners, in accordance with Governor's Message No. 276; and

Ralph Uemae and Roland Tam, M.D., to the Board of Speech Pathology and Audiology, in accordance with Governor's Message No. 300.

By unanimous consent, action on Stand. Com. Rep. No. 970-82 and Gov. Msg. Nos. 107, 112, 114, 115, 116, 117, 118, 121, 192, 196, 197, 198, 199, 200, 201, 241, 242, 275, 276 and 300 was deferred until Wednesday, April 21, 1982.

Senator Abercrombie, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 971-82) recommending that House Bill No. 2571-82, H.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 971-82 and H.B. No. 2571-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT OF ATTORNEYS," was deferred until Wednesday, April 21, 1982.

Senator Cayetano, for the Committee on Health, presented a report (Stand. Com. Rep. No. 972-82) recommending that Senate Resolution 132, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 972-82 and S.R. No. 132, S.D. 1, entitled: "SENATE RESOLUTION RELATING TO THE SHORTAGE OF LICENSED NURSES," was deferred until Wednesday, April 21, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 973-82) recommending that the Senate advise and consent on the following nominations:

Milton Hironaka to the CATV Advisory Committee, in accordance with Governor's Message No. 106;

Finn Anonsen and Kent H. Bowman to the Board of Pilot Commissioners, in accordance with Governor's Message No. 119;

Joseph Cravalho to the Board of Private Detectives and Guards, in accordance with Governor's Message No. 120;

Toru Kawakami and Gregg T. Yamanaka

to the Real Estate Commission, in accordance with Governor's Message No. 122;

Cecelio "Tio" Alconcel to the CATV Advisory Committee, in accordance with Governor's Message No. 191;

Patrick Petti to the Credit Union Review Board, in accordance with Governor's Message No. 237;

Walter T.Y. Lau and Manuel R. Sylvester to the Board of Public Accountancy, in accordance with Governor's Message No. 273; and

Clifford Tamura to the Boxing Commission, in accordance with Governor's Message No. 274.

By unanimous consent, action on Stand. Com. Rep. No. 973-82 and Gov. Msg. Nos. 106, 119, 120, 122, 191, 237, 273 and 274 was deferred until Wednesday, April 21, 1982.

ORDER OF THE DAY

ADVISE AND CONSENT

Standing Committee Report No. 864-82 (Gov. Msg. Nos. 175 and 176):

Senator Cobb moved that Stand. Com. Rep. No. 864-82 be received and placed on file, seconded by Senator Yee and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Charles J. Leland to the Board of Taxation Review, First Taxation District, term to expire December 31, 1985, seconded by Senator Yee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

Senator Cobb then moved that the Senate advise and consent to the nomination of Hugo Coutandin to the Board of Taxation Review, Third Taxation District, term to expire December 31, 1985, seconded by Senator Yee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

Standing Committee Report No. 869-82 (Gov. Msg. No. 292):

Senator Cobb moved that Stand. Com. Rep. No. 869-82 be received and placed on file, seconded by Senator Yee and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Melvin D. Kalahiki to the Hawaiian Homes Commission, term to expire December 31, 1983, seconded by Senator Yee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

Standing Committee Report No. 876-82 (Gov. Msg. Nos. 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 212, 213, 214, 215, 216, 217, 252, 253, 254, 255, 256, 257, 258, 284, 285, 287, 288, 289 and 301):

Senator Cobb moved that Stand. Com. Rep. No. 876-82 be received and placed on file, seconded by Senator Yee and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Andrew P. Sackett, M.D., to the Board of Health, term to expire December 31, 1985, seconded by Senator Yee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

Senator Cobb then moved that the Senate advise and consent to the nomination of Kathleen Campbell to the State Planning Council on Developmental Disabilities, term to expire December 31, 1985, seconded by Senator Yee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

Senator Cobb then moved that the Senate advise and consent to the nomination of Chester Segawa and Russell D. Hicks, M.D., to the Advisory Commission on Drug Abuse and Controlled Substances, terms to expire December 31, 1985, seconded by Senator Yee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

Senator Cobb then moved that the Senate advise and consent to the nominations of Merle D. Crow and Shirley K. Takahashi to the State Emergency Medical Services Advisory Committee, terms to expire December 31, 1985, seconded by Senator Yee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

Senator Cobb then moved that the Senate advise and consent to the nomination of Christian Peter Larson to the Commission on the Handicapped, term to expire December 31, 1985, seconded by Senator Yee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

Senator Cobb then moved that the Senate advise and consent to the nominations of Verna M.K. Keyes and Barbara Dart to the Statewide Health Coordinating Council, terms to expire December 31, 1984, seconded by Senator Yee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

Senator Cobb then moved that the Senate advise and consent to the nomination of Reiko Iga to the Statewide Health Coordinating Council, term to expire December 31, 1985, seconded by Senator Yee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

Senator Cobb then moved that the Senate advise and consent to the nomination of Ronald Nagano to the East Honolulu Subarea Health Planning Council, term to expire December 31, 1983, seconded by Senator Yee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused,
3 (Anderson, Campbell and Yamasaki).

Senator Cobb then moved that the Senate advise and consent to the nominations of Claudia Ann Shay and Leonard P. Paresa, Sr., to the East Honolulu Subarea Health Planning Council, terms to expire December 31, 1985, seconded by Senator Yee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused,
3 (Anderson, Campbell and Yamasaki).

Senator Cobb then moved that the Senate advise and consent to the nominations of Reginald S. Lee and Donna Kishi to the Central Oahu Subarea Health Planning Council, terms to expire December 31, 1985, seconded by Senator Yee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused,
3 (Anderson, Campbell and Yamasaki).

Senator Cobb then moved that the Senate advise and consent to the nominations of Tommy Tomimbang and James E. Roscher to the Waianae Coast Subarea Health Planning Council, terms to expire December 31, 1985, seconded by Senator Yee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused,
3 (Anderson, Campbell and Yamasaki).

Senator Cobb then moved that the Senate advise and consent to the nominations of Carl T. Hamada and Kapua K. Sproat to the Windward Oahu Subarea Health Planning Council, terms to expire December 31, 1985, seconded by Senator Yee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused,
3 (Anderson, Campbell and Yamasaki).

Senator Cobb then moved that the Senate advise and consent to the nomination of Hannah K. Springer to the Hawaii County Subarea Health Planning Council, term to expire December 31, 1985, seconded by Senator Yee.

The motion was put by the Chair

and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused,
3 (Anderson, Campbell and Yamasaki).

Senator Cobb then moved that the Senate advise and consent to the nomination of Virginia A. Rapozo to the Kauai County Subarea Health Planning Council, term to expire December 31, 1985, seconded by Senator Yee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused,
3 (Anderson, Campbell and Yamasaki).

Senator Cobb then moved that the Senate advise and consent to the nomination of Allen B. Oblow to the County Hospital Management Advisory Committee, City and County of Honolulu Hospital System, term to expire December 31, 1985, seconded by Senator Yee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused,
3 (Anderson, Campbell and Yamasaki).

Senator Cobb then moved that the Senate advise and consent to the nomination of Renee M. Bittle to the County Hospital Management Advisory Committee, Hawaii County Hospital System, term to expire December 31, 1985, seconded by Senator Yee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused,
3 (Anderson, Campbell and Yamasaki).

Senator Cobb then moved that the Senate advise and consent to the nomination of Ruth I. Johnson to the County Hospital Management Advisory Committee, Maui County Hospital System, term to expire December 31, 1985, seconded by Senator Yee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused,
3 (Anderson, Campbell and Yamasaki).

Senator Cobb then moved that the Senate advise and consent to the nomination of Norman Akita to the County Hospital Management Advisory Committee, Kauai County Hospital System, term to expire December 31, 1985, seconded by Senator

Yee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

Senator Cobb then moved that the Senate advise and consent to the nominations of Duk Hee Murabayashi and Doris Segal Matsunaga to the Board of Health, terms to expire December 31, 1985, seconded by Senator Yee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

Senator Cobb then moved that the Senate advise and consent to the nominations to the Advisory Commission on Drug Abuse and Controlled Substances as follows:

Robert Sing Jung Hu, term to expire December 31, 1983; and

Joseph Leonard Mancinelli, term to expire December 31, 1984,

seconded by Senator Yee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

Senator Cobb then moved that the Senate advise and consent to the nominations to the Commission on the Handicapped as follows:

Paula C. Purington, term to expire December 31, 1985;

Josephine G. Bucaneg, term to expire December 31, 1985;

Ahmad Saidin, term to expire December 31, 1985; and

June K. Motokawa, term to expire December 31, 1984,

seconded by Senator Yee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

Senator Cobb then moved that the

Senate advise and consent to the nomination of Jean L.J. Lum, Ph.D., to the County Hospital Management Advisory Committee, City and County of Honolulu Hospital System, term to expire December 31, 1985, seconded by Senator Yee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

Senator Cobb then moved that the Senate advise and consent to the nominations of Ernest Matsumura and Patricia Akuna to the County Hospital Management Advisory Committee, Hawaii County Hospital System, terms to expire December 31, 1985, seconded by Senator Yee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

Senator Cobb then moved that the Senate advise and consent to the nominations of Jose S.L. Valencia, M.D., and Yolanda Liane to the County Hospital Management Advisory Committee, Kauai County Hospital System, terms to expire December 31, 1985, seconded by Senator Yee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

Senator Cobb then moved that the Senate advise and consent to the nomination of Hilda W. Ornitz to the East Honolulu Subarea Health Planning Council, term to expire December 31, 1985, seconded by Senator Yee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

Senator Cobb then moved that the Senate advise and consent to the nominations of Judith Ann Naniolo and Francis Okita to the West Honolulu Subarea Health Planning Council, terms to expire December 31, 1985, seconded by Senator Yee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

Senator Cobb then moved that the Senate advise and consent to the nomination of Alan K. Yoshida, D.D.S., to the Central Oahu Subarea Health Planning Council, term to expire December 31, 1985, seconded by Senator Yee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

Senator Cobb then moved that the Senate advise and consent to the nominations of Leonard F.K. Kwan, Jr., and Denise M. Jones to the Waianae Coast Subarea Health Planning Council, terms to expire December 31, 1985, seconded by Senator Yee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

Senator Cobb then moved that the Senate advise and consent to the nomination of Claudette G. Mulder to the Windward Oahu Subarea Health Planning Council, term to expire December 31, 1985, seconded by Senator Yee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

Senator Cobb then moved that the Senate advise and consent to the nominations of Michele A. Katsutani, Mamoru Tofukugi, M.D., and Richard Higashi to the Maui County Subarea Health Planning Council, terms to expire December 31, 1985, seconded by Senator Yee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

Senator Cobb then moved that the Senate advise and consent to the nomination of Herbert Morris, Jr., to the Kauai County Subarea Health Planning Council, term to expire December 31, 1985, seconded by Senator Yee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused,

3 (Anderson, Campbell and Yamasaki).

Senator Cobb then moved that the Senate advise and consent to the nominations of Dirk Wasano, Thomas Culbertson, Robert E. Laurie, M.D., and Jo-Alyce K. Peterson to the State Planning Council on Developmental Disabilities, terms to expire December 31, 1985, seconded by Senator Yee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

Senator Cobb then moved that the Senate advise and consent to the nominations to the State Emergency Medical Services Advisory Committee as follows:

Eugene K. Kawaguchi, M.D., term to expire December 31, 1985;

Karl T. Pregitzer, M.D., term to expire December 31, 1983;

Cynthia C. Nakasato, M.D., term to expire December 31, 1985; and

John R. Mueh, M.D., term to expire December 31, 1985,

seconded by Senator Yee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

Senator Cobb then moved that the Senate advise and consent to the nominations to the Statewide Health Coordinating Council as follows:

Austin Dias, term to expire December 31, 1985;

Justo Dela Cruz, term to expire December 31, 1985;

Shaina V. Caporoz, term to expire December 31, 1983;

Carl T. Hamada, term to expire December 31, 1985;

Carol Zinger Kotsubo, term to expire December 31, 1985;

Dean Tajima, term to expire December 31, 1985;

Charles R. Lyden, term to expire December 31, 1985; and

Kenneth A. Haling, M.D., term to expire December 31, 1985,

seconded by Senator Yee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

Senator Cobb then moved that the Senate advise and consent to the nomination of Joseph W. Lapilio, III, to the Waianae Coast Subarea Health Planning Council, term to expire December 31, 1985, seconded by Senator Yee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

Senator Cobb then moved that the Senate advise and consent to the nominations of Bert Ken Akitake, M.D., and Judith S. Mikami to the Maui County Subarea Health Planning Council, terms to expire December 31, 1985, seconded by Senator Yee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

Senator Cobb then moved that the Senate advise and consent to the nominations to the Maui County Hospital Management Advisory Committee as follows:

Herbert H. Sakakihara, term to expire December 31, 1985;

John Schaumberg, term to expire December 31, 1985; and

Lyman M. Morikawa, term to expire December 31, 1982,

seconded by Senator Yee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

Standing Committee Report No. 877-82 (Gov. Msg. No. 283):

By unanimous consent, action on Stand. Com. Rep. No. 877-82 and Gov. Msg. No. 283 was deferred until Wednesday, April 21, 1982.

Standing Committee Report No. 878-82 (Gov. Msg. No. 286):

By unanimous consent, action on Stand. Com. Rep. No. 878-82 and Gov. Msg. No. 286 was deferred until Wednesday, April 21, 1982.

Standing Committee Report No. 880-82 (Gov. Msg. No. 104):

Senator Cobb moved that Stand. Com. Rep. No. 880-82 be received and placed on file, seconded by Senator Yee and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Howard Y. Takishita to the Advisory Committee on Flowers and Foliage, term to expire December 31, 1985, seconded by Senator Yee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

Standing Committee Report No. 881-82 (Gov. Msg. No. 186):

By unanimous consent, action on Stand. Com. Rep. No. 881-82 and Gov. Msg. No. 186 was deferred until Wednesday, April 21, 1982.

Standing Committee Report No. 882-82 (Gov. Msg. No. 187):

By unanimous consent, Stand. Com. Rep. No. 882-82 and Gov. Msg. No. 187 was deferred until Wednesday, April 21, 1982.

Standing Committee Report No. 883-82 (Gov. Msg. No. 188):

Senator Cobb moved that Stand. Com. Rep. No. 883-82 be received and placed on file, seconded by Senator Yee and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Wayne K. Ogasawara to the Advisory Committee on Pesticides, term to expire December 31, 1984, seconded by Senator Yee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

Standing Committee Report No. 886-82 (Gov. Msg. Nos. 173 and 266):

Senator Cobb moved that Stand. Com. Rep. No. 886-82 be received and placed on file, seconded by Senator Yee and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations of Betty Mae Ching and Joseph Dart, III, to the State Highway Safety Council, terms to expire December 31, 1985, seconded by Senator Yee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

Senator Cobb then moved that the Senate advise and consent to the nominations of Keith Thomas Burley and Howard H. Tagomori to the State Highway Safety Council, terms to expire December 31, 1985, seconded by Senator Yee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

Standing Committee Report No. 887-82 (Gov. Msg. Nos. 174, 230, and 298):

Senator Cobb moved that Stand. Com. Rep. No. 887-82 be received and placed on file, seconded by Senator Yee and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of James F. Pierce, M.D., to the Medical Advisory Board, term to expire December 31, 1985, seconded by Senator Yee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

Senator Cobb then moved that the Senate advise and consent to the nomination of Danelo R. Canete, M.D., to the Medical Advisory Board, term to expire December 31, 1985, seconded by Senator Yee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

Senator Cobb then moved that the Senate advise and consent to the nomination

of Arthur T. Kobayashi, O.D., to the Medical Advisory Board, term to expire December 31, 1985, seconded by Senator Yee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

Standing Committee Report No. 888-82 (Gov. Msg. No. 297):

Senator Cobb moved that the Stand. Com. Rep. No. 888-82 be received and placed on file, seconded by Senator Yee and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations of Jack Richardson, Norrie Thompson, David Hasegawa and A. Duane Black to the Commission on Transportation, terms to expire December 31, 1985, seconded by Senator Yee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

Standing Committee Report No. 889-82 (Gov. Msg. No. 307):

By unanimous consent, action on Stand. Com. Rep. No. 889-82 and Gov. Msg. No. 307 was deferred until Wednesday, April 21, 1982.

Standing Committee Report No. 890-82 (Gov. Msg. No. 271):

Senator Cobb moved that Stand. Com. Rep. No. 890-82 be received and placed on file, seconded by Senator Yee and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Susan Matsushima to the Governor's Agriculture Coordinating Council, term to expire December 31, 1985, seconded by Senator Yee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

Standing Committee Report No. 891-82 (Gov. Msg. No. 272):

Senator Cobb moved that Stand. Com. Rep. No. 891-82 be received and placed on file, seconded by Senator

Yee and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations of Patrick A.T. Takahashi and Lelan C. Nishek to the Advisory Committee on Flowers and Foliage, terms to expire December 31, 1985, seconded by Senator Yee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

Standing Committee Report No. 892-82 (Gov. Msg. No. 159):

By unanimous consent, action on Stand. Com. Rep. No. 892-82 and Gov. Msg. No. 159, nomination of Robert M. Fujimoto to the Board of Regents, University of Hawaii, was deferred until Wednesday, April 21, 1982.

Standing Committee Report No. 893-82 (Gov. Msg. No. 218):

Senator Cobb moved that Stand. Com. Rep. No. 893-82 be received and placed on file, seconded by Senator Yee and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Leticia Tesoro Gaoing to the Postsecondary Education Commission, term to expire December 31, 1985, seconded by Senator Yee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

Standing Committee Report No. 894-82 (Gov. Msg. No. 290):

By unanimous consent, action on Stand. Com. Rep. No. 894-82 and Gov. Msg. No. 290, nomination of Walter R. Steiger to the Board of Regents, University of Hawaii, was deferred until Wednesday, April 21, 1982.

Standing Committee Report No. 895-82 (Gov. Msg. No. 290):

By unanimous consent, action on Stand. Com. Rep. No. 895-82 and Gov. Msg. No. 290, nomination of James F. Gary to the Board of Regents, University of Hawaii, was deferred until Wednesday, April 21, 1982.

Standing Committee Report No. 896-82 (Gov. Msg. No. 290):

By unanimous consent, action on Stand. Com. Rep. No. 896-82 and Gov. Msg. No. 290, nomination of Kenneth K. Kato to the Board of Regents, University of Hawaii, was deferred until Wednesday, April 21, 1982.

Standing Committee Report No. 897-82 (Gov. Msg. No. 291):

Senator Cobb moved that Stand. Com. Rep. No. 897-82 be received and placed on file, seconded by Senator Yee and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations of Robert M. Ota, Simon Schneiderman, Ph.D., and Brian K. Minaai to the Board of Directors, Research Corporation, University of Hawaii, terms to expire December 31, 1985, seconded by Senator Yee.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

MATTERS DEFERRED FROM APRIL 19, 1982

Standing Committee Report No. 871-82 (S.R. No. 23):

On motion by Senator Young, seconded by Senator Holt and carried, Stand. Com. Rep. No. 871-82 was adopted and S.R. No. 23, entitled: "SENATE RESOLUTION URGING THE COUNTIES TO DEVELOP COST WRITE-DOWN PROGRAMS TO ENCOURAGE CONSTRUCTION OF AFFORDABLE RENTAL HOUSING," was adopted.

Standing Committee Report No. 872-82 (S.R. No. 51):

On motion by Senator Young, seconded by Senator Holt and carried, Stand. Com. Rep. No. 872-82 was adopted and S.R. No. 51, entitled: "SENATE RESOLUTION REVIEW OF ACTION TAKEN BY THE HAWAII HOUSING AUTHORITY ON LAND EXCHANGES," was adopted.

Standing Committee Report No. 873-82 (S.R. No. 120):

On motion by Senator Young, seconded by Senator Holt and carried, Stand. Com. Rep. No. 873-82 was adopted and S.R. No. 120, entitled: "SENATE RESOLUTION URGING THE GOVERNOR TO ESTABLISH A STATEWIDE POLICY REQUIRING HOUSING PROJECTS ON PUBLIC LANDS TO INCLUDE AFFORDABLE HOUSING," was adopted.

Standing Committee Report No. 874-82 (S.R. No. 91):

Senator Young moved that Stand. Com. Rep. No. 874 be adopted and S.R. No. 91 be adopted, seconded by Senator Holt.

Senator Kawasaki then rose to speak against the resolution and stated:

"Mr. President, I rise to speak against Senate Resolution 91 and Senate Concurrent Resolution No. 65.

"I think that while the resolutions are well-intended, instructions via the resolutions to the counties to say that they should adopt ordinances to insure construction of affordable housing in conjunction with new developments, I think, should also have some admonition to the counties to also adopt some changes in their county laws that will enable developers and people who provide housing to conform to our request that they present to the housing market homes that are affordable by the majority of our population.

"It is one thing to command the developers and the contractors to provide affordable housing; it's another thing to have the counties, also, to streamline their plans, avoid unnecessary delays, all of which add to the cost of housing for the ordinary consumer.

"I would think that the resolutions should be expanded to give this kind of instructions to county governments. This, to me, is too one-sided in the way of instructions to the developers, contractors...these people to provide affordable housing.

"We say nothing to the counties to streamline their operations, to perhaps liberalize some of their requirements for improvements, etc. so that in effect the net result would be lower priced homes for most of the people who today can't afford houses at today's prices."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 874-82 was adopted and S.R. No. 91, entitled: "SENATE RESOLUTION URGING THE COUNTIES TO ADOPT ORDINANCES TO ENSURE CONSTRUCTION OF AFFORDABLE HOUSING IN CONJUNCTION WITH NEW DEVELOPMENTS," was adopted on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Kawasaki).
Excused, 3 (Anderson, Campbell and Yamasaki).

Standing Committee Report No. 875-82 (S.C.R. No. 65):

On motion by Senator Young, seconded by Senator Holt and carried, the report of the Committee was adopted and S.C.R. No. 65, entitled: "SENATE CONCURRENT RESOLUTION URGING THE COUNTIES TO ADOPT ORDINANCES TO ENSURE CONSTRUCTION OF AFFORDABLE HOUSING IN CONJUNCTION WITH NEW DEVELOPMENTS," was adopted on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Kawasaki).
Excused, 3 (Anderson, Campbell and Yamasaki).

Standing Committee Report No. 879-82 (S.C.R. No. 71, S.D. 1):

On motion by Senator Soares, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.C.R. No. 71, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION CONCERNING AN AD HOC COMMITTEE TO STUDY AND SUBMIT AMENDMENTS TO CHAPTER 269 OF THE HAWAII REVISED STATUTES RELATING TO PUBLIC UTILITIES," was adopted.

Standing Committee Report No. 884-82 (H.C.R. No. 117, S.D. 1):

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.C.R. No. 117, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION COMMEMORATING THE TENTH ANNIVERSARY OF THE PASSAGE OF THE EQUAL RIGHTS AMENDMENTS IN THE STATE OF HAWAII," was adopted on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Kawasaki).
Excused, 3 (Anderson, Campbell and Kawasaki).

Standing Committee Report No. 885-82 (S.R. No. 65, S.D. 1):

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.R. No. 65, S.D. 1, entitled: "SENATE RESOLUTION REGARDING THE EQUAL RIGHTS AMENDMENT TO THE HAWAII STATE CONSTITUTION AND RATIFICATION OF THE PROPOSED AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES PROVIDING FOR EQUAL RIGHTS UNDER THE LAW WITHOUT REGARD TO SEX," was adopted on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Kawasaki).
Excused, 3 (Anderson, Campbell and Kawasaki).

Standing Committee Report No. 898-82 (S.R. No. 39, S.D. 1):

On motion by Senator Saiki, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.R. No. 39, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE UNIVERISTY OF HAWAII TO MONITOR FEDERAL FINANCIAL AID CUTBACKS AND TO ASSESS THE IMPACT ON STATE FINANCIAL AID PROGRAMS," was adopted.

Standing Committee Report No. 899-82 (S.R. No. 40):

On motion by Senator Saiki, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.R. No. 40, entitled: "SENATE RESOLUTION REQUESTING THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII TO ASSESS THE CURRENT STUDENT TUITION STRUCTURE," was adopted.

Standing Committee Report No. 900-82 (S.C.R. No. 64):

On motion by Senator Saiki, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.C.R. No. 64, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII TO ASSESS THE CURRENT STUDENT TUITION STRUCTURE," was adopted.

Standing Committee Report No. 901-82 (S.R. No. 64, S.D. 1):

On motion by Senator Saiki, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.R. No. 64, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO EXPLORE ALTERNATIVE MEANS OF ASSURING THE CONTINUANCE OF CAMPUS SUMMER SESSIONS," was adopted.

THIRD READING

House Bill No. 2971-82:

On motion by Senator Cobb, seconded by Senator Yee and carried, H.B. No. 2971-82, entitled: "A BILL FOR AN ACT RELATING TO STATE POLICY CONCERNING THE UTILIZATION OF VOLUNTEER SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

House Bill No. 1521, H.D. 1:

By unanimous consent, action on

H.B. No. 1521, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAKE-OVER BIDS," was deferred until Wednesday, April 21, 1982.

House Bill No. 2027-82:

On motion by Senator Cobb, seconded by Senator Yee and carried, H.B. No. 2027-82, entitled: "A BILL FOR AN ACT RELATING TO PEDDLING CAKE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

House Bill No. 2031-82:

On motion by Senator Cobb, seconded by Senator Yee and carried, H.B. No. 2031-82, entitled: "A BILL FOR AN ACT RELATING TO COUNTY LICENSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

House Bill No. 3053-82, H.D. 1:

On motion by Senator Cobb, seconded by Senator Yee and carried, H.B. No. 3053-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

House Bill No. 2071-82, H.D. 1:

On motion by Senator Cobb, seconded by Senator Yee and carried, H.B. No. 2071-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION; AMENDING OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES FOR THE PURPOSE OF CORRECTING ERRORS, CLARIFYING LANGUAGE, CORRECTING REFERENCES, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

House Bill No. 1944-82:

By unanimous consent, action on H.B. No. 1944-82, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CODE OF MILITARY JUSTICE," was

deferred until Wednesday, April 21, 1982.

Standing Committee Report No. 835-82 (Gov. Msg. No. 211):

Senator Kawasaki moved that Stand. Com. Rep. No. 835-82 be received and placed on file, seconded by Senator Kuroda and carried.

Senator Kawasaki then moved that the Senate advise and consent on the nominations of Les S. Ihara, Sr., and Roy M. Seki to the Civil Defense Advisory Council, terms to expire December 31, 1985, seconded by Senator Kuroda.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

At 12:25 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:26 o'clock p.m.

House Bill No. 2447-82:

On motion by Senator Cobb, seconded by Senator Yee and carried, H.B. No. 2447-82, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DISPENSING OPTICIANS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

House Bill No. 2197-82, H.D. 1:

On motion by Senator Cobb, seconded by Senator Yee and carried, H.B. No. 2197-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DENTAL EXAMINERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

House Bill No. 2194-82:

On motion by Senator Cobb, seconded by Senator Yee and carried, H.B. No. 2194-82, entitled: "A BILL FOR AN ACT RELATING TO BOARDS AND COMMISSIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

House Bill No. 2026-82, H.D. 1:

On motion by Senator Cobb, seconded by Senator Yee and carried, H.B. No. 2026-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SHOWS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

House Bill No. 2196-82, H.D. 1:

On motion by Senator Cobb, seconded by Senator Yee and carried, H.B. No. 2196-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONTRACTORS LICENSE LAW," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

FINAL READING

Senate Bill No. 2696-82, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Yee and carried, S.B. No. 2696-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER COOPERATIVE ASSOCIATIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

Senate Bill No. 397, S.D. 2, H.D. 2:

By unanimous consent, action on S.B. No. 397, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Wednesday, April 21, 1982.

Senate Bill No. 2624-82, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Yee and carried, S.B. No. 2624-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GRAND JURY COUNSEL," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Campbell and Yamasaki).

MISCELLANEOUS COMMUNICATIONS

The following miscellaneous communications (Misc. Com. Nos. 4 to 6) were read by the Clerk and were disposed of as follows:

A communication from Edward R. Fleischman, Acting Director, Office of Program Analysis, U.S. Department of Transportation (Misc. Com. No. 4), dated April 20, 1982, transmitting copies of the Final Environmental Impact Statement (EIS) which documents the environmental impacts of the various alternative transit systems studied for central Honolulu, entitled: "Honolulu Area Rail, Rapid Transit Project," was referred to the Committee on Transportation.

A communication from the Department of Transportation, City and County of Honolulu (Misc. Com. No. 5), transmitting copies of a supplemental document to the U.S. Department of Transportation's Final Environmental Impact Statement for the Honolulu Area Rail Rapid Transit Project, was referred to the Committee on Transportation.

A communication from Arthur S.K. Fong, Judge, Circuit Court of the First Circuit, (Misc. Com. No. 6), dated April 19, 1982, expressing appreciation for the consideration given by the members of the Senate on his nomination to the Hawaii State Intermediate Court of Appeals, was placed on file.

At this time, Senator Kawasaki rose to speak on a point of personal privilege and stated:

"Mr. President, I would like to respond to the letter from Judge Fong.

"Mr. President, I regret that Judge Fong's name was withdrawn. As you well know, I was one of those supporting Arthur Fong for a position on the Intermediate Court of Appeals. I appreciated the fact that he was a hard-working judge who really worked like a 'Trojan' to handle the motions calendar.

"I think if we were to exercise the kind of diligence that we did in this particular case in our assessment of a judge candidate in the past we would have a better caliber of judges sitting on the benches today. Perhaps this sets a tone for all future examination of judge candidates and there's one end...bottom line result of this particular controversy.

"This substantiates some of the concerns that we had that perhaps the Judicial Selection Commission system, which enables that commission to send

a list of several names to the Governor from which he selects one...the system which disallows the Senate, the confirmation body, from examining...let's assume the Selection Commission sends five names to the Governor for the Governor to select one name to fill one vacancy...the system today disallows us to examine all five names so we can examine the name presented to us by the Governor together with the other four that he may not have chosen from.

"The present system which does not give us information on the entire list of names submitted by the Selection Commission to the Governor gives us little chance to make comparisons. We can only pass judgment on just one name submitted to us by the Governor with no chance to see how he stacks up against the other four names sent to the Governor. Perhaps we should take strong initiative to change this system...that all four names or five names or six names submitted to the Governor would be available at least to the confirming body, the Senate.

"Perhaps we should expend some energy in this regard to change the system that precludes us from examining all the candidates whose names had been submitted to the Governor."

Senator Carpenter also rose on a point of personal privilege and stated:

"Mr. President, I rise on the same personal privilege as the previous speaker in response to his remarks and in response to the letter received from Judge Fong.

"Mr. President, in the process of the past four weeks in the evaluation of Judge Fong's nomination, Judge Fong's performance as motions judge was presented to us and his hard work and diligence in addressing the task of deciding numerous motions in those cases impressed all of us.

"I don't think there was ever a question that he is a hard worker, as expressed by the testimony of his staff and the lawyers before him. Unfortunately, other concerns going to judicial conduct and the question of judicial aura, requiring that integrity to be above reproach, remained with a majority of the members of this Senate.

"Mr. President, this community expects judges to adhere stringently to a judicial code of conduct and it is in both with respect to work and the code of conduct that the judge must be accountable. The Senate can accept no less. Thank you."

Senator Cobb also rose on a point of personal privilege and stated:

"Mr. President, on the same point of personal privilege, I think a review and change within the selection process by the Judicial Selection Commission is in order, if not for the publicity of the names, at least for the review process and a chance for the community, both legal as well as public, to react to a proposed name.

"I think a lot of grief could have been saved had there been some objections made known much earlier to the Selection Commission long before the name was ever submitted to the Governor.

"I would like to note, also, last night while this matter was still pending, I had a chance to review and read the Canons of Judicial Ethics and I find that several members of the Appellate Court as well as the Hawaii Supreme Court violated Canon 2 of the Judicial Ethics Code when they testified as a character witness and Canon 2 specifically prohibits a sitting judge from testifying as a character witness.

"I know there is an outpouring of support and an outpouring of emotion, but I think not only the review process needs to be looked at, but also how we go about the entire selection of judges from the commission level on up. Thank you."

Senator Yee then added: "Mr. President, just a brief comment regarding Judge Fong.

"I think we can all commend Judge Fong for taking the position that he has taken this morning by writing to the Senate and explaining his concern and his behavior. This is a very courageous act for him to do. I think he will continue to be a good judge."

Senator Cayetano then said: "Mr. President, I hope the members of this body will subject their own conduct to the same kind of scrutiny we subjected Judge Fong."

At this time, Senator Uwaine, Chairman of the Committee on Human Resources, requested a waiver of the 48-hour notice of a Public Hearing on the following measure:

S.B. No. 2759-82, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES AND MAKING AN APPROPRIATION THEREFOR,"

and the President granted the waiver.

Senator Cayetano then rose on a point of personal privilege and stated:

"Mr. President, in the last few days, members of the Ways and Means Committee in conference with the Finance Committee have been giving the budget close, close scrutiny. We've had long hours of debate, give and take on a number of items. One of the issues which is being addressed in the budget is the question of the reliever airport. As you know, the House and the Senate appear to be in agreement on the site. Both have agreed to Dillingham Field as the reliever airport. Therefore, Mr. President, I was shocked and stunned this morning to read in the Honolulu Advertiser remarks of the Director of Transportation regarding funding for Dillingham Field.

"According to the article written by Jerry Burris, the director said that it would be futile for the Legislature to vote for a small plane reliever airport at Dillingham Airfield because the administration won't spend the money to build one there. Specifically, the Director of Transportation is quoted as saying, and I quote:

'Given the determination by the Federal Aviation Administration that Dillingham does not meet the criteria for a reliever airport, it would be futile for the state to pursue this alternative. Therefore, the Department would not seek the release of any funds designated for the development of Dillingham as a general aviation reliever airport.'

The article goes on to say, '...if the FAA holds fast in its opinion that Dillingham is unsuitable, it theoretically could ask for the return of some \$114.7 million in federal airport grants given to Hawaii over the years. Higashionna went on to say that even the return of dollars for active projects would add to some \$25.9 million.'

"Mr. President, I'm very disappointed and feel some frustration and anger that the administration through its Director of Transportation has taken this attitude. I always was under the impression, Mr. President, that it was never the Governor's policy...and I believe he has stated this publicly...to threaten the Legislature on issues with a veto.

"Perhaps from the remarks made in the paper it is not the Governor that is doing this, but instead his department head. In any event, I think the administration should make itself very, very clear as to what it intends to do.

"If the Governor intends to veto

the appropriation, we should know about it. If the Governor does not intend to veto the appropriation, then if the Legislature puts the appropriation into the budget and sets the policy that Dillingham Airfield should be the reliever airport the Governor should do all that he can in his power as the executive of this state to follow and implement that policy.

"I'm very, very disappointed that this is the kind of attitude that has been taken. This attitude also manifests a deference to the Federal Government which I find very, very patronizing; but it's been going on for years. This state continually defers to the judgment of the Federal Government as if it is straight from the Bible or gospel.

"We are not without recourse to decisions made by the federal bureaucrats, and if we are not without recourse to such decisions we should do whatever it takes to address that situation. The logic followed by the Department of Transportation in its thinking on this matter, I find incredible. If the Department wants to cite the FAA as an authority for the proposition that Dillingham Field is unsuitable as a reliever airport, then the Department of Transportation should be consistent, and also cite the FAA as an authority that the Honolulu International Airport is not unsafe; that as far as the FAA is concerned Honolulu International Airport is safe.

"If that is the case, if we are going to accept the FAA as an authority on those matters then perhaps the alternative would be for us not to provide any funding at all for any airport.

"In our world here as policymakers, it seems to me that we cannot help but come to the conclusion that some of the things that we have done over the years and the Department of Transportation's reaction to the things that we have done indicates that there is a tremendous lack of imagination and innovation in the Department of Transportation.

"It is true that the FAA has ruled or has decided that the Honolulu International Airport is not unsafe. Those who are familiar with the rules know that if the airport is not being unsafe, then the state does not have the authority to discriminate against classes of aircraft and does not have the authority, therefore, to exclude certain classes of aircraft from using Honolulu International Airport. That is where the FAA is coming from.

"We should take this into account

and go ahead and build Dillingham Airport as a reliever airport and the one way we can get the general aviation people to move to Dillingham is by making it economically feasible for them to do so...to build economic incentives for them to move, and this will mean on the contrary side, of course, imposing economic disincentives for that kind of aircraft to stay at Honolulu International Airport.

"I hate to be repetitive on this thing, but I'm going to say it again because it's been said time and time again by those who have served as chairman of the Transportation Committee. General aviation at Honolulu International Airport at this time is getting a free ride; they don't pay any landing fees, but the large aircrafts do. That, in my opinion, is a form of discrimination. Therefore, landing fees which are reasonable and comparable to other airports for that kind of aircraft should be imposed. Once that happens there will be a greater incentive for them to go to the other alternative airfield which in this case we have deemed to be Dillingham Airfield.

"General aviation right now at Honolulu International Airport pays very, very low rent. The hangar rentals are unreasonably low. That problem should be addressed.

"The other thing is that general aviation at Honolulu International Airport right now is not limited because the state administration has not taken steps to limit the number of tie-down spaces. Pure logic would dictate that if there are only 'x' number of spaces for general aviation at Honolulu International Airport, then new general aviation...those who wish to purchase or become engaged in general aviation activities thereafter...will have to find other places to go; and this will mean, of course, Dillingham Airfield.

"I hope the administration will reconsider its attitude in this matter. I'm very, very disappointed, again, that the Governor has seen fit to...the administration has seen fit, through Mr. Higashionna, to take this position. Perhaps if we can clear this matter up with the Governor, and if he in fact is going to take the position that Dillingham Field will not be the second general aviation airport, then maybe when we go to conference tonight the position in the budget for any airport is not necessary."

At 12:47 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:49 o'clock p.m.

The Chair, at this time, made the following announcements:

"First, the Chair discharges the Senate conferees on House bills where the House has reconsidered its disagreement to the Senate amendments. If there be no objection, so ordered.

"Second, according to our timetable agreed to between the Senate and the House, tonight at midnight is the deadline for decking of conference committee reports.

"I hope all conferees are working hard to meet the deadline. I'm really looking forward to the Legislature adjourning sine die on Friday, and am very hopeful that the conferees will settle their differences tonight."

There being no objection, the President discharged the Managers on the part of the Senate appointed pursuant to the disagreement of the House to the amendments proposed by the Senate to the following House Bills: No. 329, H.D. 1; No. 765, H.D. 2; No. 2640-82, H.D. 1; and No. 2336-82, H.D. 2.

RE-REFERRAL OF
SENATE CONCURRENT RESOLUTION

The President re-referred Senate Concurrent Resolution No. 17 which was offered on Wednesday, February 17, 1982, to the Committee on Education.

RE-REFERRAL OF
SENATE RESOLUTION

The President re-referred Senate Resolution No. 27 which was offered on Wednesday, February 17, 1982, to the Committee on Education.

At 12:55 o'clock p.m., on motion by Senator Cobb, seconded by Senator Saiki and carried, the Senate stood in recess for the purpose of receiving Conference Committee Reports on bills for Final Reading.

ADJOURNMENT

At 12:00 o'clock midnight the Senate adjourned until 11:30 o'clock a.m., Wednesday, April 21, 1982.

FIFTY-EIGHTH DAY

Wednesday, April 21, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 12:00 o'clock noon, with the President in the Chair.

The Divine Blessing was invoked by the Reverend Seiko Okahashi of the Honpa Hongwanji Mission of Hawaii, after which the Roll was called showing all Senators present with the exception of Senator Yee who was excused.

The President announced that he had read and approved the Journal of the Fifty-Seventh Day.

At this time the following introductions were made to the members of the Senate:

Senator Kawasaki, on behalf of the Senate, introduced the newly assigned Consul General of Japan, Consul General Mitsuo Donowaki.

Senator Uwayne, on behalf of the Senators from the Sixth Senatorial District, introduced a group of 60 fifth and sixth graders from Royal Elementary School, accompanied by their teachers, Ms. Sodehara and Ms. Tanaka.

Senator Young then rose and stated:

"Mr. President, it gives me great pleasure to introduce to you and to this body, one of Japan's leading fashion designers. His fashion design achievements have been internationally acclaimed. He is also the exclusive dress designer for Her Imperial Highness, Crown Princess Michiko.

"He will be presenting his fashion collection debut to the people of Hawaii at the Japanese Women's Society Fashion Show to be held on May 2nd. The proceeds from this event will be donated to the Kuakini Medical Center Care Home.

"Mr. President, and members of the Senate, may I present to you at this time, Mr. Jun Ashida. Mr. Ashida made a special trip from Japan to receive a House Resolution and is to be honored by the Senate with a certificate of recognition. Accompanying Mr. Ashida is his overseas business manager, Mr. Paul Jeffers from England. Also here on the floor are Mrs. Ruth Tamanaha, Chairman of the Japanese Women's Society Fashion Show, Mrs. Ruth Ono, the President of the Japanese Women's Society, and, up in the gallery, several members of the Japanese Women's Society."

At 12:09 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:15 o'clock p.m.

At this time Senator Abercrombie rose and stated:

"Mr. President, I have a special treat. I said yesterday, when I made the presentation of a certificate, that it was a lot of fun. Today I think is one of those days when despite everything, you're glad to be a legislator because you can do something that's going to give you a lot of pleasure.

"Just recently, I had the opportunity, while perusing a favorite publication of mine, to run across the name of a gentleman whom I've had the pleasure of seeing on the screen-- unfortunately, never having seen him on the stage. But we're very fortunate to have his brother in this body and I am fortunate to have him sitting next to me these past years in the Senate. And so, I would like to share with you, and share with him for the first time inasmuch as he is being surprised by this, the opportunity to know a little about Kevin O'Connor.

"Senator Dennis O'Connor has had the opportunity to be with him most of his life and knows better than anyone here what a fine actor his brother Kevin is. He has been honored recently in New York City with the opening of a new play to a point where it looks as if the many years that he has been known as an actor's actor is going to be paying off for him in the world of theater.

"And so, for Mr. Kevin O'Connor, in recognition of his excellence in his theatrical accomplishments, including origination of over 300 roles, and his widespread recognition of the film world including New York and Hollywood and at last, the recognition in New York City of the tremendous acting ability that he has... the recognition of his peers and public, I'd like to make a presentation to Kevin O'Connor through his brother Dennis O'Connor today, and I hope he will send our good wishes on to New York City with this certificate."

Senator Cayetano then rose and

stated:

"Mr. President, if I may add a few words. I'm sure we all recognize what a fine actor Kevin O'Connor is, but I think I disagree with Senator Abercrombie that he is a finer actor than his brother Dennis."

Senator O'Connor then rose and stated:

"Mr. President, obviously, I have to say something.

"First of all, my mother will just be delighted. I'm going to take this home and give it to her instead of giving it to my brother and send him a xerox copy.

"I am fortunate in having a brother who is an actor. I've seen him on the stage in New York and he is very, very good. As Senator Abercrombie said, he has recently had two plays written up extensively across the country and I know that he will be 'tickled pink,' as we say, to have this certificate and I'm sure that he would thank Senator Abercrombie with great words of joy.

"Thank you."

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 321 and 322) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 321), submitting for consideration and confirmation to the Hawaii Public Employment Relations Board, the nominations of James Carras and Mack H. Hamada, terms to expire six years from the appointment date, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 322), informing the Senate that on April 20, 1982, he signed the following bills into law:

H.B. No. 1964-82 as Act 4, entitled: "RELATING TO VITAL STATISTICS";

H.B. No. 2178-82 as Act 5, entitled: "RELATING TO AQUATIC RESOURCES AND WILDLIFE";

H.B. No. 2208-82 as Act 6, entitled: "RELATING TO THE USE OF QUALIFIED STATE APPRAISERS AS WELL AS INDEPENDENT APPRAISERS TO DETERMINE THE VALUE OF REMNANTS";

H.B. No. 2333-82 as Act 7, entitled:

"RELATING TO THE LEGISLATIVE REFERENCE BUREAU";

H.B. No. 2507-82 as Act 8, entitled: "RELATING TO TRIALS";

H.B. No. 2822-82 as Act 9, entitled: "RELATING TO OFFENSES RELATED TO DRUGS AND INTOXICATING COMPOUNDS;" and

H.B. No. 2934-82 as Act 10, entitled: "RELATING TO THE HAWAII BANK ACT OF 1931,"

was placed on file.

CONFERENCE COMMITTEE REPORTS

Senator Soares, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2230-82, H.D. 1, presented a report (Conf. Com. Rep. No. 68-82) recommending that H.B. No. 2230-82, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on H.B. No. 2230-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICITY GENERATED FROM NON-FOSSIL FUELS," was deferred for a period of 48 hours.

Senator George, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2092-82, H.D. 2, presented a report (Conf. Com. Rep. No. 69-82) recommending that H.B. No. 2092-82, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on H.B. No. 2092-82, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SAFETY RESPONSIBILITY ACT," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 544, S.D. 2, presented a report (Conf. Com. Rep. No. 70-82) recommending that S.B. No. 544, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on S.B.

No. 544, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1287, S.D. 1, presented a report (Conf. Com. Rep. No. 71-82) recommending that S.B. No. 1287, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on S.B. No. 1287, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2269-82, S.D. 2, presented a report (Conf. Com. Rep. No. 72-82) recommending that S.B. No. 2269-82, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on S.B. No. 2269-82, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A CRIMINAL JUSTICE TRAINING FUND," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2926-82, S.D. 1, presented a report (Conf. Com. Rep. No. 73-82) recommending that S.B. No. 2926-82, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on S.B. No. 2926-82, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RELEASE OF MATCHING STATE FUNDS," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2955-82, S.D. 2, presented a report (Conf. Com. Rep. No. 74-82) recommending that S.B. No. 2955-82, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on S.B. No. 2955-82, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES," was deferred for a period of 48 hours.

Senator Carpenter, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 3092-82, H.D. 1, presented a report (Conf. Com. Rep. No. 75-82) recommending that H.B. No. 3092-82, H.D. 1, S.D. 1, C.D. 1, as amended in C.D. 2, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on H.B. No. 3092-82, H.D. 1, S.D. 1, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," was deferred for a period of 48 hours.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 974-82) informing the Senate that Conference Committee Report Nos. 8-82 to 67-82, Standing Committee Report Nos. 919-82 to 973-82, Governor's Message No. 321 and Standing Committee Report Nos. 975-82 to 977-82 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator George, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 975-82) recommending that Senate Resolution No. 99, as amended in S.D. 1, be adopted.

On motion by Senator George, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.R. No. 99, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONTINUE TO REVIEW OCCUPANT RESTRAINT PROGRAM EXPERIENCE RECEIVED FROM OTHER JURISDICTIONS AND AGENCIES," was adopted.

Senator George, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 976-82) recommending that Senate Resolution No. 131, as amended in S.D. 1, be adopted.

On motion by Senator George, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.R. No. 131, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE STATE AND THE COUNTY OF HAWAII TO CONTINUE DISCUSSIONS REGARDING THE SADDLE ROAD," was adopted.

Senator George, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 977-82) recommending that Senate Concurrent Resolution No. 84, as amended in S.D. 1, be adopted.

On motion by Senator George, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.C.R. No. 84, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE AND THE COUNTY OF HAWAII TO CONTINUE DISCUSSIONS REGARDING THE SADDLE ROAD," was adopted.

ORDER OF THE DAY

FINAL READING

Conference Committee Report No. 1-82 (H.B. No. 3092-82, H.D. 1, S.D. 1, C.D. 1):

Senator Carpenter moved that Conf. Com. Rep. No. 1-82 and H.B. No. 3092-82, H.D. 1, S.D. 1, C.D. 1, be recommitted to the Committee on Conference, seconded by Senator Cobb.

Senator Carpenter then stated:

"Mr. President, just a brief explanation. The intent is to take it back to conference and report it back as soon as a modification is made to this measure."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 1-82 and H.B. No. 3092-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," was recommitted to the Committee on Conference.

At 12:20 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:23 o'clock p.m.

Conference Committee Report No. 2-82 (S.B. No. 2642-82, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 2-82 was adopted and S.B. No. 2642-82, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUVENILE JUSTICE INTERAGENCY BOARD," having been read throughout,

passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ajifu and Yee).

Conference Committee Report No. 3-82 (H.B. No. 2585-82, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 3-82 was adopted and H.B. No. 2585-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (O'Connor). Excused, 2 (Ajifu and Yee).

Conference Committee Report No. 4-82 (H.B. No. 2215-82, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 4-82 was adopted and H.B. No. 2215-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ajifu and Yee).

Conference Committee Report No. 5-82 (S.B. No. 2379-82, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 5-82 was adopted and S.B. No. 2379-82, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ajifu and Yee).

THIRD READING

House Bill No. 2096-82, H.D. 2:

By unanimous consent, action on H.B. No. 2096-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NONRESIDENT VEHICLE PERMITS," was deferred until Thursday, April 22, 1982.

House Bill No. 2149-82:

By unanimous consent, action

on H.B. No. 2149-82, entitled: "A BILL FOR AN ACT RELATING TO BRANDS AND AMENDING SECTION 142-41, HAWAII REVISED STATUTES," was deferred until Thursday, April 22, 1982.

House Bill No. 2158-82, H.D. 1:

By unanimous consent, action on H.B. No. 2158-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL OBLIGATION BONDS OF THE STATE OF HAWAII," was deferred until Thursday, April 22, 1982.

House Bill No. 2163-82:

By unanimous consent, action on H.B. No. 2163-82, entitled: "A BILL FOR AN ACT RELATING TO THE EXECUTIVE DEPARTMENTS," was deferred until Thursday, April 22, 1982.

House Bill No. 2166-82, H.D. 1:

By unanimous consent, action on H.B. No. 2166-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY/STATE HOSPITAL SYSTEM," was deferred until Thursday, April 22, 1982.

House Bill No. 2271-82, H.D. 1:

By unanimous consent, action on H.B. No. 2271-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEASES OF PUBLIC LANDS," was deferred until Thursday, April 22, 1982.

House Bill No. 2445-82:

By unanimous consent, action on H.B. No. 2445-82, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT (MODIFIED)," was deferred until Thursday, April 22, 1982.

House Bill No. 2564-82, H.D. 1:

By unanimous consent, action on H.B. No. 2564-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CREATION OF SPECIAL HANDLING FEES FOR REVIEW OF CORPORATION AND PARTNERSHIP DOCUMENTS," was deferred until Thursday, April 22, 1982.

House Bill No. 2684-82, H.D. 1:

By unanimous consent, action on H.B. No. 2684-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY," was deferred until Thursday, April 22, 1982.

House Bill No. 3121-82, H.D. 2:

By unanimous consent, action on H.B. No. 3121-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE AND COUNTY HOUSING LOAN PROGRAMS," was deferred until Thursday, April 22, 1982.

House Bill No. 3133-82, H.D. 2:

By unanimous consent, action on H.B. No. 3133-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE FUNDING OF COUNTY EMERGENCY MEDICAL SERVICES DEFICITS," was deferred until Thursday, April 22, 1982.

Standing Committee Report No. 862-82 (H.B. No. 2010-82):

By unanimous consent, action on Stand. Com. Rep. No. 862-82 and H.B. No. 2010-82, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR," was deferred until Thursday, April 22, 1982.

House Bill No. 3109-82, H.D. 1:

By unanimous consent, action on H.B. No. 3109-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," was deferred until Thursday, April 22, 1982.

House Bill No. 2017-82, H.D. 1:

By unanimous consent, action on H.B. No. 2017-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REGULATION OF EMPLOYMENT AGENCIES," was deferred until Thursday, April 22, 1982.

House Bill No. 2220-82, H.D. 1:

By unanimous consent, action on H.B. No. 2220-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REGULATION OF EMPLOYMENT AGENCIES," was deferred until Thursday, April 22, 1982.

House Bill No. 2451-82:

By unanimous consent, action on H.B. No. 2451-82, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING," was deferred until Thursday, April 22, 1982.

House Bill No. 2811-82:

By unanimous consent, action on H.B. No. 2811-82, entitled: "A BILL FOR AN ACT RELATING TO

THE COMPOSITION OF THE BOARD OF TRUSTEES FOR THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII," was deferred until Thursday, April 22, 1982.

House Bill No. 725:

By unanimous consent, action on H.B. No. 725, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," was deferred until Thursday, April 22, 1982.

MATTERS DEFERRED
FROM APRIL 20, 1982

Senate Concurrent Resolution No. 3, S.D. 2, H.D. 1:

On motion by Senator Henderson, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 3, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Henderson, Chairman, Abercrombie, Vice-Chairman, Ajifu, Cayetano, George, Kobayashi, Saiki, Yee, Kuroda and Young as Managers on the part of the Senate at such conference.

Senate Concurrent Resolution No. 4, S.D. 2, H.D. 1:

On motion by Senator Henderson, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 4, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Henderson, Chairman, Abercrombie, Vice-Chairman, Ajifu, Cayetano, Kobayashi, Kuroda, George, Saiki, Yee, Kuroda and Young as Managers on the part of the Senate at such conference.

Senate Concurrent Resolution No. 5, S.D. 2, H.D. 1:

On motion by Senator Henderson, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 5, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Henderson, Chairman, Abercrombie, Vice-Chairman, Ajifu, Cayetano, George, Kobayashi, Saiki, Yee, Kuroda and Young as Managers on the part of the Senate at such conference.

Senate Concurrent Resolution No. 6, S.D. 1, H.D. 1:

On motion by Senator Henderson, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 6, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Henderson, Chairman, Abercrombie, Vice-Chairman, Ajifu, Cayetano, George, Kobayashi, Saiki, Yee, Kuroda and Young as Managers on the part of the Senate at such conference.

Senate Concurrent Resolution No. 7, S.D. 2, H.D. 1:

On motion by Senator Henderson, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 7, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Henderson, Chairman, Abercrombie, Vice-Chairman, Ajifu, Cayetano, George, Kobayashi, Saiki, Yee, Kuroda and Young as Managers on the part of the Senate at such conference.

Senate Concurrent Resolution No. 8, S.D. 2, H.D. 1:

On motion by Senator Henderson, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 8, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Henderson, Chairman, Abercrombie, Vice-Chairman, Ajifu, Cayetano, George, Kobayashi, Saiki, Yee, Kuroda and Young as Managers on the part of the Senate at such conference.

Senate Concurrent Resolution No. 9, S.D. 2, H.D. 1:

On motion by Senator Henderson, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 9, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Henderson, Chairman, Abercrombie, Vice-Chairman, Ajifu, Cayetano, George, Kobayashi, Saiki, Yee, Kuroda and Young as Managers on the part of the Senate at such conference.

Senate Concurrent Resolution No. 10, S.D. 2, H.D. 1:

On motion by Senator Henderson, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 10, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Henderson, Chairman, Abercrombie, Vice-Chairman, Ajifu, Cayetano, George, Kobayashi, Saiki, Yee, Kuroda and Young as Managers on the part of the Senate at such conference.

Senate Concurrent Resolution No. 11, S.D. 1, H.D. 1:

On motion by Senator Henderson, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 11, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Henderson, Chairman, Abercrombie, Vice-Chairman, Ajifu, Cayetano, George, Kobayashi, Saiki, Yee, Kuroda and Young as Managers on the part of the Senate at such conference.

Senate Concurrent Resolution No. 12, S.D. 2, H.D. 1:

On motion by Senator Henderson, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 12, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Henderson, Chairman, Abercrombie, Vice-Chairman, Ajifu, Cayetano, George, Kobayashi, Saiki, Yee, Kuroda and Young as Managers on the part of the Senate at such conference.

Senate Concurrent Resolution No. 14, S.D. 2, H.D. 1:

On motion by Senator Henderson, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 14, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Henderson, Chairman, Abercrombie, Vice-Chairman, Ajifu, Cayetano, George, Kobayashi, Saiki, Yee, Kuroda and Young as Managers on the part of the Senate at such conference.

At this time, Senator Anderson rose and stated:

"Mr. President, a point of information, please.

"I'm wondering if maybe the Clerk may have left one off. There are only eleven here. Is there a typographical error here? Have we received only eleven functional plans back?"

The President answered in the affirmative and Senator O'Connor then rose and stated:

"Mr. President, I rise on a point of personal privilege.

"If Senator Anderson would come to our meetings, he'd find out that the Transportation Plan hasn't come over yet."

Senator Anderson then replied:

"I haven't been able to get to Waialae Country Club too much this year."

Senator O'Connor then responded:

"Neither have I, but I certainly haven't travelled around the islands as much either."

Senator Cobb then rose and stated:

"Mr. President, I'd just like to raise the question relative to the disagreement deadline. Is that for bills only, or does it apply to resolutions as well?"

The President replied:

"It applies to everything, Senator Cobb."

Senator Cobb then continued:

"The disagreement deadline agreed upon was April 8, as I recall. This is considerably beyond that and I'm wondering whether an exception is being made or if we've agreed to waive the deadline."

The President then replied:

"No, we are going to go to conference because of the late arrival of the functional plans. I've instructed the chairman to do so. I'd like to keep the plans alive and hope that a solution can be arrived at."

Senator Cobb then stated:

"In short, Mr. President, this represents an extraordinary step by the Senate in an attempt to keep the plans alive even though it's a week past the formal deadline for disagreement."

The President then replied:

"I understand that, Senator Cobb."

Standing Committee Report No. 909-82 (S.R. No. 72, S.D. 1):

Senator Cobb moved that Stand. Com. Rep. No. 909-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that S.R. No. 72, S.D. 1, be adopted, seconded by Senator Anderson.

At this time, Senator Campbell rose and spoke in favor of the adoption of S.R. No. 72, S.D. 1, stating:

"Mr. President, I rise to speak briefly on Senate Resolution No. 72.

"Mr. President, this resolution requests that the University of Hawaii/Hawaii Natural Energy Institute Electric Vehicle Project report on the feasibility of converting gasoline-powered state and county vehicles into electric-powered vehicles.

"Mr. President, before a brief discussion of this resolution, I'd like to congratulate the chairman of the Committee on Ecology, Environment and Recreation for the expeditious and committed manner in which the chairman dealt with the resolution. That committee was advised by the Hawaii Natural Energy Institute that serious consideration be directed toward the gradual conversion to a fleet of electric vehicles through the replacement of obsolete gasoline-powered vehicles with the most advanced models of electric cars. Both Hawaiian Telephone and the Natural Energy Institute conveyed strong optimism at expectation in the advancement of technology in the art of batteries, compulsion systems, charging equipment and the development of the electric cars.

"Mr. President, of all the states in the union, Hawaii is the most dependent on oil import, and since we are well over 2,000 miles from the mainland, supply of oil could be a critical problem if a shortage developed, and it would certainly be serious and critical for Hawaii, although it may be even serious for the mainland, but rather critical for Hawaii. Hawaii could be the first alternate energy self-sufficient state in the union, but a point probably more important than that, Mr. President, is the fact that there is an abundance of alternate energy resources indigenous to Hawaii, such as geothermal and wind, which can easily be used to provide electricity for electric cars at rather low cost.

"At this stage, Mr. President, Hawaii has the cleanest air of any state in the United States, and in order to keep it that way, we need to significantly reduce the number of gasoline-powered engines on the road polluting our air day after day after day. And, in protecting the level of clean air in Hawaii, this state should take the lead, and to me, this means taking action such as converting gasoline-powered cars to electric cars. I urge support of this resolution.

"Thank you."

The motion was put by the Chair and carried, and S.R. No. 72, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE ADOPTION OF ELECTRIC CARS FOR STATE AND COUNTY VEHICLES," was adopted.

Standing Committee Report No. 919-82 (S.R. No. 74, S.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.R. No. 74, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF AMENDING HEALTH INSURANCE POLICIES TO INCLUDE DOCTORS OF CHIROPRACTIC," was referred to the Committee on Legislative Management.

Standing Committee Report No. 920-82 (S.C.R. No. 53, S.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.C.R. No. 53, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF AMENDING HEALTH INSURANCE POLICIES TO INCLUDE DOCTORS OF CHIROPRACTIC," was adopted on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (George and Saiki). Excused, 2 (Ajifu and Yee).

Standing Committee Report No. 921-82 (S.R. No. 102):

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.R. No. 102, entitled: "SENATE RESOLUTION REQUESTING THE ATTORNEY GENERAL TO SEEK A DECLARATORY JUDGMENT OF THE CONSTITUTIONALITY OF A TOTAL PROHIBITION ON TIME SHARING," was adopted.

Standing Committee Report No.

922-82 (S.C.R. No. 72):

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.C.R. No. 72, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL TO SEEK A DECLARATORY JUDGMENT ON THE CONSTITUTIONALITY OF A TOTAL PROHIBITION ON TIME SHARING," was adopted.

Standing Committee Report No. 926-82 (S.C.R. No. 45, S.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.C.R. No. 45, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES' INTENT TO EXPAND THE USE OF CONCESSION AGREEMENTS TO DEVELOP AND OPERATE CAMPING AND CABIN RENTAL FACILITIES IN CERTAIN STATE PARKS," was adopted.

Standing Committee Report No. 927-82 (S.R. No. 95):

Senator Cobb moved that Stand. Com. Rep. No. 927-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that S.R. No. 95 be adopted, seconded by Senator Anderson.

At this time, Senator Kawasaki rose and spoke in favor of S.R. No. 95 stating:

"Mr. President, I rise to speak in favor of our unanimous adoption of Senate Resolution No. 95, contained in Standing Committee Report No. 927-82.

"A few minutes ago, Senator Anderson appeared chagrined over the fact that we have a penchant here to pass non-substantive resolutions and give those resolutions priority over bills with merit. I think that Senate Resolution No. 95, in my judgment, happens to be the exception to that opinion that he holds.

"I think that Senator Abercrombie should be congratulated upon introducing this resolution which, in effect, urges the Congress of the United States and our Administration in Washington to do all it possibly can, to bring about the cessation of this insane nuclear arms race. The resolution, in effect, points out the insanity of this move to

keep on building up our arms, thereby taking away literally billions of dollars for much needed human services programs throughout this country.

"I think this move to urge the cessation of this mad race on both the part of the United States and the Soviet Union is well taken. There's a move afoot in this country today to have some semblance of sanity brought about in this country to stop and to reduce the continued allocation of billions of dollars on both sides for the nuclear race that seems so futile. I think it's important that we give this particular resolution the top priority over any other measure introduced in this Senate and, therefore, urge unanimous adoption of this resolution."

Senator Abercrombie then rose and stated:

"Mr. President, with respect to S.R. No. 95, I would like to indicate that while it stands for itself with respect to the policy of the United States of America, that there can be little doubt that there will soon be a change in leadership in the Soviet Union. If you will, the political maneuvering as such, is already taking place as Mr. Brezhnev would no doubt step down fairly shortly, or may even possibly be incapacitated with illness.

"In any event, it is certain that the debt structure in the Soviet Union at the present time is reaching proportions which it cannot very well sustain. It is also true that within the Soviet Union, that the human services element that was mentioned by Senator Kawasaki is at an extremely low ebb. We are now in a series of five-year plans in the Soviet Union since the Revolution, which find the productivity stature in the Soviet Union declining to the lowest point that it had ever reached since the advent of the Stalinist era.

"We find in the Soviet Union that goods and services being produced in the civilian sector of the economy are in an increasingly low ebb. We find that the military expenditures and the percentage of gross national product in the Soviet Union being devoted to armaments increasing. With this taking place, it is apparent that the world economy, as well as the economies of our two nations, the Soviet Union and the United States of America, are threatened by the circumstances which have been perpetuated

regardless of their origin in political terms with respect to nuclear arms.

"I feel very strongly that if we can take a positive and leading role with respect to reducing the nuclear arms race in this nation at this time, that it will be an encouraging sign to moderate leadership in the Soviet Union which may emerge with the culmination of the Brezhnev regime. It is extremely important that we encourage those elements in the Soviet Union leadership at this time because there is every likelihood in its absence that a situation of anxiety, a situation in which the Soviet leadership would feel it necessary to prove itself in some supposedly tough minded manner would result in further degradation of the human services side, the civilian side of the Soviet economy with attendant propensities for adventurism in foreign policy.

"So, I appreciate Senator Kawasaki's remarks and I want to indicate for the record that this resolution, to the degree that it represents opinion in the State of Hawaii, to the degree that it represents opinion in the United States can have only a beneficial effect, I hope, with respect to a moderating influence as the leadership changes in the Soviet Union.

"Thank you."

The motion was put by the Chair and carried, and S.R. No. 95, entitled: "SENATE RESOLUTION OPPOSING THE NUCLEAR ARMS RACE," was adopted.

Standing Committee Report No. 928-82 (S.R. No. 105, S.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 928-82 was adopted and S.R. No. 105, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO REVIEW AND MODIFY POLICIES AND PROCEDURES RELATING TO THE REGULATION OF TAXI CAB DRIVERS," was adopted.

Standing Committee Report No. 929-82 (S.R. No. 125):

Senator Cobb moved that Stand. Com. Rep. No. 929-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that S.R. No. 125 be adopted, seconded by Senator Anderson.

At this time Senator Abercrombie

rose to ask for a ruling of the Chair as to a possible conflict of interest stating:

"Mr. President, on behalf of Senator O'Connor and myself, I want to request a conflict ruling on Stand. Com. Rep. No. 929-82 and S.R. No. 125, requesting a study of the feasibility of the purchase and use by the state of the Armed Services YMCA. We're both members of the Armed Services YMCA and I don't want to see it purchased."

The President ruled that Senators Abercrombie and O'Connor are not in conflict.

The motion was put by the Chair and carried, and S.R. No. 125, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF THE PURCHASE AND USE BY THE STATE OF THE ARMED SERVICES YMCA," was adopted.

Standing Committee Report No. 930-82 (S.R. No. 138):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 930-82 was adopted and S.R. No. 138, entitled: "SENATE RESOLUTION URGING THE CITY AND COUNTY OF HONOLULU TO ADOPT AN ORDINANCE REQUIRING INSTALLATION OF AN EMERGENCY WARNING SYSTEM IN TAXICABS," was adopted.

Standing Committee Report No. 931-82 (S.R. No. 66):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 931-82 was adopted and S.R. No. 66, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING WITH THE DEPARTMENT OF HEALTH TO DEVELOP A PLAN TO AMEND THE STATE'S MEDICAID PROGRAM TO INCLUDE WAIVERS FOR HOME AND COMMUNITY BASED SERVICES," was adopted.

Standing Committee Report No. 932-82 (S.R. No. 15):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 932-82 was adopted and S.R. No. 15, entitled: "SENATE RESOLUTION REQUESTING THE FEASIBILITY OF ESTABLISHING STATE VETERANS HOMES ON THE ISLANDS OF HAWAII, MAUI, AND KAUAI," was adopted.

Standing Committee Report No.

948-82 (S.R. No. 93):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 948-82 was adopted and S.R. No. 93, entitled: "SENATE RESOLUTION URGING THE ENVIRONMENTAL PROTECTION AGENCY AND THE HAWAII STATE DEPARTMENT OF HEALTH TO CONSIDER REDUCING WATER QUALITY STANDARDS FOR SUGAR PRODUCERS ON HAWAII'S HILO COAST," was adopted.

Standing Committee Report No. 949-82 (S.R. No. 96):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 949-82 was adopted and S.R. No. 96, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONDUCT A STUDY ON CULTURAL LIVE-IN PARKS," was adopted on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (George and Anderson).
Excused, 2 (Ajifu and Yee).

Standing Committee Report No. 950-82 (S.R. No. 103):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 950-82 was adopted and S.R. No. 103, entitled: "SENATE RESOLUTION REQUESTING APPROPRIATE ACTION BY CONGRESS TO PROPOSE AN AMENDMENT TO THE CLEAN WATER ACT (P.L. 92-500) ELIMINATING THE REQUIREMENT OF A NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT (NPDES PERMIT) FOR WATER RELEASES FROM RESERVOIRS," was adopted.

Standing Committee Report No. 951-82 (S.R. No. 94)

Senator Cobb moved that Stand. Com. Rep. No. 951-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that S.R. No. 94 be adopted, seconded by Senator Anderson.

At this time Senator Kuroda rose and stated:

"Mr. President, I'd like to make reference to four resolutions that are before us.

"On page 9, Standing Committee Reports 951 and 952 on Senate Resolution No. 94 and Senate Concurrent Resolution

No. 66, and on page 10, on the same subject with regard to the proposed sale of Fort DeRussy, Standing Committee Reports 955 and 956, on Senate Resolution No. 129 and Senate Concurrent Resolution No. 82.

"I speak in support of the two resolutions on page 10 expressing opposition to the sale of Fort DeRussy. I am going to vote 'no' on the other two which proposes to ask the Federal Government to let Hawaii have 'first crack' if it sells Fort DeRussy. I had a discussion with the chairman and I would like to have this deferred one day for the chairman to probably reconsider and recommit these resolutions with regard to the sale, and if the members of the committee will concur, and inasmuch as we would like to have a stronger resolution go to Washington saying, 'we oppose the sale,' rather than saying, 'please consider Hawaii, if you sell.' We don't like to hint to them that we would like to have them consider selling it.

"So, I would like to ask for a deferment of one day, if the Chair would consider it, and if not, I'll vote 'no' on Senate Resolution 94 and Senate Concurrent Resolution No. 66."

At 12:36 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:38 o'clock p.m.

The motion was put by the Chair and carried, and S.R. No. 94, entitled: "SENATE RESOLUTION REQUESTING THE FEDERAL GOVERNMENT TO GIVE THE STATE OF HAWAII THE FIRST RIGHT TO PURCHASE ANY FEDERAL PROPERTY IN THE FORT DERUSSY AREA IF THE PROPERTY IS OFFERED FOR SALE," was adopted on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Kuroda).
Excused, 2 (Ajifu and Yee).

Standing Committee Report No. 952-82 (S.C.R. No. 66):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 952-82 was adopted and S.C.R. No. 66, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE FEDERAL GOVERNMENT TO GIVE THE STATE OF HAWAII THE FIRST RIGHT TO PURCHASE ANY FEDERAL PROPERTY IN THE FORT DERUSSY AREA IF THE PROPERTY IS FOR SALE," was adopted on the following showing

of Ayes and Noes:

Ayes, 22. Noes, 1 (Kuroda). Excused, 2 (Ajifu and Yee).

Standing Committee Report No. 953-82 (S.R. No. 127):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 953-82 was adopted and S.R. No. 27, entitled: "SENATE RESOLUTION REQUESTING THE EXCHANGE OF PARKS AND RECREATION AREAS, INCLUDING RELATED PERSONNEL, EQUIPMENT AND OTHER RESOURCES BETWEEN THE STATE AND THE CITY AND COUNTY OF HONOLULU," was adopted.

Standing Committee Report No. 954-82 (S.C.R. No. 80):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 954-82 was adopted and S.C.R. No. 80, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE EXCHANGE OF PARKS AND RECREATION AREAS, INCLUDING RELATED PERSONNEL, EQUIPMENT AND OTHER RESOURCES BETWEEN THE STATE AND THE CITY AND COUNTY OF HONOLULU," was adopted.

Standing Committee Report No. 955-82 (S.R. No. 129):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 955-82 was adopted and S.R. No. 129, entitled: "SENATE RESOLUTION EXPRESSING OPPOSITION TO THE FEDERAL GOVERNMENT'S PROPOSAL TO SELL FORT DERUSSY IN HAWAII AND URGING THE PRESIDENT AND CONGRESS OF THE UNITED STATES AND HAWAII'S CONGRESSIONAL DELEGATION TO TAKE APPROPRIATE ACTION TO PREVENT THE SALE OF FORT DERUSSY," was adopted.

Standing Committee Report No. 956-82 (S.C.R. No. 82):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 956-82 was adopted and S.C.R. No. 82, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING OPPOSITION TO THE FEDERAL GOVERNMENT'S PROPOSAL TO SELL FORT DERUSSY IN HAWAII AND URGING THE PRESIDENT AND CONGRESS OF THE UNITED STATES AND HAWAII'S CONGRESSIONAL DELEGATION TO TAKE APPROPRIATE ACTION TO PREVENT THE SALE OF FORT DERUSSY," was adopted.

Standing Committee Report No. 957-82 (S.R. No. 106, S.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 957-82 was adopted and S.R. No. 106, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY INTO THE EXISTING DUTIES AND RESPONSIBILITIES OF THE REAL ESTATE COMMISSION AND TO DEVELOP RECOMMENDATIONS TO IMPROVE THE SERVICES TO LICENSEES AND THE PUBLIC," was adopted.

Standing Committee Report No. 958-82 (S.C.R. No. 74, S.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 958-82 was adopted and S.C.R. No. 74, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY INTO THE EXISTING DUTIES AND RESPONSIBILITIES OF THE REAL ESTATE COMMISSION AND TO DEVELOP RECOMMENDATIONS TO IMPROVE THE SERVICES TO LICENSEES AND THE PUBLIC," was adopted.

Standing Committee Report No. 966-82 (S.R. No. 89):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 966-82 was adopted and S.R. No. 89, entitled: "SENATE RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO TERMINATE ITS PLANS TO ACQUIRE THE RESIDENTIAL LOTS IN THE BLOCK BOUNDED BY MONSARRAT AVENUE, LEAHI AVENUE, NOELA AVENUE, AND PAKI AVENUE FOR USE AS A PART OF KAPIOLANI PARK," was adopted on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (George). Excused, 2 (Ajifu and Yee).

Standing Committee Report No. 967-82 (S.C.R. No. 62):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 967-82 was adopted and S.C.R. No. 62, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO TERMINATE ITS PLANS TO ACQUIRE THE RESIDENTIAL LOTS IN THE BLOCK BOUNDED BY MONSARRAT AVENUE, LEAHI AVENUE, NOELA AVENUE, AND PAKI AVENUE FOR USE AS A PART OF KAPIOLANI PARK," was adopted on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (George). Excused, 2 (Ajifu and Yee).

Standing Committee Report No. 968-82 (S.R. No. 113, S.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 968-82 was adopted and S.R. No. 113, S.D. 1, entitled: "SENATE RESOLUTION URGING THE CITY AND COUNTY DEPARTMENT OF PARKS AND RECREATION AND THE STATE DEPARTMENT OF TRANSPORTATION TO WORK TOGETHER IN RESOLVING THE ISSUE OF ACCESS TO HOOMALUHIA PARK," was adopted.

Standing Committee Report No. 969-82 (S.C.R. No. 77, S.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 969-82 was adopted and S.C.R. No. 77, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE CITY AND COUNTY DEPARTMENT OF PARKS AND RECREATION TO WORK TOGETHER WITH THE STATE DEPARTMENT OF TRANSPORTATION TO WORK TOGETHER IN RESOLVING THE ISSUE OF ACCESS TO HOOMALUHIA PARK," was adopted.

Standing Committee Report No. 972-82 (S.R. No. 132, S.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 972-82 was adopted and S.R. No. 132, S.D. 1, entitled: "SENATE RESOLUTION RELATING TO THE SHORTAGE OF LICENSED NURSES," was adopted.

At this time Senator Anderson rose and stated:

"Mr. President, in retrospect, I'd like to say that this Legislature is great on passing resolutions, not substantive bills."

ADVISE AND CONSENT

Standing Committee Report No. 877-82 (Gov. Msg. No. 283):

By unanimous consent, action on Stand. Com. Rep. No. 877-82 and Gov. Msg. No. 283 was deferred until Thursday, April 22, 1982.

Standing Committee Report No. 878-82 (Gov. Msg. No. 286):

By unanimous consent, action on Stand. Com. Rep. No. 878-82 and Gov. Msg. No. 286 was deferred until Thursday, April 22, 1982.

Standing Committee Report No. 881-82 (Gov. Msg. No. 186):

By unanimous consent, action on Stand. Com. Rep. No. 881-82 and Gov. Msg. No. 186 was deferred until Thursday, April 22, 1982.

Standing Committee Report No. 882-82 (Gov. Msg. No. 187):

By unanimous consent, action on Stand. Com. Rep. No. 882-82 and Gov. Msg. No. 187 was deferred until Thursday, April 22, 1982.

Standing Committee Report No. 889-82 (Gov. Msg. No. 307):

By unanimous consent, action on Stand. Com. Rep. No. 889-82 and Gov. Msg. No. 307 was deferred until Thursday, April 22, 1982.

Standing Committee Report No. 892-82 (Gov. Msg. No. 159):

By unanimous consent, action on Stand. Com. Rep. No. 892-82 and Gov. Msg. No. 159 was deferred until Thursday, April 22, 1982.

Standing Committee Report No. 894-82 (Gov. Msg. No. 290):

By unanimous consent, action on Stand. Com. Rep. No. 894-82 and Gov. Msg. No. 290 was deferred until Thursday, April 22, 1982.

Standing Committee Report No. 895-82 (Gov. Msg. No. 290):

By unanimous consent, action on Stand. Com. Rep. No. 895-82 and Gov. Msg. No. 290 was deferred until Thursday, April 22, 1982.

Standing Committee Report No. 896-82 (Gov. Msg. No. 290):

By unanimous consent, action on Stand. Com. Rep. No. 896-82 and Gov. Msg. No. 290 was deferred until Thursday, April 22, 1982.

Standing Committee Report No. 923-82 (Gov. Msg. Nos. 105, 108, 189, 190, 194, and 195):

Senator Cobb moved that Stand. Com. Rep. No. 923-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of John K. Char, D.D.S., to the Board of Acupuncture, term to expire December 31, 1985,

seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Senator Cobb then moved that the Senate advise and consent to the nomination of Warren J. Makalii to the Board of Cosmetology, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Senator Cobb then moved that the Senate advise and consent to the nomination of Paul R. Hoffmeister to the Board of Acupuncture, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Senator Cobb then moved that the Senate advise and consent to the nominations of Donald F. Kaye and Otto M. Ah Ching to the Board of Barbers, terms to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Senator Cobb then moved that the Senate advise and consent to the nomination of Esther C. Izu to the Board of Cosmetology, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Senator Cobb then moved that the Senate advise and consent to the nominations to the Board of Massage as follows:

George D. Curtis, term to expire December 31, 1985;

John R. Wheat, Jr., term to expire December 31, 1982; and

Ella Kuulei Takenouchi, term to expire December 31, 1985,

seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 924-82 (Gov. Msg. No. 110, 111, 113, 193, 238, 239, and 240):

Senator Cobb moved that Stand. Com. Rep. No. 924-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations of Edward Turner and Francis Y. Yamashiro to the Elevator Mechanics Licensing Board, terms to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Senator Cobb then moved that the Senate advise and consent to the nominations of William B.C. Hee and Kenneth C.W. Kwock to the Board of Registration of Professional Engineers, Architects, Land Surveyors and Landscape Architects, terms to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Senator Cobb then moved that the Senate advise and consent to the nomination of Randall D. Souza to the Motor Vehicle Repair Industry Board, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Senator Cobb then moved that the Senate advise and consent to the nominations of S.R. Schenck, Malcolm T. Koga and Marvin Sagum

to the Contractors License Board, terms to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Senator Cobb then moved that the Senate advise and consent to the nomination of John H. Sakamoto to the Board of Electricians and Plumbers, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Senator Cobb then moved that the Senate advise and consent to the nominations of Armando Q. Rollolazo and Jerry Michael Hiatt to the Board of Registration of Professional Engineers, Architects, Land Surveyors and Landscape Architects, terms to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Senator Cobb then moved that the Senate advise and consent to the nomination of Toru Suzuki to the Motor Vehicle Repair Industry Board, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 925-82 (Gov. Msg. No. 277):

By unanimous consent, action on Stand. Com. Rep. No. 925-82 and Gov. Msg. No. 277 was deferred until Thursday, April 22, 1982.

Standing Committee Report No. 933-82 (Gov. Msg. No. 160):

Senator Cobb moved that Stand. Com. Rep. No. 933-82 be received and placed on file, seconded by Senator Anderson.

Senator Cobb then moved that the Senate advise and consent to the nomination of Walter Nunokawa, Ph.D., to the Advisory Council for Children and Youth, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 934-82 (Gov. Msg. No. 161):

Senator Cobb moved that Stand. Com. Rep. No. 934-82 be received and placed on file, seconded by Senator Anderson.

Senator Cobb then moved that the Senate advise and consent to the nomination of Conrad Hokama to the Advisory Council for Children and Youth, term to expire December 31, 1982, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 935-82 (Gov. Msg. No. 162):

Senator Cobb moved that Stand. Com. Rep. No. 935-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations of Julie-Ellen K. Simmons and Takumi Akama to the Civil Service Commission, terms to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 936-82 (Gov. Msg. No. 163):

Senator Cobb moved that Stand. Com. Rep. No. 936-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to

the nominations to the Board of Trustees of the Deferred Compensation Plan as follows:

Valri Lei Kunimoto, term to expire October 27, 1982;

Robert E. Cooling, term to expire October 27, 1983;

Mitsuyoshi Fukuda, term to expire October 27, 1984;

Herbert M. Dias, term to expire October 27, 1985; and

Ronald N. Hirano, term to expire October 27, 1985,

seconded by Senator Anderson.

At this time, Senator Abercrombie then rose and stated:

"Mr. President, with respect to Standing Committee Report No. 936 and Governor's Message 163, the series of names of individuals who have been nominated to the Board of Trustees of the Deferred Compensation Plan, I think I want to speak in favor of their nomination but I would like to indicate for the record that I have a great interest in the deferred compensation plan.

"I think it's an excellent activity for the State of Hawaii to be engaged in. However, there is at the moment, a propensity, I think, on the part of the board to want to establish an independent administrator to manage the deferred compensation plan for employees, and it is my considered judgment that an independent administrator would cost the employees more money, both in the short and in the long run, and that it is in the interest of the board to find a major carrier who can absorb the administrative costs and make the necessary presentations to employees who wish to be part of the deferred compensation plan.

"I feel very strongly about it. I think that it is the state's obligation not to make it easy on itself in the sense of an independent administrator, but rather to do the necessary work to get a group which can handle the costs internally in terms of administration and benefit the people for whom the deferred compensation plan was put into effect, and that is to say our employees in this state.

"Thank you."

The motion was put by the Chair and carried on the following showing

of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 937-82 (Gov. Msg. No. 164):

Senator Cobb moved that Stand. Com. Rep. No. 937-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations of Virgie Chattergy, Gerri Watanabe, Sandra L. Hammond and Henry V. Rosario to the Advisory Commission on Manpower and Full Employment, terms to expire June 30, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 938-82 (Gov. Msg. No. 165):

Senator Cobb moved that Stand. Com. Rep. No. 938-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Daisy Mae Slagle to the Board of Vocational Rehabilitation, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 939-82 (Gov. Msg. No. 221):

Senator Cobb moved that Stand. Com. Rep. No. 939-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations of Glen Makakaulii Kila, Rodney Veary, Mildred Macugay and Jerry Susumu Hashimoto to the Advisory Council for Children and Youth, terms to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing

of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 940-82 (Gov. Msg. No. 223):

Senator Cobb moved that Stand. Com. Rep. No. 940-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations to the Board of Vocational Rehabilitation as follows:

Frank E. Wherley, term to expire December 31, 1983; and

Laura T. Chock, term to expire December 31, 1985,

seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 941-82 (Gov. Msg. No. 262):

Senator Cobb moved that Stand. Com. Rep. No. 941-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations of Alice H. Kim and Roy R. Yonahara to the Advisory Commission on Manpower and Full Employment, terms to expire June 30, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 942-82 (Gov. Msg. No. 263):

Senator Cobb moved that Stand. Com. Rep. No. 942-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Marilyn Wong to the Board of Social Services and Housing, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 943-82 (Gov. Msg. No. 293):

Senator Cobb moved that Stand. Com. Rep. No. 943-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Beppie Shapiro to the Board of Social Services and Housing, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 944-82 (Gov. Msg. No. 294):

Senator Cobb moved that Stand. Com. Rep. No. 944-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Dean Edward Hutter to the Hawaii Employment Relations Board, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 945-82 (Gov. Msg. No. 236):

By unanimous consent, action on Stand. Com. Rep. No. 945-82 and Gov. Msg. No. 236 was deferred until Thursday, April 22, 1982.

Standing Committee Report No. 946-82 (Gov. Msg. Nos. 259, 260 and 261):

By unanimous consent, action on Stand. Com. Rep. No. 946-82 and Gov. Msg. Nos. 259, 260 and 261 was deferred until Thursday, April 22, 1982.

Standing Committee Report No.

947-82 (Gov. Msg. No. 302):

By unanimous consent, action on Stand. Com. Rep. No. 947-82 and Gov. Msg. No. 302 was deferred until Thursday, April 22, 1982.

Standing Committee Report No. 959-82 (Gov. Msg. Nos. 124 and 279):

Senator Cobb moved that Stand. Com. Rep. No. 959-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Miles A. Kinley to the Environmental Quality Commission, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Senator Cobb then moved that the Senate advise and consent to the nominations to the Environmental Quality Commission as follows:

James W. Morrow, term to expire December 31, 1984;

Richard Santiago, term to expire December 31, 1985;

Jessie Hoomalu, term to expire December 31, 1985; and

Jake Manegdeg, term to expire December 31, 1985,

seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 960-82 (Gov. Msg. Nos. 125 and 202):

Senator Cobb moved that Stand. Com. Rep. No. 960-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Spencer R. Malecha, Ph.D., to the Animal Species Advisory Commission, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Senator Cobb then moved that the Senate advise and consent to the nomination of Vincent Chuen-Sun Chang to the Animal Species Advisory Commission, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 961-82 (Gov. Msg. Nos. 127, 128, 203, 204 and 205):

Senator Cobb moved that Stand. Com. Rep. No. 961-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Bruce Heidenfeldt to the Aquatic Life and Wildlife Advisory Committee, County of Hawaii, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Senator Cobb then moved that the Senate advise and consent to the nomination of Wallace H. Fujii to the Aquatic Life and Wildlife Advisory Committee, County of Maui, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Senator Cobb then moved that the Senate advise and consent to the nomination of Gerald H. Kang to the Aquatic Life and Wildlife Advisory Committee, County of Hawaii, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Senator Cobb then moved that the Senate advise and consent to the nominations of Edwin K. Yokouchi and Marvin Romme to the Aquatic Life and Wildlife Advisory Committee, County of Maui, terms to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Senator Cobb then moved that the Senate advise and consent to the nominations of Glenn Y. Ikemoto and Herbert H. Honjo to the Aquatic Life and Wildlife Advisory Committee, County of Kauai, terms to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 962-82 (Gov. Msg. No. 131):

Senator Cobb moved that Stand. Com. Rep. No. 962-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of John J.N. Springer to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 963-82 (Gov. Msg. No. 206):

Senator Cobb moved that Stand. Com. Rep. No. 963-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination

of William L. Theobald, Ph.D., to the Natural Area Reserves System Commission, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 964-82 (Gov. Msg. Nos. 245 and 280):

Senator Cobb moved that Stand. Com. Rep. No. 964-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Alfred P. Fernandez to the Stadium Authority, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Senator Cobb then moved that the Senate advise and consent to the nominations of Wallace Fujiyama and R.J. Pfeiffer to the Stadium Authority, terms to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 965-82 (Gov. Msg. No. 278):

Senator Cobb moved that Stand. Com. Rep. No. 965-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations to the Environmental Council as follows:

Royce S. Fukunaga, term to expire December 31, 1982;

Arthur Jack Darvill, term to expire December 31, 1985; and

George Krasnick, term to expire December 31, 1985,

seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 970-82 (Gov. Msg. Nos. 107, 112, 114, 115, 116, 117, 118, 121, 192, 196, 197, 198, 199, 200, 201, 241, 242, 275, 276 and 300):

By unanimous consent, action on Stand. Com. Rep. No. 970-82 and Gov. Msg. Nos. 107, 112, 114, 115, 116, 117, 118, 121, 192, 196, 197, 198, 199, 200, 201, 241, 242, 275, 276 and 300 was deferred until Thursday, April 22, 1982.

Standing Committee Report No. 973-82 (Gov. Msg. Nos. 106, 119, 120, 122, 191, 237, 273 and 274):

By unanimous consent, action on Stand. Com. Rep. No. 973-82 and Gov. Msg. Nos. 106, 119, 120, 122, 191, 237, 273 and 274 was deferred until Thursday, April 22, 1982.

THIRD READING

House Bill No. 1521, H.D. 1:

By unanimous consent, action on H.B. No. 1521, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAKE-OVER BIDS," was deferred until Thursday, April 22, 1982.

House Bill No. 1944-82:

By unanimous consent, action on H.B. No. 1944-82, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CODE OF MILITARY JUSTICE," was deferred until Thursday, April 22, 1982.

FINAL READING

Senate Bill No. 397, H.D. 2:

By unanimous consent, action on S.B. No. 397, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Thursday, April 22, 1982.

At 12:54 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:58 o'clock p.m.

The President then made the following

announcement:

"At this time the Chair would like to correct a statement made a few minutes ago. The timetable deadline for disagreement only pertains to bills and not to resolutions. My apologies for any misunderstanding that was referred to. The conferees on the functional plans are operating within the framework of the timetable and I am hopeful that we can get something together."

RECONSIDERATION OF ACTIONS TAKEN

Senate Bill No. 536, S.D. 2, H.D. 2:

Senator Cobb moved that the Senate reconsider its action on S.B. No. 536, S.D. 2, H.D. 2, taken on April 8, 1982, seconded by Senator Anderson and carried.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 536, S.D. 2, and S.B. No. 536, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," was placed on the calendar for Final Reading on Friday, April 23, 1982.

The President then discharged the Managers who were appointed on April 8, 1982 on the part of the Senate for the conference to consider the amendments proposed by the House to S.B. No. 536, S.D. 2.

Senate Bill No. 561, S.D. 2, H.D. 1:

Senator Cobb moved that the Senate reconsider its action on S.B. No. 561, S.D. 2, H.D. 1, taken on April 8, 1982, seconded by Senator Anderson and carried.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 561, S.D. 2, and S.B. No. 561, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REMOVAL OF SAND," was placed on the calendar for Final Reading on Friday, April 23, 1982.

The President then discharged the Managers who were appointed on April 8, 1982, on the part of the Senate for the conference to consider the amendments proposed by the House to S.B. No. 561, S.D. 2.

Senate Bill No. 1447, S.D. 1, H.D. 2:

Senator Cobb moved that the Senate reconsider its action on S.B. No. 1447, S.D. 1, H.D. 2, taken on April 8, 1982, seconded by Senator Anderson and carried.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1447, S.D. 1, and S.B. No. 1447, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES' RETIREMENT SYSTEM," was placed on the calendar for Final Reading on Friday, April 23, 1982.

The President then discharged the Managers who were appointed on April 8, 1982 on the part of the Senate for the conference to consider the amendments proposed by the House to S.B. No. 1447, S.D. 1.

Senate Bill No. 1925, S.D. 1, H.D. 1:

Senator Cobb moved that the Senate reconsider its action on S.B. No. 1925, S.D. 1, H.D. 1, taken on April 8, 1982, seconded by Senator Anderson and carried.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1925, S.D. 1, and S.B. No. 1925, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYER-EMPLOYEE RELATIONS," was placed on the calendar for Final Reading on Friday, April 23, 1982.

The President then discharged the Managers who were appointed on April 8, 1982 on the part of the Senate for the conference to consider the amendments proposed by the House to S.B. No. 1925, S.D. 1.

Senate Bill No. 2183-82, S.D. 1, H.D. 1:

Senator Cobb moved that the Senate reconsider its action on S.B. No. 2183-82, S.D. 1, H.D. 1, taken on April 8, 1982, seconded by Senator Anderson and carried.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate agreed to the amendments proposed by House to S.B. No. 2183-82, S.D. 1, and S.B. No. 2183-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-

TERM CARE FACILITIES," was placed on the calendar for Final Reading on Friday, April 23, 1982.

The President then discharged the Managers who were appointed on April 8, 1982 on the part of the Senate for the conference to consider the amendments proposed by the House to S.B. No. 2183-82, S.D. 1.

Senate Bill No. 2224-82, S.D. 2, H.D. 1:

Senator Cobb moved that the Senate reconsider its action on S.B. No. 2224-82, S.D. 2, H.D. 1, taken on April 8, 1982, seconded by Senator Anderson and carried.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2224-82, S.D. 2, and S.B. No. 2224-82, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT," was placed on the calendar for Final Reading on Friday, April 23, 1982.

The President then discharged the Managers who were appointed on April 8, 1982 on the part of the Senate for the conference to consider the amendments proposed by the House to S.B. No. 2224-82, S.D. 2.

Senate Bill No. 2304-82, S.D. 1, H.D. 1:

Senator Cobb moved that the Senate reconsider its action on S.B. No. 2304-82, S.D. 1, H.D. 1, taken on April 8, 1982, seconded by Senator Anderson and carried.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2304-82, S.D. 1, and S.B. No. 2304-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LOBBYING," was placed on the calendar for Final Reading on Friday, April 23, 1982.

The President then discharged the Managers who were appointed on April 8, 1982 on the part of the Senate for the conference to consider the amendments proposed by the House to S.B. No. 2304-82, S.D. 1.

Senate Bill No. 2334-82, H.D. 1:

Senator Cobb moved that the Senate reconsider its action on S.B. No.

2334-82, H.D. 1, taken on April 8, 1982, seconded by Senator Anderson and carried.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2334-82, and S.B. No. 2334-82, H.D. 1, entitled: "A BILL FOR AN ACT PROVIDING PENALTIES FOR VIOLATIONS OF CHAPTER 290 RELATING TO ABANDONED VEHICLES," was placed on the calendar for Final Reading on Friday, April 23, 1982.

The President then discharged the Managers who were appointed on April 8, 1982 on the part of the Senate for the conference to consider the amendments proposed by the House to S.B. No. 2334-82.

Senate Bill No. 2524-82, H.D. 1:

Senator Cobb moved that the Senate reconsider its action on S.B. No. 2524-82, H.D. 1, taken on April 8, 1982, seconded by Senator Anderson and carried.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2524-82, and S.B. No. 2524-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," was placed on the calendar for Final Reading on Friday, April 23, 1982.

The President then discharged the Managers who were appointed on April 8, 1982 on the part of the Senate for the conference to consider the amendments proposed by the House to S.B. No. 2524-82.

Senate Bill No. 2636-82, S.D. 1, H.D. 1:

Senator Cobb moved that the Senate reconsider its action on S.B. No. 2636-82, S.D. 1, H.D. 1, taken on April 8, 1982, seconded by Senator Anderson and carried.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2636-82, S.D. 1, and S.B. No. 2636-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMED CONSENT," was placed on the calendar for Final Reading on Friday, April 23, 1982.

The President then discharged the Managers who were appointed on April 8, 1982 on the part of the Senate for the conference to consider the amendments proposed by the House to S.B. No. 2636-

82, S.D. 1.

Senate Bill No. 2913-82, S.D. 1, H.D. 1:

Senator Cobb moved that the Senate reconsider its action on S.B. No. 2913-82, S.D. 1, H.D. 1, taken on April 8, 1982, seconded by Senator Anderson and carried.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2913-82, S.D. 1, and S.B. No. 2913-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," was placed on the calendar for Final Reading on Friday, April 23, 1982.

The President then discharged the Managers who were appointed on April 8, 1982 on the part of the Senate for the conference to consider the amendments proposed by the House to S.B. No. 2913-82, S.D. 1.

At 1:00 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:02 o'clock p.m.

At this time, Senator Uwayne, Chairman of the Committee on Human Resources, requested a waiver of the 48-hour notice of a Public Hearing on the following message:

Gov. Msg. No. 321, submitting for consideration and confirmation to the Hawaii Public Employment Relations Board, the nominations of James Carras and Mack H. Hamada,

and the President granted the waiver.

RECONSIDERATION OF ACTION TAKEN

Standing Committee Report No. 749-82 and House Bill No. 1971-82, H.D. 1, S.D. 1:

Senator Yamasaki moved that the Senate reconsider its action taken on April 2, 1982 on Stand. Com. Rep. No. 749-82 on H.B. No. 1971-82, H.D. 1, S.D. 1, seconded by Senator Anderson and carried.

Senator Yamasaki then moved that the Senate reconsider its action taken on April 5, 1982 on H.B. No. 1971-82, H.D. 1, S.D. 1, seconded by Senator Cobb and carried.

On motion by Senator Cobb, seconded

by Senator Anderson and carried, Stand. Com. Rep. No. 749-82 was adopted and H.B. No. 1971-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS," passed Second Reading and was placed on the calendar for Third Reading on Friday, April 23, 1982.

At 1:03 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:05 o'clock p.m.

At this time, Senator Cayetano rose and addressed the members of the Senate as follows:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, all of us have been working very hard through the evening and in the morning. I was rather sleepy this morning coming to session, but someone gave me a copy of a speech given by our Prosecutor in Maui before the Wailea Rotary Club which just about cleared my sinuses. Now, I'd like to talk a little bit about the speech.

"In his usual McCarthy/McCarthy style--Joe McCarthy and Charlie McCarthy--the Prosecutor has gone and lambasted every politician in this state, our judiciary and anybody but himself, and of course the people who vote for him. In particular, he is being very critical of the chairman of the House Judiciary Committee, Yoshi Nakamura and he is also very critical of House Speaker Henry Peters. I'm not going to speak in their defense. They're big boys and can defend themselves. He is also very critical of another politician which he refuses to name. Somehow, I get the feeling that it's me.

"Let me read and quote to you a paragraph from his speech. After referring to a bunch of 'half-assed' politicians, the Prosecutor said, and I quote:

'In fact, we even have one politician, a member of the legislature, who has an abiding concern for a judge, and I use the word loosely, Acoba. He, the politician, told one of my deputies to pass the word that if I didn't stop talking about judges I was going to be disbarred. I won't mention his name but you can easily recognize him by his "Hotel Street" haircut.'

"Now, Mr. President, I don't know what it is about Mr. Marsland...we

know he is against cockfighting; he's against the only Filipino judge we have in this state; and he's picking on the only Filipino senator we have. But what really bugs me is for him to pick on my barber, Eddie, who also, Mr. President, happens to be of the same ethnic extraction as myself and Judge Acoba.

"I get the feeling that he's talking about me because he says, 'has an abiding concern for Judge Acoba,' well, it's true. I have a tremendous respect for Judge Acoba. I shared offices with him for about nine years. I think he is a man of great integrity and legal ability. Frankly, I don't think that the Prosecutor is qualified even to carry the Judge's jockstrap after the Judge runs, or rather, ran the Honolulu Marathon. And I did tell one of his deputies to pass the word that if he didn't stop talking about judges I felt he was going to be disbarred. Specifically, what I said then, Mr. President, was that if he didn't stop lying about our judges he would be disbarred.

"You remember, the man once, in a speech given in Hilo, accused some of our judges as being in the hip pocket of the syndicate and unfortunately, he did not, in the true American fashion, follow up with proof. So, I thought it was a bit unfair and I did mention it to one of his deputies that if that kind of thing kept up, I felt that he was going to be disbarred. But, my barber Eddie, Mr. President, is a good man. He obeys the law, he has children, and he works very hard. Before he goes to work, I'm sure he kisses his wife, his children and even his dog. But one thing about Eddie, Mr. President, is that he cuts my hair. And that means, that when Eddie cuts my hair he has a pair of scissors in his hands.

"Now, Mr. President, you know that if you get a judge who is Filipino angry at you, the most he can do is to rule against you, and if you get a politician who happens to be Filipino angry at you, the most he can do is talk against you. But, to get a Filipino barber angry, you better guard your ears. The last time Eddie got angry, and he was cutting my hair...I had a different haircut at that time, as you know, and I hope none of you think that I have this hairdo simply because I like to cover my ears. I'm just deathly afraid of going back to get a haircut from Eddie when he finds out what Charles Marsland said about him because I know one thing, Eddie is going to be hopping

mad when he learns that his haircut has been described as a Hotel Street haircut. So, if you know of another barber that I can go to..."

The President then replied:

"His name is Harold. But seriously, in keeping with your remarks, Senator Cayetano, I also just received a copy of the Prosecutor's comments and I'd like to look at it and perhaps have something to say later on."

Senator O'Connor then rose and stated:

"Mr. President, I was going to give the speech that Senator Cayetano just gave because I've been sitting behind him all year long and I've been watching that haircut grow. It didn't start out this year as a Hotel Street haircut. It was sort of upper Beretania Street when he started the year out. I take issue with Prosecutor Marsland because it has only gotten down to around Kukui, I think, so far, and if we get back to Eddie in a big hurry, it will never get down to the Hotel Street situation again.

"I've been hearing stories about some of the hairdos on Hotel Street, and I understand that most of those hairdos that are at least on the male variety of people, come off at night because they're wigs. Now, I know that Senator Cayetano's doesn't come off at night, so hopefully he'll get back to Eddie and will get back on Vineyard Street where he belongs.

"But, I think that you're right, Mr. President, Mr. Marsland should certainly be brought to task; however, I thought that maybe I might employ his speech writer for putting together a speech for me at the end of the session. I just would like to read another section of his speech which isn't very happily constructed for most of the members of this body. It says:

'As I speak of the Speaker of the Legislature, please understand we do not speak of all members of that body. I speak only of the powerful group that controls the Senate, and don't kid yourselves, the Legislature is controlled lock, stock and barrel, by a few arrogant imperialists and ambitious egotists who don't give a damn what you want. The electorate is deeply concerned about crime, but there are others who are equally concerned to seeing the criminal justice system imbalance remains unchanged. I wonder who the legislative power block listens to, or even a more intriguing question, why? Whatever

the answer, you, the electorate has once again been had.'

"Very interesting speechwriting, and I think it certainly should be investigated.

"Thank you, Mr. President."

At 1:17 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:20 o'clock p.m.

RE-REFERRAL OF HOUSE BILL

The President re-referred House Bill No. 1558, H.D. 2, which was received on April 1, 1982, to the Committee on Judiciary.

Senator Anderson then rose and stated:

"If I may, Mr. President. It's my understanding, Mr. President, as a member of the conference on the budget that we haven't yet finished. I'm also informed by staff, Mr. President, that if the budget isn't put on the computer in just about an hour, an hour-and-a-half, maybe two hours, the mechanics of finishing up the budget tonight are almost impossible. It's my understanding also, because of the time I spent here, that the House and the Senate are still apart on some of the grants-in-aid -- far apart, and it appears in all likelihood there's going to be an extension.

"Now, an extension is something that the public, Mr. President, has come to accept, I think, or project. What the public probably perceives of the Legislature, what they think of us in our extensions and our nonsense that goes on down here, sometimes isn't all that wrong. My fear, Mr. President, as a member of the State Senate, is that we sat around for seven days after you appointed the conferees...seven days, with no word from the House, and then we sat around for another five days when they finally appointed their conferees, and your administrative assistant tells me that even as of that day there were still five bills for which the House had not appointed conferees, up to that time, and this was the April 15th calendar.

"So while we sat around for almost two weeks waiting for the House to go to conference on major bills, we've had to cool our heels, and that's all right, we've done that

before. What I'm fearful of, Mr. President, is most of the, what I call, people bills, the bills that impact the public of this state -- the ones that they wanted. Capital punishment, we moved here, not once, but on two occasions. Initiative, the lottery, the tourist tax, fireworks ban...all of the major bills that the people and the public of this state wanted to have, died in the House with no hearings, no consideration.

"Even the functional plans that some in this very room predicted that the Senate would hold back from the Governor and be a detriment to its passage were passed. 2720 which became the controversial bill went over there. They didn't disagree like the parliamentary procedure allows, where you then disagree and put it into conference where it's on the table. They froze it in committee like all of the other major bills.

"The functional plans went over with this linkage that was discussed on this floor. Again, we didn't get back the twelve functional plans; we got back only eleven. So, the Senate here is still waiting today, Mr. President, for an opportunity to sit down with the House and discuss the functional plans the Governor wanted so badly. I believe in all honesty that in our commitment that we will indeed pass the functional plans. And I will say for the record and for the public, that the Governor, in the meeting with us had no disagreement in our intent, in our design that they were to be in fact, guidelines and not mandates. In fact the problem was in the House and some of their members who conceive those plans to be mandates and not guidelines.

"So, the problem in passing the functional plans has no bearing, no responsibility in this house. The problem in the passage of these functional plans is strictly over in the other House, and that's where the blame should lie. Last year, Mr. President, we did our major budget, about a billion and a half dollars. We put that to bed in about six days. We have been sitting up in the House conference room, Mr. President, for six days now for a \$25 million supplemental budget...\$25 million, Mr. President, versus a billion and a half.

"I will say that this nonsense of passing, and passing, and passing, and passing every major, controversial, emotional issue, comes from this open-door sunshine. Last year, we were criticized for taking a subcommittee behind closed doors and making the decisions. Had this procedure been

allowed this year, this could have been resolved in the second day and this \$25 million budget would have been put to rest. But, because the public is sitting there, as they should, it's witnessing who may and might not cut a particular program or a particular area of concern. Nothing gets done.

"I will say in all honesty that the chairman of the House Finance Committee is incapable for whatever reasons of making decisions with the Senators across the table. The Senators I will say with pride, have sat there night after night and day after day after day and argued the merit of their particular cuts or expansions. We have done our homework and it's almost become embarrassing to watch the House members sit and stare and understand or try to understand what is going on. And then, of course, the chairman sits there and recesses for 15 to 20 minutes, and three hours later you're still sitting there, sitting on your thumbs, waiting for them to come back from their so-called caucus.

"I don't think it's any secret, of course, the Speaker is calling the shots. The Speaker for some reason has control over that 51-member House body where there is no individualism; there is no independence; there is no right to think in the House; and this is so sad. It's sad, Mr. President, because for the first time we have the public sitting in these conferences with this sunshine, open-door constitutional amendment.

"We have the public, Mr. President, sitting there now for six nights...a lot of handicapped in wheelchairs who are very much concerned about the cuts to their programs. They've been there around the clock for six nights and there has been no courtesy extended to those poor people, and there's been no courtesy extended to the public in delving in and resolving their particular issues so that they may go home and go to bed.

"We have had people, most sincere and most interested, from the Legal Aid Society, very much aware and concerned about the cuts, potential cuts that might come into the Legal Aid Society, and they've been there for five to six nights around the clock, waiting for this nonsense across the table and the jockeying that goes on, and this is irresponsible action. It's the most irresponsible act we will make. I will say, Mr. President, that when this session adjourns Monday or Tuesday, for

whatever reason the Speaker may have in mind, the only bill that's going to emerge with any popularity in the Legislature and none in the public is that so-called controversial 'pay bill.'

"Now, that is a shame. After working 60 days and spending some \$4 to \$5 million in public money, to have all the people bills die and only the pay bill come out is absolutely criminal. We were willing to consider the pay bill as part of a package. Had the pay bill come out with capital punishment, initiative, and lottery, and the fireworks ban, it might have been acceptable in part of a package, a people's package. But that one bill, Mr. President, is going to single out, and we're going to have it hanging around our necks, and I'm going to say, Mr. President, that all these House bills on my desk, I'm having my staff as I've told you I would...many of these are on my desk illegally because they did not fulfill the 48-hour Constitutional Convention provision where they must clock on the House Clerk's desk, legislative desk, for 48 hours.

"I'm going to earmark those out before the week's out and I will tell you, Mr. President, as I stand here right now that I will not be a party to having only one bill come out to be hung around anybody's neck, as far as I'm concerned, in this State Senate and that's the pay bill. If that bill or any other bill, is not on my desk before tomorrow night, Friday, I'm going to have second thoughts about sitting here Monday and Tuesday and supporting legislation that we had plenty of time to resolve in the 60 days. We have not been at fault in this house. We have accordingly worked with our schedule, our agenda and our self-imposed timetable has been adhered to, and there isn't a person in the world...I think the Speaker for whatever reasons or games he is playing ought to take a second look at his credibility. He ought to take a second look at the poor publicity he's bringing on all of us as legislators.

"The public doesn't commit or criticize House members, they say 'damn politicians.' Their actions reflect on us and our actions, of course, reflect on them. The public is going to say, 'damn politicians, what do you expect; another extension, now what do you think?' Well, there is no reason for it, and I think it's incumbent on the press as they write these stories...I think it's the responsibility of the media to check the agendas.

"We will be here Monday at no fault of our own, and I do not think it's right, Mr. President."

Senator Cobb then rose and stated:

"Mr. President, since we have an extension as alluded to by the Republican Floor Leader, that would be the third extension in three years. I don't see any excuse for it, although I recognize very clearly that the members of the Ways and Means Committee and the Finance Committee have worked yeoman's hours all night, all day for the last six days. There's been entirely too much game playing going on in the House--a delay in naming conferees, a delay of meeting, delay by caucus, delay item by item, delay in pass, pass, pass. There is a new word for 'no' in the Conference Committee; it's called 'pass,' we don't agree.

"Mr. President, we are sent here for 60 days of legislative work. This represents now the third year in a row that the Legislature is likely to have an extension. So, I want to serve notice here and now, that I will not be a party to it; and two, that any bill that is not decked within the deadline agreed upon by the two houses within that 60 days, I will be voting 'no' on and I will urge any Senator to do likewise.

"It's only when we begin living within our deadline and getting out of here on time that we can begin to restore some measure of public confidence.

"Thank you."

Senator Abercrombie then rose and stated:

"Mr. President, I move to adjourn."

The President then responded:

"Senator Abercrombie, before that, let other people speak, if you don't mind."

Senator Abercrombie then continued:

"Mr. President, I think a move to adjourn, if you have a second, I think you have to vote on it."

The President then replied:

"Senator Abercrombie, there is a motion on the floor, however it's not the motion to adjourn. There is also no second to your motion."

Senator Abercrombie then stated:

"Okay then Mr. President, I rise on a point of personal privilege.

"I wish everybody who's not on the Ways and Means Committee would stop giving us so much help!"

Senator Cayetano then rose and stated:

"Mr. President, I'm going to have to take issue with Senator Cobb and Senator Anderson. First of all, with due deference and credit to our Ways and Means chairman, who has sat there throughout these conference meetings and negotiations like a rock, while those of us who have less endurance would go down to our offices and sleep, and also with due deference to the chairman of the Finance Committee, Representative Kunimura, I don't think that we are where we are for a lack of effort on the disagreements on the budget.

"Frankly, I've been very pleased with how the conference has been going. There's been a lot of give and take. I think that the Senators have been a bit better prepared on the issues, but that is my opinion. This extension, if it comes about, has been in part, because your Senators who are on the Conference Committee have been fighting very hard to maintain the Senate position. I am one of them, I think, who has caused a lot of hang-ups in terms of resolving disagreements because I firmly believe in the Senate position.

"This afternoon, we are going upstairs and try to work out disagreements on grants-in-aid, for example. The Senate position in my particular committee is a much harder position to maintain politically, but because I believe in it and because I've had the cooperation and the chairman of the Ways and Means Committee has placed full faith and credit in the chairmen of the subject matter committees, I'm going to go up there and do the very, very best I can.

"So please, as Senator Abercrombie stated earlier, we really don't need this kind of help. If we are to go out earlier, we can do without this kind of talk by those who weren't there for the many hours that we were there."

Senator Cobb then rose and stated:

"Mr. President, I've been there as an observer off and on for quite sometime, in addition to handling almost 40 conference reports myself. I think we have to go back to the situation that we once faced in the House, when we asked ourselves the question: 'Do we really want to stick around

for a budget, or do we want to get out on time and follow our deadlines, even if that means no budget?' We made a decision like that once before, and I know that after we did so, the next three sessions of the Legislature, we got out on time. I think that message has to be given to everyone concerned.

"I am not in any way, shape or form, criticizing the work of the Ways and Means Committee. I think the problem goes to the slowness of the appointment of conferees. I recognize that there's a tremendous amount of detail. I sat there till 4:30 this morning, watching what went on in that conference. I've been there night after night and getting in trouble with my wife for doing it, as I'm sure a lot of us have.

"Mr. President, if we have a deadline, we have an obligation to follow it. And, for the last three years in a row, that has not happened. I say, enough is enough!"

Senator Abercrombie then rose and stated:

"Mr. President, I'm well satisfied with the leadership of the Ways and Means Committee and, quite frankly, of the four years that I have been privileged to serve in the Senate and on the Ways and Means Committee and in budget conferences, this is the best conference that I have been to. It is lengthy, it's true, but, it is lengthy because the issues are being discussed in a more rational manner than I have witnessed in the past in the sense that the people are well informed and articulate their positions and hold them, and yes, we're passing on things because we're having these kinds of discussions.

"It's far better for us to take a day or two to get things right, whether it's 25¢, \$25 million or it's \$25 billion, than to rush through something that would result in positions which we might find ourselves having great regrets about later on. Very frankly, I cannot speak for everyone on the committee, but I think that I have the sense of those who have been there. Even when we've had disagreements, the atmosphere in the room is one that is conducive to accomplishing a job or work and if it takes some time to get that accomplished, then that's perfectly alright with me because I think the work product in the end will be what we need.

"The last thing in the world we need is to say we're not going to

have this budget. It may be only \$25 million, much less than the other one, but there are items in that budget that are absolutely crucial to the fiscal and social well-being of this state, and I have every confidence in not only the chairman's endurance, but in his good sense as he conducts this conference and I'm proud to be there with him. Also, I'm very happy to be across from the people on the other side who recognize that this good work is being done."

Senator Yamasaki then rose and stated:

"Mr. President, I know that this is a very tense moment for everyone. I think that we ought to allow the conferees to meet and continue to finish their work. I also think that these harsh statements made on this floor should be withdrawn, if possible, so that we can have a friendlier atmosphere upstairs."

"We have pledged to the conferees of the House that at 2:30 this afternoon we will be back there to continue and see if we can wind up our conference for this year."

"Thank you."

Senator O'Connor then rose and stated:

"Mr. President, it is with regret that I hear Senator Anderson's announcement that we are going to have an extension of this year's session. And, it is with that regret that I hear him blame certain people who have been working long and difficult hours in attempting to put together this supplemental budget. And, it is with regret that I see a leadership situation in this body which should have worked to foresee and to take care of the problems that he raised in his discussion earlier, some time ago, or at least within the last few days, in order to insure that this would not happen. And finally, it is with regret that I have witnessed an hour of debate over that regrettable speech, when the committee could have been upstairs concluding their budget deliberations. Let's get this back to the committee and get them upstairs so that we can finish this budget!"

The President then stated:

"The Chair would like to make an observation. In echoing Senator Yamasaki's comments, I know it's very frustrating. Many of us have been working long hours, and I know there is a great amount of not only tension, but a great amount of ego and pride being tossed

back and forth across the table. This makes it difficult to arrive at conclusions. I happen to agree with the previous speaker that I would like to have the conferees go back. I know that the appointed hour is drawing near."

"We have mechanical shortcomings which are beyond our control, and it is hoped that when they reconvene at 2:30, perhaps, something will happen that will help us to wrap up the budget, let's say, by 4:00 or 5:00 o'clock this evening. If this is accomplished, there is a very strong possibility that a budget can be decked this evening for final passage on Friday."

"I do want to take one exception with the previous speaker in that I too am concerned about communication with the leadership across the hall on the process of naming conferees to committees, I think we'll have to look at that, whoever the presiding officer will be next year in the Senate or in the House, and arrive at some preliminary understanding on the naming of conferees at the earliest possible time. Then, it would afford conferees an opportunity for greater flexibility in terms of time to work out the problems."

"As I mentioned a week ago, this is the first session in my 16 years here at the Legislature that I see some 90 House bills in conference and 40 Senate bills in conference for a total of roughly 130 bills. I think the problem goes deeper than what we have discussed this morning and I hope that next session we will be able to alleviate this problem. That is, that I have the feeling that there is a tremendous amount of mistrust between the Senate and the House even in communicating our differences. It is hoped that the next presiding officers, whoever they may be, will be able to work this out on a strictly procedural basis aside from the names and issues that are involved at the Legislature."

"I am in total agreement with Senator Yamasaki. I think what was said here was said in most cases, out of frustration and a feeling of 'here we go again.' But, I would like, at this time, to ask every member of the Senate, at least for the next two and a half hours, to do what they can in assisting Ways and Means in wrapping up the budget. And, I would like at this time, if there be no further objections, I would like to entertain a motion to adjourn

the Senate, such motion to provide that the Journal be left open to receive all conference committee reports."

At 1:50 o'clock p.m., on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate stood in recess for the purpose of

receiving Conference Committee Reports and any other communications.

ADJOURNMENT

At 12:00 midnight, the Senate adjourned until 11:30 o'clock a.m., Thursday, April 23, 1982.

FIFTY-NINTH DAY

Thursday, April 22, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend William Smith, Pastor of Waialae Baptist Church, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Fifty-Eighth Day.

Senator Ajifu made the following introduction to the members of the Senate and stated:

"Mr. President, this morning I'd like to introduce to you and the members of the Senate an honoree who is sitting in the chambers.

"Recently, the American Mothers Committee of Hawaii presented their selection of the 1982 State Mother of Hawaii and I'm honored to introduce her to you. This woman is a very loving, caring, and supportive mother of eleven children. She has devoted much of her time to community work, especially working with the youth and the handicapped. We all know her because for twelve years she served as First Lady of Honolulu.

"Mr. President, it is a great pleasure and honor for me to introduce to you the State Mother of the Year, Mrs. Joyce Fasi.

"Accompanying the honoree is Mrs. Anita Moepono who is the president of the American Mothers Inc. of Hawaii and Mrs. Lucille Abreu, the 1982 Search Committee Chairman of the American Mothers, Inc. of Hawaii, and the 1978 State Mother of Hawaii."

Senator Kawasaki then added:

"Mr. President, I think a lot of mothers and the ladies in the entire state are wondering how Mrs. Fasi, Joyce, can remain so beautiful and look so fresh and have such a good disposition with eleven children and certainly a husband who's more controversial than some of us over here.

"Mrs. Moepono, incidentally, is mother of 'Ses' Brundage who is on Senator Carpenter's staff. I had the pleasure of serving with Mrs. Moepono as a director of HGEA in the years when

the HGEA was 'a very progressive organization' not making unreasonable demands of the legislators here."

Mrs. Fasi was then presented with a Senate Certificate by Senator Ajifu and a lei by Senator Carpenter.

At 11:57 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:24 o'clock p.m.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 323) transmitting copies of a report on the cost-buster housing program, dated April 8, 1982, prepared by the Hawaii Housing Authority, in response to House Resolution No. 233 (1981), was read by the Clerk and was referred to the Committee on Housing and Hawaiian Homes.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 620 to 625) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 620) transmitting House Concurrent Resolution No. 94, H.D. 1, which was adopted by the House of Representatives on April 21, 1982, was placed on file.

By unanimous consent, H.C.R. No. 94, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII CONGRESSIONAL DELEGATION TO PROMOTE LEGISLATION TO ESTABLISH A CONGRESSIONAL COMMISSION TO STUDY HAWAII'S MARITIME BOUNDARIES," was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 621), transmitting House Concurrent Resolution No. 103, H.D. 1, which was adopted by the House of Representatives on April 21, 1982, was placed on file.

By unanimous consent, H.C.R. No. 103, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO REVIEW THE ADMINISTRATION AND ADEQUACY OF THE UNEMPLOYMENT COMPENSATION FUND, INCLUDING THE UNEMPLOYMENT TRUST FUND ACCOUNT, AND THE RELATED STATUTORY

PROVISIONS," was referred to the Committee on Human Resources, then to the Committee on Legislative Management.

A communication from the House (Hse. Com. No. 622), transmitting House Concurrent Resolution No. 130, H.D. 2, which was adopted by the House of Representatives on April 21, 1982, was placed on file.

By unanimous consent, H.C.R. No. 130, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO PROCEED WITH PRELIMINARY DISCUSSIONS WITH LANDOWNERS WITH THE INTENT TO ACQUIRE BY PURCHASE AND/OR LAND EXCHANGE, ANY COMBINATION THEREOF, OR BY ANY OTHER AVAILABLE ALTERNATIVES, LAND FOR PARK PURPOSES AT BIG BEACH IN MAKENA, MAUI," was referred to the Committee on Ecology, Environment and Recreation.

A communication from the House (Hse. Com. No. 623), transmitting House Concurrent Resolution No. 164, which was adopted by the House of Representatives on April 21, 1982, was placed on file.

By unanimous consent, H.C.R. No. 164, entitled: "HOUSE CONCURRENT RESOLUTION CONCERNING THE ESTABLISHMENT OF ENTERPRISE ZONES," was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 624), transmitting House Concurrent Resolution No. 165, which was adopted by the House of Representatives on April 21, 1982, was placed on file.

By unanimous consent, H.C.R. No. 165, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE UNITED STATES SENATE ADVISE AND CONSENT TO THE UNITED STATES PACIFIC ISLANDS FRIENDSHIP TREATIES," was referred to the Committee on Government Operations and Intergovernmental Relations.

A communication from the House (Hse. Com. No. 625), transmitting House Concurrent Resolution No. 176, which was adopted by the House of Representatives on April 21, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.C.R. No. 176, entitled: "HOUSE CONCURRENT RESOLUTION COMMENDING THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY (HCDA), ITS STAFF,

AND ITS EXECUTIVE DIRECTOR, RAYMOND H. SUEFUJI, FOR A JOB WELL DONE," was adopted.

SENATE RESOLUTION

A resolution (S.R. No. 141), entitled: "SENATE RESOLUTION REQUESTING THE MONTH OF MAY 1982 AS MENTAL HEALTH MONTH IN HAWAII," was offered by Senators Cayetano, Uwaine, Abercrombie, Kuroda, Kobayashi, Carpenter, Toyofuku, O'Connor, Kawasaki, Machida, Ushijima, Holt, Mizuguchi, Yamasaki and Campbell, and was read by the Clerk.

On motion by Senator Cobb, seconded by Senator Anderson and carried, S.R. No. 141, was adopted.

CONFERENCE COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2904-82, S.D. 1, presented a report (Conf. Com. Rep. No. 76-82) recommending that S.B. No. 2904-82, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 76-82 and S.B. No. 2904-82, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A WATER COMMISSION AND FORMULATION OF A STATE WATER CODE," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2760-82, S.D. 2, presented a report (Conf. Com. Rep. No. 77-82) recommending that S.B. No. 2760-82, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 77-82 and S.B. No. 2760-82, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS," was deferred for a period of 48 hours.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 978-82) informing the Senate that Conference Committee Report Nos. 68-82 to 75-82, Senate Resolution No. 141, and Stand. Com. Rep. Nos. 979-82 to 1018-82 have been printed and distributed to

all members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senators Cayetano and Abercrombie, for the Committee on Health and the Committee on Education, presented a report (Stand. Com. Rep. No. 979-82) recommending that Senate Resolution No. 57 be adopted.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the joint report of the Committees was adopted and S.R. No. 57, entitled: "SENATE RESOLUTION REQUESTING THE BOARD OF EDUCATION TO IMPLEMENT CARDIOPULMONARY RESUSCITATION TRAINING IN HIGH SCHOOLS," was adopted.

Senators Cayetano and Abercrombie, for the Committee on Health and the Committee on Education, presented a report (Stand. Com. Rep. No. 980-82) recommending that Senate Concurrent Resolution No. 41 be adopted.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.C.R. No. 41, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION TO IMPLEMENT CARDIOPULMONARY RESUSCITATION TRAINING IN HIGH SCHOOLS," was adopted.

Senator Cayetano, for the Committee on Health, presented a report (Stand. Com. Rep. No. 981-82) recommending that Senate Resolution No. 130, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.R. No. 130, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A COMPREHENSIVE REVIEW OF HAWAII'S SUBSTANCE ABUSE AND MENTAL HEALTH SERVICE SYSTEM," was referred to the Committee on Legislative Management.

Senator Ajifu, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 982-82) recommending that Senate Resolution No. 58, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.R. No. 58, S.D. 1, entitled: "SENATE RESOLUTION URGING LAND-OWNERS OF THE PEARL HARBOR AREA TO SUPPORT WETLAND AGRICULTURE," was adopted.

Senator Ajifu, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 983-82) recommending that Senate Concurrent Resolution No. 43, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.C.R. No. 43, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING LANDOWNERS OF THE PEARL HARBOR AREA TO SUPPORT WETLAND AGRICULTURE," was adopted.

Senator Ajifu, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 984-82) recommending that Senate Resolution No. 117 be adopted.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.R. No. 117, entitled: "SENATE RESOLUTION REQUESTING THE RELEASE OF THE EXISTING KAPALAMA MILITARY RESERVATION BY THE UNITED STATES GOVERNMENT TO THE STATE OF HAWAII AND ITS USE AS A CENTRAL MARSHALLING FACILITY FOR AN AGRICULTURAL COOPERATIVE," was adopted.

Senator George, for the majority of the Committee on Transportation, presented a report (Stand. Com. Rep. No. 985-82) recommending that Senate Resolution No. 97 be adopted.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the majority of the Committee was adopted and S.R. No. 97, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO STUDY FEDERAL AND STATE REGULATIONS RELATING TO TINTED MOTOR VEHICLE GLAZING MATERIAL," was adopted on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

Senators George and Kobayashi, for the Committee on Transportation and the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 986-82) recommending that Senate Resolution No. 82 be adopted.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the joint report of the Committees was adopted and S.R. No. 82, entitled: "SENATE RESOLUTION REQUESTING THE STATE DEPARTMENT OF TRANSPORTATION TO CONDUCT A STUDY OF THE RECREATIONAL BOATING PROGRAM," was adopted.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 987-82) recommending that the Senate advise and consent to the nomination of Lucille W. Chung to the Board of Registration, Island of Hawaii, in accordance with Governor's Message No. 227.

By unanimous consent, action on Stand. Com. Rep. No. 987-82 and Gov. Msg. No. 227 was deferred until Friday, April 23, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 988-82) recommending that the Senate advise and consent to the nomination of Gertrude K.P. Frantz to the Board of Registration of Maui, Molokai, Lanai and Kahoolawe, in accordance with Governor's Message No. 228.

By unanimous consent, action on Stand. Com. Rep. No. 988-82 and Gov. Msg. No. 228 was deferred until Friday, April 23, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 989-82) recommending that the Senate advise and consent to the nominations of Joan L. Husted and Teresita U. Okihara to the Commission on the Status of Women, in accordance with Governor's Message No. 229.

By unanimous consent, action on Stand. Com. Rep. No. 989-82 and Gov. Msg. No. 229 was deferred until Friday, April 23, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 990-82) recommending that the Senate advise and consent to the nomination of Cora K. Lum to the Hawaii Crime Commission, in accordance with Governor's Message No. 264.

By unanimous consent, action on Stand. Com. Rep. No. 990-82 and Gov. Msg. No. 264 was deferred until Friday, April 23, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 991-82) recommending that the Senate advise and consent to the nomination of Amado Ilar Yoro to the Board of Registration of the Island of Oahu, in accordance with Governor's Message No. 265.

By unanimous consent, action on Stand. Com. Rep. No. 991-82 and Gov. Msg. No. 265 was deferred until Friday, April 23, 1982.

Senator Carpenter, for the Committee

on Judiciary, presented a report (Stand. Com. Rep. No. 992-82) recommending that the Senate advise and consent to the nomination of Edward M. Yoshimasu to the Criminal Injuries Compensation Commission, in accordance with Governor's Message No. 295.

By unanimous consent, action on Stand. Com. Rep. No. 992-82 and Gov. Msg. No. 295 was deferred until Friday, April 23, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 993-82) recommending that the Senate advise and consent to the nomination of Elsie M. Hirai to the Commission on the Status of Women, in accordance with Governor's Message No. 296.

By unanimous consent, action on Stand. Com. Rep. No. 993-82 and Gov. Msg. No. 296 was deferred until Friday, April 23, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 994-82) recommending that House Bill No. 1558, H.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 1558, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRECINCT OFFICIAL COMPENSATION," passed Second Reading and was placed on the calendar for Third Reading on Friday, April 23, 1982.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 995-82) recommending that Senate Resolution No. 30, as amended in S.D. 1, be referred to the Committee on Legislative Management.

By unanimous consent, action on Stand. Com. Rep. No. 995-82 and S.R. No. 30, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON FILM STUDIOS IN HAWAII," was deferred until Wednesday, April 23, 1982.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 996-82) recommending that Senate Resolution No. 90 be adopted.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.R. No. 90, entitled: "SENATE RESOLUTION DIRECTING THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT

TO CONDUCT A STUDY ON HAWAII'S ECONOMIC REVITALIZATION OPPORTUNITIES," was adopted.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 997-82) recommending that Senate Concurrent Resolution No. 63 be adopted.

On motion by Senator Cobb, seconded by Senator Henderson and carried, the report of the Committee was adopted and S.C.R. No. 63, entitled: "SENATE CONCURRENT RESOLUTION DIRECTING THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT TO CONDUCT A STUDY ON HAWAII'S ECONOMIC REVITALIZATION OPPORTUNITIES," was adopted.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 998-82) recommending that Senate Resolution No. 98, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Henderson and carried, the report of the Committee was adopted and S.R. No. 98, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THAT PUBLIC INSTITUTIONS IN HAWAII INCREASE THEIR USE OF LOCALLY CANNED TUNA," was adopted.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 999-82) recommending that Senate Resolution No. 100 be adopted.

On motion by Senator Cobb, seconded by Senator Henderson and carried, the report of the Committee was adopted and S.R. No. 100, entitled: "SENATE RESOLUTION REQUESTING THE U.S. CONGRESS TO AUTHORIZE THE EXTENSION THROUGH FY 1985 OF PUBLIC LAW 92-444, THE CENTRAL, WESTERN AND SOUTH PACIFIC FISHERIES DEVELOPMENT ACT AND THE FUNDING AT \$5 MILLION PER YEAR," was adopted.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1000-82) recommending that Senate Concurrent Resolution No. 69 be adopted.

On motion by Senator Cobb, seconded by Senator Henderson and carried, the report of the Committee was adopted and S.C.R. No. 69, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE U.S. CONGRESS TO AUTHORIZE THE EXTENSION THROUGH FY 1985 OF PUBLIC LAW 92-444, THE CENTRAL, WESTERN AND SOUTH PACIFIC FISHERIES DEVELOPMENT ACT AND THE FUNDING

AT \$5 MILLION PER YEAR," was adopted.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1001-82) recommending that Senate Resolution No. 118 be adopted.

On motion by Senator Cobb, seconded by Senator Henderson and carried, the report of the Committee was adopted and S.R. No. 118, entitled: "SENATE RESOLUTION ENCOURAGING ACCELERATION AND BROADENING OF ECONOMIC TRADE RELATIONS BETWEEN CANADA AND HAWAII, REQUESTING THE GOVERNOR OF HAWAII TO PROCLAIM 'CANADA-HAWAII WEEK,' AND REQUESTING A REPORT FROM THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT (DPED) AS TO THE FEASIBILITY OF ESTABLISHING A 'CANADA-HAWAII TRADE ASSOCIATION,'" was adopted.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1002-82) recommending that Senate Resolution No. 128 be adopted.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.R. No. 128, entitled: "SENATE RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A SMALL BUSINESS ADVISORY COMMITTEE AND REQUESTING THE GOVERNOR TO APPOINT ITS MEMBERS," was adopted.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1003-82) recommending that the Senate advise and consent to the nominations of Donald M. Kuyper, Thomas Trask and Aaron Levine to the Board of Directors of Aloha Tower Development Corporation, in accordance with Gov. Msg. No. 132.

By unanimous consent, action on Stand. Com. Rep. No. 1003-82 and Gov. Msg. No. 132 was deferred until Friday, April 23, 1982.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1004-82) recommending that the Senate advise and consent to the nomination of Raymond Sasaki, Jr., to the Board of Planning and Economic Development, in accordance with Governor's Message No. 133.

By unanimous consent, action on Stand. Com. Rep. No. 1004-82 and Gov. Msg. No. 133 was deferred until Friday, April 23, 1982.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1005-82) recommending that the Senate advise and consent to the nomination of Moses Kealoha to the Board of Land and Natural Resources, in accordance with Governor's Message No. 207.

By unanimous consent, action on Stand. Com. Rep. No. 1005-82 and Gov. Msg. No. 207 was deferred until Friday, April 23, 1982.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1006-82) recommending that the Senate advise and consent to the nominations of Lee Gray and Peter Starn to the Board of Planning and Economic Development, in accordance with Governor's Message No. 247.

By unanimous consent, action on Stand. Com. Rep. No. 1006-82 and Gov. Msg. No. 247 was deferred until Friday, April 23, 1982.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1007-82) recommending that the Senate advise and consent to the nomination of Winona Rubin to the Land Use Commission, in accordance with Governor's Message No. 308.

By unanimous consent, action on Stand. Com. Rep. No. 1007-82 and Gov. Msg. No. 308 was deferred until Friday, April 23, 1982.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1008-82) recommending that the Senate advise and consent to the nomination of Lawrence Chun to the Land Use Commission, in accordance with Governor's Message No. 308.

By unanimous consent, action on Stand. Com. Rep. No. 1008-82 and Gov. Msg. No. 308 was deferred until Friday, April 23, 1982.

Senator Henderson, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1009-82) recommending that the Senate advise and consent to the nomination of Frederick P. Whittemore to the Land Use Commission, in accordance with Governor's Message No. 309.

By unanimous consent, action on Stand. Com. Rep. No. 1009-82 and Gov. Msg. No. 309 was deferred until Friday, April 23, 1982.

Senator George, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1010-82) recommending that Senate Resolution No. 76, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.R. No. 76, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE STATE DEPARTMENT OF TRANSPORTATION TO REPORT TO THE SENATE COMMITTEE ON TRANSPORTATION REGARDING MERCHANDISE DELIVERY FEES AT HONOLULU INTERNATIONAL AIRPORT," was adopted.

Senator Ajifu, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1011-82) recommending that Senate Resolution No. 115, as amended in S.D. 1, be adopted.

Senator Cobb then moved that Stand. Com. Rep. No. 1011-82 be adopted and S.R. No. 115, S.D. 1, be adopted, seconded by Senator Anderson.

Senator Abercrombie rose to support the resolution and stated:

"Mr. President, this resolution is very important to the State of Hawaii, especially with respect to circumstances we find ourselves faced with in terms of federal aid.

"It seems that the President in very cavalier fashion has gone off to the Caribbean trying to take care of their problem and at the same time fails to recognize that in the approach that he is taking he has the potential for seriously undermining both tourism and sugar in terms of our economy in our state.

"This resolution is very pertinent and is not put forward from the Committee on Agriculture simply as a gesture, but rather as an urgent problem that has to be faced and I most certainly hope that our congressional delegation will utilize this resolution as part and parcel of their attempts to bring some rationale to the Caribbean aid package that the President is proposing. It is very ill-conceived. It is not thought out in economic terms with respect to the disadvantages that will accrue to the United States. I think it is a gesture which ostensibly has connections to an attempt to create a good impression among so-called third world nations, yet, the impact that it will have will not be a substantial one in terms of benefiting the ordinary person, either in the Caribbean or make much of an impression in the so-called third world. On the other hand, it would do great

damage to the State of Hawaii in particular and will bring no good benefit to the United States as a whole, whether in terms of its foreign policy or its economic foreign policy."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 1011-82 was adopted and S.R. No. 115, S.D. 1, entitled: "SENATE RESOLUTION RESPECTFULLY URGING THAT THE UNITED STATES CONGRESS AND PRESIDENT REAGAN EVALUATE ALL REASONABLE ALTERNATIVE APPROACHES TO THE U.S. CARIBBEAN AID PACKAGE BEFORE APPROVING OR OTHERWISE PERMITTING IMPLEMENTATION OF THE CARIBBEAN AID PACKAGE," was adopted.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1012-82) recommending that the Senate advise and consent to the nominations of James Carras and Mack H. Hamada to the Hawaii Public Employment Relations Board, in accordance with Governor's Message No. 321.

By unanimous consent, action on Stand. Com. Rep. No. 1012-82 and Gov. Msg. No. 321 was deferred until Friday, April 23, 1982.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1013-82) recommending that the Senate advise and consent to the nominations to the State Foundation on Culture and the Arts of the following:

M. Naomi Morita and Robert K. Fujita, in accordance with Governor's Message No. 135; and

Dennis T. Toyomura, in accordance with Governor's Message No. 281.

By unanimous consent, action on Stand. Com. Rep. No. 1013-82 and Gov. Msg. Nos. 135 and 281 was deferred until Friday, April 23, 1982.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1014-82) recommending that the Senate advise and consent to the nominations to the King Kamehameha Celebration Commission of the following:

Howard H. Crowell and Mary Lani Rawlins, in accordance with Governor's Message No. 136; and

Elizabeth L. Cockett, Antoinette L. Lee, Gwendolyn L. Joseph, and Edward Naihe, Sr., in accordance with Governor's Message No. 209.

By unanimous consent, action on

Stand. Com. Rep. No. 1014-82 and Gov. Msg. Nos. 136 and 209 was deferred until Friday, April 23, 1982.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1015-82) recommending that the Senate advise and consent to the following nominations:

Patricia W. Buckman to the Library Advisory Commission, City and County of Honolulu, in accordance with Governor's Message No. 137;

Daisy U. Smith and Diana Mae Miyaji to the Library Advisory Commission, County of Hawaii, in accordance with Governor's Message No. 138;

Eleanor L.D. Tamura, Margaret R. O'Leary, Lena K. Palama, and Kathleen A. Koerte to the Library Advisory Commission, County of Kauai, in accordance with Governor's Message No. 139;

Robert A. Gahrn and Marvin Tung-Loong to the Library Advisory Commission, County of Kauai, in accordance with Governor's Message No. 210;

Linley Chapman and Marian A. Harris-de-Ochoa to the Library Advisory Commission, City and County of Honolulu, in accordance with Governor's Message No. 250; and

Alyce B. Haines and Winston S. Miyahira to the Library Advisory Commission, County of Maui, in accordance with Governor's Message No. 305.

By unanimous consent, action on Stand. Com. Rep. No. 1015-82 and Gov. Msg. Nos. 137, 138, 139, 210, 250 and 305 was deferred until Friday, April 23, 1982.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1016-82) recommending that the Senate advise and consent to the nomination of Ann B. Simpson to the Board of Public Broadcasting, in accordance with Gov. Msg. No. 140.

By unanimous consent, action on Stand. Com. Rep. No. 1016-82 and Gov. Msg. No. 140 was deferred until Friday, April 23, 1982.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1017-82) recommending that the Senate advise and consent to the nominations of Doris Taitano, Emiko I. Kudo, Paula A. Guanzon Yano, Lydia C. Enoki and Sharon Mahoe to the Hawaii Education Council, in accordance with Governor's Message No. 208.

By unanimous consent, action on Stand. Com. Rep. No. 1017-82 and Gov. Msg. No. 208 was deferred until Friday, April 23, 1982.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1018-82) recommending that the Senate advise and consent to the nominations of Elmer F. Cravalho, Francis M. Stillman, Sr., Edward J. Burns, Barbara Daly, Clayton K.K. Naluai, Barbara Meheula, Wayne Ishihara, Herbert E. Wolff, Sandi Eagleson and Domingo Los Banos to the 1984 Hawaii Statehood Silver Jubilee Committee, in accordance with Governor's Message No. 249.

By unanimous consent, action on Stand. Com. Rep. No. 1018-82 and Gov. Msg. No. 249 was deferred until Friday, April 23, 1982.

At 12:32 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:33 o'clock p.m.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1019-82) recommending that Senate Concurrent Resolution No. 48 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1019-82 and S.C.R. No. 48, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO GRANT RESTITUTION FOR AMERICANS OF JAPANESE ANCESTRY," was deferred until Friday, April 23, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1020-82) recommending that the Senate advise and consent to the nomination of Harry H. Kanada and Theodore J. Goldman to the Intake Service Center Board, in accordance with Governor's Message No. 226.

By unanimous consent, action on Stand. Com. Rep. No. 1020-82 and Gov. Msg. No. 226 was deferred until Friday, April 23, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1021-82) recommending that Senate Resolution No. 8, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1021-82 and S.R. No. 8, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEVELOPMENT OF PROPOSED BAIL REFORM LEGISLATION,"

was deferred until Friday, April 23, 1982.

Senator Carpenter, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1022-82) recommending that Senate Resolution No. 139, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1022-82 and S.R. No. 139, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING AN INVESTIGATION OF THE ALLEGATIONS OF BRUTALITY AGAINST INMATES OF THE OAHU COMMUNITY CORRECTIONAL CENTER ARISING FROM AND OF THE PROCEDURES UTILIZED IN THE PRISON SHAKEDOWN," was deferred until Friday, April 23, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1023-82) recommending that Senate Resolution No. 86 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1023-82 and S.R. No. 86, entitled: "SENATE RESOLUTION URGING PURSUIT OF ALL AVAILABLE MEANS TO PUT AN END TO THE CAMPAIGN OF GENOCIDE AGAINST THE BAHAI FAITH IN IRAN," was deferred until Friday, April 23, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1024-82) recommending that Senate Resolution No. 109, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1024-82 and S.R. No. 109, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF THE HAWAII CRIMINAL JUSTICE SYSTEM TO ENSURE THE RIGHT TO SPEEDY TRIAL," was deferred until Friday, April 23, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1025-82) recommending that Senate Resolution No. 111, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1025-82 and S.R. No. 111, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE HAWAII CRIME COMMISSION TO CONDUCT A STUDY ON SPEEDING UP HAWAII'S CRIMINAL JUSTICE PROCEDURES," was deferred until Friday, April 23, 1982.

Senator Carpenter, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1026-82)

recommending that Senate Resolution No. 46, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1026-82 and S.R. No. 46, S.D. 1, entitled: "SENATE RESOLUTION URGING THE HAWAII SUPREME COURT TO ALLOW THE BROADCASTING OF COURT PROCEEDINGS FOR CRIMINAL CASES," was deferred until Friday, April 23, 1982.

Senator Carpenter, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1027-82) recommending that Senate Concurrent Resolution No. 30, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1027-82 and S.C.R. No. 30, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE HAWAII SUPREME COURT TO ALLOW THE BROADCASTING OF COURT PROCEEDINGS FOR CRIMINAL CASES," was deferred until Friday, April 23, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1028-82) recommending that Senate Resolution No. 133, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1028-82 and S.R. No. 133, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE JUDICIAL SELECTION COMMISSION TO ENCOURAGE PUBLIC INPUT TO THE SELECTION OF JUDGES," was deferred until Friday, April 23, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1029-82) recommending that Senate Concurrent Resolution No. 86, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1029-82 and S.C.R. No. 86, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE JUDICIAL SELECTION COMMISSION TO ENCOURAGE PUBLIC INPUT TO THE SELECTION OF JUDGES," was deferred until Friday, April 23, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1030-82) recommending that Senate Concurrent Resolution No. 16, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1030-82 and S.C.R. No. 16, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING FINANCIAL AND MANAGEMENT AUDITS OF THE OAHU COMMUNITY CORRECTIONAL

CENTER," was deferred until Friday, April 23, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1031-82) recommending that Senate Concurrent Resolution No. 54, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1031-82 and S.C.R. No. 54, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE SENATE AND HOUSE TO CONSIDER THE TELEVISIONING OF IMPORTANT COMMITTEE PUBLIC HEARINGS ON CABLE TELEVISION STATEWIDE," was deferred until Friday, April 23, 1982.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1032-82) recommending that Senate Resolution No. 27, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1032-82 and S.R. No. 27, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF AN ORTHOPEDIC UNIT TO SERVE ORTHOPEDICALLY HANDICAPPED AND OTHER HEALTH-IMPAIRED CHILDREN IN THE CENTRAL OAHU AREA," was deferred until Friday, April 23, 1982.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1033-82) recommending that Senate Concurrent Resolution No. 17, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1033-82 and S.C.R. No. 17, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF AN ORTHOPEDIC UNIT TO SERVE ORTHOPEDICALLY HANDICAPPED AND OTHER HEALTH-IMPAIRED CHILDREN IN THE CENTRAL OAHU AREA," was deferred until Friday, April 23, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1034-82) recommending that Senate Resolution No. 16, be referred to the Committee on Legislative Management.

By unanimous consent, action on Stand. Com. Rep. No. 1034-82 and S.R. No. 16, entitled: "SENATE RESOLUTION REQUESTING FINANCIAL AND MANAGEMENT AUDITS OF THE OAHU COMMUNITY CORRECTIONAL CENTER," was deferred until Friday, April 23, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1035-82) recommending that Senate Resolution No.

67, as amended in S.D. 1, be referred to the Committee on Legislative Management.

By unanimous consent, action on Stand. Com. Rep. No. 1035-82 and S.R. No. 67, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO CONDUCT A MANAGEMENT AUDIT OF THE LEGAL AID SOCIETY OF HAWAII," was deferred until Friday, April 23, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1036-82) recommending that Senate Resolution No. 124 be referred to the Committee on Legislative Management.

By unanimous consent, action on Stand. Com. Rep. No. 1036-82 and S.R. No. 124, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE CONCEPT OF CREATING A DEPARTMENT OF CORRECTIONS," was deferred until Friday, April 23, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1037-82) recommending that the Senate advise and consent to the following nominations:

Joseph G. Williams to the Board of Taxation Review, Second Taxation District, in accordance with Governor's Message No. 231;

Mary H. Wong to the Board of Taxation Review, Fourth Taxation District, in accordance with Governor's Message No. 232; and

Frank K. Hamada and Sharon R. Himeno to the Board of Taxation Review, First Taxation District, in accordance with Governor's Message No. 303.

By unanimous consent, action on Stand. Com. Rep. No. 1037-82 and Gov. Msg. Nos. 231, 232, and 303 was deferred until Friday, April 23, 1982.

At this time, Senator Cayetano made the following introduction to the members of the Senate and stated:

"Mr. President, sitting in the gallery today are two members of the Office of the Prosecutor, City and County of Honolulu, Mr. Tom Pico and Mr. Arthur Ross.

"Mr. President, you remember in yesterday's newspaper that Mr. Marsland got upset when one of his deputies told him what I said. Well, I just want to let you (deputy) know that I excuse you for telling Charlie what I told

you, but will he excuse you for your telling me what you told me about him."

ORDER OF THE DAY

MATTERS DEFERRED
FROM APRIL 19, 1982

FINAL READING

Senate Bill No. 1308, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 1308, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," was deferred until Friday, April 23, 1982.

Senate Bill No. 2470-82, S.D. 2, H.D. 2:

By unanimous consent, action on S.B. No. 2470-82, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH," was deferred until Friday, April 23, 1982.

FINAL READING

Conference Committee Report No. 6-82 (H.B. No. 2815-82, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 6-82 and H.B. No. 2815-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REGISTRATION OF VEHICLES," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 7-82 (H.B. No. 2817-82, H.D. 2, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 7-82 and H.B. No. 2817-82, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFF-ROAD VEHICLES," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 8-82 (H.B. No. 2826-82, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 8-82 and H.B. No. 2826-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WAIMANO TRAINING SCHOOL AND HOSPITAL," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 9-82 (S.B. No. 2550-82, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on

Conf. Com. Rep. No. 9-82 and S.B. No. 2550-82, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 10-82 (H.B. No. 791, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 10-82 and H.B. No. 791, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 11-82 (H.B. No. 1988-82, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 11-82 and H.B. No. 1988-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDIVIDUAL HOUSING ACCOUNTS," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 12-82 (H.B. No. 2201-82, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 12-82 and H.B. No. 2201-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 13-82 (H.B. No. 2838-82, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 13-82 and H.B. No. 2838-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 14-82 (S.B. No. 1697, S.D. 1, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 14-82 and S.B. No. 1697, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JOB-SHARING IN THE DEPARTMENT OF EDUCATION," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 15-82 (S.B. No. 2350-82, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 15-82 and S.B.

No. 2350-82, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 16-82 (S.B. No. 2353-82, S.D. 1, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 16-82 and S.B. No. 2353-82, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JOB SHARING PILOT PROJECT IN THE PUBLIC LIBRARY SYSTEM," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 17-82 (S.B. No. 2561-82, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 17-82 and S.B. No. 2561-82, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 18-82 (H.B. No. 2444-82, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 18-82 and H.B. No. 2444-82, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEATH," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 19-82 (S.B. No. 2765-82, S.D. 1, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 19-82 and S.B. No. 2765-82, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 20-82 (H.B. No. 2192-82, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 20-82 and H.B. No. 2192-82, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 21-82 (H.B. No. 1553, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 21-82 and H.B. No. 1553, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

MERGERS OR CONSOLIDATIONS," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 22-82 (H.B. No. 2890-82, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 22-82 and H.B. No. 2890-82, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INDUSTRIAL LOAN COMPANY GUARANTY ACT," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 23-82 (H.B. No. 1653, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 23-82 and H.B. No. 1653, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REQUIREMENTS FOR AMENDMENT OF THE DECLARATION AND BYLAWS OF CONDOMINIUM ASSOCIATIONS UNDER THE HORIZONTAL PROPERTY ACT," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 24-82 (H.B. No. 2870-82, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 24-82 and H.B. No. 2870-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SENSITIVITY-AWARENESS GROUPS," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 25-82 (S.B. No. 2531-82, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 25-82 and S.B. No. 2531-82, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYER-EMPLOYEE RELATIONSHIPS," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 26-82 (H.B. No. 2183-82, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 26-82 and H.B. No. 2183-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MARINE AFFAIRS COORDINATION," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 27-82 (H.B. No. 2408-82, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 27-82 and H.B. No. 2408-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CREDIT UNIONS," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 28-82 (H.B. No. 2057-82, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 28-82 and H.B. No. 2057-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRUGS," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 29-82 (H.B. No. 2477-82, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 29-82 and H.B. No. 2477-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE DISPOSAL," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 30-82 (S.B. No. 2145-82, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 30-82 and S.B. No. 2145-82, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RIDESHARING," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 31-82 (H.B. No. 2836-82, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 31-82 and H.B. No. 2836-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE SERVICING," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 32-82 (H.B. No. 2936-82, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 32-82 and H.B. No. 2936-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 33-82 (H.B. No. 2813-82, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 33-82 and H.B. No. 2813-82, H.D. 1, S.D. 1, C.D.

1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 34-82 (S.B. No. 2399-82, S.D. 2, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 34-82 and S.B. No. 2399-82, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF REGULATORY AGENCIES," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 35-82 (S.B. No. 2513-82, S.D. 1, H.D. 2, C.D. 1):

By unanimous consent, action Conf. Com. Rep. No. 35-82 and S.B. No. 2513-82, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES: FRANCHISE TAX," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 36-82 (H.B. No. 2313-82, H.D. 2, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 36-82 and H.B. No. 2313-82, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DRIVER EDUCATION AND TRAINING FUND," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 37-82 (H.B. No. 2359-82, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 37-82 and H.B. No. 2359-82, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WITNESS SECURITY AND PROTECTION," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 38-82 (H.B. No. 2559-82, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 38-82 and H.B. No. 2559-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PAYMENT OF SETTLEMENT BETWEEN THE STATE OF HAWAII AND DILLINGHAM CORPORATION DBA HAWAIIAN DREDGING AND CONSTRUCTION COMPANY," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 39-82 (H.B. No. 2679-82, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 39-82 and H.B. No. 2679-82, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COUNSEL AND OTHER SERVICES FOR INDIGENT DEFENDANTS IN CRIMINAL AND RELATED CASES," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 40-82 (H.B. No. 3119-82, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 40-82 and H.B. No. 3119-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL GROUP LIVING," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 41-82 (H.B. No. 1948-82, H.D. 2, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 41-82 and H.B. No. 1948-82, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 42-82 (H.B. No. 2511-82, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 42-82 and H.B. No. 2511-82, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMPLIANCE RESOLUTION," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 43-82 (H.B. No. 2947-82, H.D. 2, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 43-82 and H.B. No. 2947-82, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AN AQUACULTURE AND LIVE-STOCK FEEDS PRODUCTION PROGRAM," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 44-82 (H.B. No. 509, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 44-82 and H.B. No. 509, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 45-82 (H.B. No. 2295-82, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 45-82 and H.B. No. 2295-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII REGULATORY LICENSING REFORM ACT," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 46-82 (H.B. No. 2778-82, H.D. 2, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 46-82 and H.B. No. 2778-82, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXCEPTIONAL CHILDREN," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 47-82 (H.B. No. 2767-82, H.D. 3, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 47-82 and H.B. No. 2767-82, H.D. 3, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 48-82 (S.B. No. 2346-82, S.D. 2, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 48-82 and S.B. No. 2346-82, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL FEES," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 49-82 (H.B. No. 2331-82, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 49-82 and H.B. No. 2331-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 50-82 (H.B. No. 2332-82, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 50-82 and H.B. No. 2332-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND LEASES FOR AGRICULTURAL USE," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 51-82 (H.B. No. 2888-82, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 51-82 and H.B. No. 2888-82, H.D. 1, S.D. 1, C.D.

1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 52-82 (H.B. No. 3078-82, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 52-82 and H.B. No. 3078-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 53-82 (S.B. No. 400, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 53-82 and S.B. No. 400, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTEREST," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 54-82 (S.B. No. 2388-82, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 54-82 and S.B. No. 2388-82, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 55-82 (S.B. No. 2638-82, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 55-82 and S.B. No. 2638-82, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SALES AND TRANSFER OF REAL PROPERTY SITUATED IN HAZARDOUS AREAS," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 56-82 (S.B. No. 65, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 56-82 and S.B. No. 65, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND TRUSTS," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 57-82 (S.B. No. 2147-82, S.D. 2, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 57-82 and S.B. No. 2147-82, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," was deferred

until Friday, April 23, 1982.

Conference Committee Report No. 58-82 (S.B. No. 2467-82, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 58-82 and S.B. No. 2467-82, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS AND AMMUNITION," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 59-82 (H.B. No. 2348-82, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 59-82 and H.B. No. 2348-82, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO METAL AND GEM DEALERS," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 60-82 (H.B. No. 2377-82, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 60-82 and H.B. No. 2377-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII RIGHT TO FARM ACT," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 61-82 (H.B. No. 2606-82, H.D. 2, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 61-82 and H.B. No. 2606-82, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMITTED PERSONS, FURLOUGH, EMPLOYMENT," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 62-82 (S.B. No. 2454-82, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 62-82 and S.B. No. 2454-82, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY TRANSACTIONS," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 63-82 (H.B. No. 2407-82, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 63-82 and H.B. No. 2407-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR LICENSE," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 64-82 (H.B. No. 2176-82, H.D. 2, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 64-82 and H.B. No. 2176-82, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 65-82 (H.B. No. 3136-82, H.D. 2, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 65-82 and H.B. No. 3136-82, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 66-82 (H.B. No. 2318-82, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 66-82 and H.B. No. 2318-82, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTAKE SERVICE CENTERS," was deferred until Friday, April 23, 1982.

Conference Committee Report No. 67-82 (H.B. No. 2177-82, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 67-82 and H.B. No. 2177-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOREST AND WATER RESERVE ZONES," was deferred until Friday, April 23, 1982.

THIRD READING

Standing Committee Report No. 971-82 (H.B. No. 2571-82, H.D. 2):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 971-82 was adopted and H.B. No. 2571-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT OF ATTORNEYS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

MATTERS DEFERRED
FROM APRIL 21, 1982

THIRD READING

House Bill No. 2096-82, H.D. 2:

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2096-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NONRESIDENT VEHICLE PERMITS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2149-82:

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2149-82, entitled: "A BILL FOR AN ACT RELATING TO BRANDS AND AMENDING SECTION 142-41, HAWAII REVISED STATUTES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2158-82, H.D. 1:

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2158-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL OBLIGATION BONDS OF THE STATE OF HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Abercrombie, Cobb and Kawasaki).

House Bill No. 2163-82:

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2163-82, entitled: "A BILL FOR AN ACT RELATING TO THE EXECUTIVE DEPARTMENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2166-82, H.D. 1:

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2166-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY/STATE HOSPITAL SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2271-82, H.D. 1:

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2271-82, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO LEASES OF PUBLIC LANDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2445-82:

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2445-82, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT (MODIFIED)," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2564-82, H.D. 1:

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2564-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CREATION OF SPECIAL HANDLING FEES FOR REVIEW OF CORPORATION AND PARTNERSHIP DOCUMENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2684-82, H.D. 1:

Senator Cobb moved that H.B. No. 2684-82, H.D. 1, having been read throughout, pass Third Reading, seconded by Senator Anderson.

Senator Kawasaki then rose to speak against the measure and stated:

"Mr. President, I'm voting against this bill and speaking against this bill because what in effect it does is to raise the interest rates payable by the State Government on the Hawaii Housing bonds from eight percent to eighteen percent.

"I think for the state to be tied in to a bond payment plan of an eighteen percent interest rate over a long period of years would not make it possible for the state to take advantage of any interest rate down-turn. We would be tied in paying eighteen percent over a long period of time and I think this restricts the State Government to take advantage of flexibility in the way of interest payment.

"Secondly, by raising it ten whole percent, from eight percent to eighteen percent is sort of taking a very fatalistic attitude that the State Government doesn't have any hopes of interest rates coming down.

"Everyone is concerned about high rates of interest that people have to pay, including government entities. This writing into the law an eighteen percent figure that the state pays, I think, is not having the state, at the least, take some initiative toward the encouragement of lower rate of interest to be paid by both individuals and governments. I will vote against this bill."

The motion was put by the Chair and carried, and H.B. No. 2684-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Abercrombie and Kawasaki).

House Bill No. 3121-82, H.D. 2:

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 3121-81, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE AND COUNTY HOUSING LOAN PROGRAMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 3133-82, H.D. 2:

Senator Cobb moved that H.B. No. 3133-82, H.D. 2, having been read throughout, pass Third Reading, seconded by Senator Anderson.

The Chair then explained to the members of the Senate as follows:

"The Governor sent down a message requesting emergency passage of this bill and I have been informed by the Clerk that that message was filed about two days ago."

The motion was put by the Chair and carried, and H.B. No. 3133-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE FUNDING OF COUNTY EMERGENCY MEDICAL SERVICES DEFICITS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 12:40 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:42 o'clock p.m.

Standing Committee Report No. 862-

82 (H.B. No. 2010-82):

By unanimous consent, action on Stand. Com. Rep. No. 862-82 and H.B. No. 2010-82, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR," was deferred until Friday, April 23, 1982.

House Bill No. 3109-82, H.D. 1:

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 3109-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Campbell and Yee).

House Bill No. 2017-82, H.D. 1:

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2017-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REGULATION OF EMPLOYMENT AGENCIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Campbell).

House Bill No. 2220-82, H.D. 1:

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2220-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REGULATION OF EMPLOYMENT AGENCIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Campbell).

House Bill No. 2451-82:

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 2451-82, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Campbell).

House Bill No. 2811-82:

On motion by Senator Cobb, seconded

by Senator Anderson and carried, H.B. No. 2811-82, entitled: "A BILL FOR AN ACT RELATING TO THE COMPOSITION OF THE BOARD OF TRUSTEES FOR THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Campbell).

At 12:44 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:47 o'clock p.m.

House Bill No. 725:

Senator Cobb moved that H.B. No. 725, having been read throughout, pass Third Reading, seconded by Senator Anderson.

Senator Young rose to speak in support of the measure and stated:

"Mr. President, the purpose of H.B. 725 is to reduce the Hawaiian blood requirement for a spouse or offspring of a Hawaiian homestead lessee to qualify as a successor to a homestead lease.

"Under the present law, the designated successor of a homestead lessee must be of at least 50% Hawaiian blood to qualify as a successor to a homestead lease. This bill would reduce the blood requirement for a spouse or offspring of a lessee to one-quarter Hawaiian blood quantum.

"Testimony was received from the Department of Hawaiian Home Lands and several native Hawaiian groups and individuals who spoke in favor of this bill.

"The Department of Hawaiian Home Lands testified that since 1975, eight leases had been cancelled because the spouse or children of the deceased lessee did not meet the blood requirement. Three of those eight had been cancelled in 1981. A 1976 study carried out by the Department identified 329 families which could be affected by this section. The Waianae Valley Homestead Community Association identified 15 families in a community of 153 which were in jeopardy of being dislocated through the death of the lessee.

"Your committee is concerned that these situations threaten family security and stability and frustrates the intent of the Hawaiian Homes Commission

Act which is to assist the Hawaiian people by returning them to the land.

"Mr. President, I urge the members to vote for this measure."

Senator Cayetano then rose to speak in support of the measure and stated:

"Mr. President, I will support the chairman of this bill, however, I do want to make some comments.

"I hope the passage of this bill will not set a precedent with respect to the application or admission of Hawaiians to Hawaiian home lands. If that happens, I think there will be a real problem because the fifty percent blood quantum has been standing for a long time and for those who are coming on for the first time, I think we should maintain that.

"This bill proposed to reduce it to twenty-five percent, as I understand it, so that those who are on right now can pass it on to their children who have at least that percent blood quantum.

"I do think, however, that if there is one fault with this bill it is that perhaps that what we're really doing is postponing coming to grips with the problem for another generation or so. Sooner or later the Legislature is going to have to decide, as more of the Hawaiian population intermarries, whether for even passing it on to heirs, we would have to reduce the blood quantum further. When that time comes, Mr. President, you and I will probably no longer be in this Legislature or maybe on this earth."

Senator Young, in response, stated: "Mr. President, this bill would not let an original lessee to get on... that person must still have fifty percent Hawaiian blood.

"The original intent of this act did not specify any blood quantum. The original act stated that any Hawaiian or part-Hawaiian may get on to leasehold land. It has been diluted since then, but the original intent was not to bar but to put any Hawaiian with even one-sixteenth or one-thirty-second blood quantum to get on this land, but through various schemes it has been reduced to 50%."

Senator Abercrombie also rose to speak for the measure and stated:

"Mr. President, speaking in favor but at the same time registering some of the comments made by Senator Cayetano, perhaps elucidating a little bit more.

"Historically, with the advent of the act there were arguments made as to just precisely who was going to be considered Hawaiian. I guess we all know that that argument hasn't ended right to this very moment. I guess it all depends on whether it's to your advantage at the moment as to what degree you make that kind of argument.

"The reference made by Senator Young had to do with the attempts of the sugar companies and some other mercantile interests to assure themselves of an advantage with respect to the land...its control I should say. They couldn't own it so they wanted to control it.

"There were arguments that took place at that time whether one should be full-blooded Hawaiian or whether it should be down to one-thirty-second. We're down to one-quarter here with this bill, and in my discussions with Senator Young I indicated that for someone like myself who has come to the islands much later in history, as have most other people alive now today in terms of their ancestry, not being able to trace it back to the native Hawaiian who themselves came from some place else in the Pacific, it really creates a dilemma, because the intent, regardless of how it came about originally, quite clearly stated fifty percent blood quantum. When you change it to one-quarter you're changing the intent and this is a lease situation.

"The people who wanted the land understood perfectly well that if they were not able to maintain the fifty percent quantum that they were not entitled. This is not in fee simple, after all. There are lots of people who have the fifty percent quantum who never have had the opportunity to get on the land.

"Now, I understand that it's not supposed to discriminate against them, but as we know with the administration of this law and the rules and regulations all the way through, lots of things that weren't supposed to happen, happened, and continue to happen. Lots of things that are supposed to happen, don't happen, and that continues. So you have this continuous acrimony, suspicion, hard-feelings, and now we move to one-quarter.

"If you move to one-quarter, there's no logic to the one-quarter in a sense of not taking it all the way down to then an eighth and a sixteenth and a thirty-second and a sixty-fourth, and on down.

"If the argument is made today that having one drop blood quantum of Hawaiian blood, that is to say to be able to trace one's ancestry on either side of one's family to any Hawaiian ancestor, qualifies you to be Hawaiian in an ethnic or racial sense, then what possible argument can be made that there is a rationale or logic to one-quarter blood quantum other than for the convenience of those who wish to pass it on to those who qualify now.

"What about those who will not qualify?

"It simply runs against the grain of modern historical analysis to think that they will not continue to be outmarried. And to that extent that that is going to be the social reality, we should recognize it now. We should either stick with the fifty percent figure or we should get rid of it entirely. When I say 'we,' those of us who have the responsibility today. I can't take the responsibility of what happened 50 or 100 or 200 years ago, but I have to take the responsibility for what we do today as it might affect those people who come 50 or 100 or 200 years down the road, just as they should have done back in the days to which I was referring in the past.

"Now, as a result of that I'm saying that I have no advantage here. I'm not qualified nor will I ever be qualified to have any of this land. I'm not involved in it. I'm not in the business that would put me into a situation where I'd be trying to get general leases or anything of the kind. So, in that sense I feel, from an objective point of view, no personal advantage that not only are we postponing the problem, that is to say that what Senator Cayetano mentioned about having to move to a different blood quantum, but we are continuing the problem of what effect this act is supposed to accomplish. I don't think it's doing it.

"The reason that I'm voting for it is that Senator Young has assured me that this bill will push this argument to the Congress in terms of what the act should be related to in modern circumstances. I think they're going to have to take it up. The one-quarter does not make any sense. Once you move from the fifty percent it does not make any sense to stop at one-quarter. What does make sense is to say the Hawaiian people, to the degree that we are going to define people as Hawaiian in terms of blood quantum, should be anyone who had ancestral claim with respect to the Hawaiians. To do anything else is simply create one series of tragedy after another where people will be

reduced to pawing through ancestral records to make sure that they can squeeze themselves into the proper category.

"And we completely ignore the equally true fact of Hawaiian life that many people have been raised by Hawaiian families as Hawaiians in the eyes of their children and in the eyes of all of society, and I don't know if in the eyes of God... probably in the eyes of God, but maybe not in the eyes of the registration department or whoever keeps those records, but in the records of people's minds and hearts those children are their children. So, it seems to me that we should stop playing around with this issue and recognize the difficulties for what they are and move away from the one-quarter entirely. To do otherwise, it seems to me, is not just to postpone the problem, but to commit a continuing sin against the object of the act in the first place."

Senator Kuroda also spoke in support of the bill and remarked:

"Mr. President, passage of this bill will help the physical environment. I don't think this has been mentioned with regard to the positive effect of this change. Although most of the present Hawaiian homesteaders have positive attitudes and have maintained their home improvements some still fear and hesitate to make improvements because of the eventual loss of their homes. What this does in a positive way is to encourage the present Hawaiian homesteaders to make these improvements on their domicile and their surroundings. So this is something that we need to keep in mind. Thank you."

At 12:59 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:01 o'clock p.m.

Senator O'Connor also spoke for the measure and stated:

"Mr. President, I'm going to vote in favor of this bill but in doing so I want to point out that we are essentially seeking an amendment to the Hawaiian Homes Commission Act of 1920 in taking this action.

"As I understand Article XII of our State Constitution, this action shall not become effective until such time as the action that we take here is proposed in the Congress of the United States and the Congress there takes similar actions to amend the Hawaiian Homes Commission Act.

"It is clear that the Hawaiian Homes Commission Act, as presently drafted, would preclude the action sought by this bill."

Senator Kawasaki then rose to speak against the measure and stated:

"Mr. President, I think the words spoken by Senator Abercrombie were profound words. In the occasional spasms we have around here with good humor levity, I delight in hearing some very serious discussion of a serious issue. I think this matter of the blood quantum issue should be settled once and for all, and I don't think as Senator Abercrombie says, acceding to a twenty-five percent blood quantum decision is improving matters any.

"For that reason, I will vote against this bill, unlike people who argue against the present trend but will have to vote for it. I am voting against this bill."

Senator Carpenter spoke in favor of the measure and stated:

"Mr. President, I would just like to say that I share the same concerns as Senator O'Connor and with the assurance that that will be the flow of this bill, that is, to the Congress for their approval prior to this bill's enactment, I will be in support of the bill.

"I have expressed on several occasions to the chairman of the Hawaiian Homes Commission some of the concerns that have been raised. Basically, it goes to the same concerns that Senator Abercrombie spoke to. I think the question which will come back from the Federal Government will ask the Hawaiian Homes Commission whether or not, in fact, they have made every effort to accommodate the individuals who are presently of fifty percent blood quantum in the scheme of things in the foreseeable future. If they have not, then I don't think the Congress will have any choice but to deny this application. Thank you."

The motion was put by the Chair and carried, and H.B. No. 725, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Kawasaki).
Excused, 2 (Campbell and Yee).

House Bill No. 1521, H.D. 1:

Senator Cobb moved that H.B. No. 1521, H.D. 1, having been read throughout, pass Third Reading, seconded by Senator Anderson.

Senator Cobb then rose on a point of clarification and stated:

"Mr. President, I'd like to make a Journal entry for the Revisor of Statutes to correct an error that was discovered in the post review of the bill.

"There is a typographical error on page 4, lines 1 and 2, phrase 'or guarantee against loss' is a typographical error and should be deleted as the phrase 'guarantees against loss' is typed twice. Again, on page 4, line 5, the word 'arrangements' is misspelled.

"Thank you."

The motion was put by the Chair and carried, and H.B. No. 1521, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAKE-OVER BIDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes 23. Noes, none. Excused, 2 (Campbell and Yee).

House Bill No. 1944-82:

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 1944-82, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CODE OF MILITARY JUSTICE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Campbell and Yee).

ADVISE AND CONSENT

Standing Committee Report No. 877-82 (Gov. Msg. No. 283):

By unanimous consent, action on Stand. Com. Rep. No. 877-82 and Gov. Msg. No. 283 was deferred until Friday, April 23, 1982.

Standing Committee Report No. 878-82 (Gov. Msg. No. 286):

By unanimous consent, action on Stand. Com. Rep. No. 878-82 and Gov. Msg. No. 286 was deferred until Friday, April 23, 1982.

Standing Committee Report No. 881-82 (Gov. Msg. No. 186):

Senator Cobb moved that Stand.

Com. Rep. No. 881-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations of Federico Galdones and Shoichi Nagamine to the Board of Agriculture, terms to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Campbell and Yee).

Standing Committee Report No. 882-82 (Gov. Msg. No. 187):

Senator Cobb moved that Stand. Com. Rep. No. 882-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of David K. Oshiro to the Board of Agriculture, term to expire December 31, 1984, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Campbell and Yee).

Standing Committee Report No. 889-82 (Gov. Msg. No. 307):

Senator Cobb moved that Stand. Com. Rep. No. 889-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations to the Board of Agriculture as follows:

Jack K. Suwa, term to expire December 31, 1982; and

Alexander Napier, Jr., term to expire December 31, 1985,

seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Campbell and Yee).

Standing Committee Report No. 892-82 (Gov. Msg. No. 159):

By unanimous consent, action on Stand. Com. Rep. No. 892-82 and Gov.

Msg. No. 159 was deferred until Friday, April 23, 1982.

Standing Committee Report No. 894-82 (Gov. Msg. No. 290):

By unanimous consent, action on Stand. Com. Rep. No. 894-82 and Gov. Msg. No. 290, nomination of Walter R. Steiger to the Board of Regents, University of Hawaii, was deferred until Friday, April 23, 1982.

Standing Committee Report No. 895-82 (Gov. Msg. No. 290):

By unanimous consent, action on Stand. Com. Rep. No. 895-82 and Gov. Msg. No. 290, nomination of James F. Gary to the Board of Regents, University of Hawaii, was deferred until Friday, April 23, 1982.

Standing Committee Report No. 896-82 (Gov. Msg. No. 290):

By unanimous consent, action on Stand. Com. rep. No. 896-82 and Gov. Msg. No. 290, nomination of Kenneth N. Kato to the Board of Regents, University of Hawaii, was deferred until Friday, April 23, 1982.

Standing Committee Report No. 925-82 (Gov. Msg. No. 277):

Senator Cobb moved that Stand. Com. Rep. No. 925-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Ronald Okamura to the Board of Dispensing Opticians, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Campbell and Yee).

At 1:06 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:08 o'clock p.m. with the Vice-President in the Chair.

Standing Committee Report No. 945-82 (Gov. Msg. No. 236):

Senator Cobb moved that Stand. Com. Rep. No. 945-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of George Kaahanui, Jr., to the Boxing Commission, term to expire December 31, 1984, seconded by Senator Anderson.

At this time, Senator Wong rose to speak against the confirmation and stated:

"Mr. (Vice) President, I rise to speak in opposition to the Senate's confirmation of George Kaahanui, Jr., to the Boxing Commission, Vance Cannon, Roy Nakamoto and Masanori Emoto to the Hawaii Housing Authority, and Tim Scott Farr to the Board of Regents.

"Mr. (Vice) President, in speaking against these nominations, I must begin by making it absolutely clear that I am not speaking against the nominees as individuals. I believe they are all good and capable people. In no way should my remarks be construed as disparagement or criticism of them.

"My opposition to their confirmation is based on constitutional grounds.

"To fully and fairly consider the issue before the Senate, let me place the issue in its proper historical and constitutional context.

"First, let us review article V, section 6, of the Hawaii State Constitution, relating to executive and administrative offices and departments, and especially those clauses which bear directly on the issue before us.

"The Constitution states:

'When the senate is not in session and a vacancy occurs in any office, appointment to which requires the confirmation of the senate, the governor may fill the office by granting a commission which shall expire, unless such appointment is confirmed, at the end of the next session of the senate. The person so appointed shall not be eligible for another interim appointment to such office if the appointment failed to be confirmed by the senate.'

"And the Constitution also states:

'No person who has been nominated for appointment to any office and whose appointment has not received the consent of the senate shall be eligible to an interim appointment thereafter to such office.'

"Thus, the authority of the governor to make interim appointments is conditioned by two explicit restraints in the Constitution:

First, he can make interim appointments only when the Senate is not in session and a vacancy occurs; and second, he cannot make an interim appointment of a person who has previously been nominated but who has failed to receive the consent of the Senate. These are the two major points to keep in mind.

"We are being asked to provide our consent to the same persons who were nominated in 1981, whose nominations were withdrawn in 1981, and who were then appointed to vacancies which had existed even before the Senate adjourned in 1981.

"The history is so recent that we can all recall what happened last session. The Senate did not confirm these nominees. For a number of reasons, we did not feel that they were the precise people we felt were appropriate for the positions to which they had been named. We did not say they were unqualified people.

"In any event, in the face of Senate opposition, the Governor withdrew these nominees from Senate consideration.

"But can the Governor then proceed, after the Senate adjourned sine die to grant interim appointments to these same nominees? He did so, and in so proceeding, he took an 'end run' around the Constitution and the Senate's power of confirmation.

"In the first place, the persons were granted interim appointments to vacancies which did not occur after the Senate adjourned. These vacancies had in fact occurred previously, and in the second place, to appoint persons whose names were formally submitted to the Senate and then withdrawn is a direct circumvention of the Senate's constitutional powers to advise and consent.

"I submit to this body that if we consent to these nominations, we would be making a mockery of our constitutional power of advise and consent. Rather than defend that power, we would be extending an invitation to the Governor to again circumvent that power and render it meaningless.

"That power has been challenged in the past, in an open constitutional arena.

"In the 1968 Constitutional Convention, as some of you who were members of the convention may remember, a formidable assault was attempted to strip the Senate of its confirmation powers. In reviewing the debate that took place, I was heartened to read

how perceptive some delegates were in appreciating the Senate's confirmation power in our system of checks-and-balances. I was impressed in particular by one delegate's measured statement in support of the Senate's power to advise and consent.

"I will share that delegate's thoughts with you. He said, and I quote:

'I think that what is important... (in) the retention of power to advise and consent to the governor's nominees is the opportunity that is granted to review and go over the various nominees. The governor is one man. By conferring with the senators and by being required to get the consent of the senate, what happens is that more people who represent people on a smaller level are able to point out to the governor... things that may be very helpful to the governor in his decision as to whether or not a particular name should be sent down...'

And that delegate concluded very simply but very effectively:

'And I feel that this kind of opportunity for the people to be heard through the senate should be continued.'

"It was through the able defense of the Senate's confirmation powers by this delegate and others in the 1968 convention that the effort to strip the Hawaii Senate's power to advise and consent--a power that goes back to the origins of the Organic Act--was defeated.

"That delegate who was in the forefront of the fight to defend the Senate's confirmation power, and whose words I have just quoted, is a person, Mr. (Vice) President, whom we all hold in deep respect. And surely, such an eloquent defender of the Senate and an advocate of respect for the Senate's power should not be kept in mystery. That delegate was delegate George Ariyoshi, then member of the 1968 Constitutional Convention, then member of the Senate, and now Governor of the great State of Hawaii.

"I remind my colleagues that the Senate's power of confirmation, a power that has its genesis with the beginnings of the United States Constitution is surely a power that should be zealously safeguarded.

"I believe, Mr. (Vice) President, it was Alexander Hamilton, one of the Founding Fathers, writing in what has come to be known as the Federalist Papers, who said of the United States Senate's confirmation powers on April 1, 1788:

'To what purpose then require

the cooperation of the Senate? I answer, that the necessity of their concurrence would have a powerful, though, in general, a silent operation. It would be an excellent check upon...the president, and would tend greatly to prevent the appointment of unfit characters...'

"And Alexander Hamilton went on to write:

'It will readily be comprehended, that a man who had himself the sole disposition of offices, would be governed much more by his private inclinations and interests, than when he was bound to submit the propriety of this choice to the discussion and determination of a different and independent body, and that body an entire branch of the legislature. The possibility of rejection would be a strong motive to care in proposing.'

"So what we have before us, members of the Senate, is an issue that runs much deeper than merely passing judgment on the individual nominees. It is an issue that runs to the heart of the American system of government, after which our own State Government is patterned. It runs to the heart of our system of separation of powers and checks-and-balances, of which the Senate--through its confirmation powers--is such an important part.

"Approve these nominees, and we are saying, in effect, we are only a rubber stamp, that the Senate's powers of advise and consent are meaningless and that the Senate's constitutional power of confirmation may be circumvented by the Governor at will.

"I submit to you, Mr. (Vice) President, reject these nominees, as I urge that you all do, and we will be safeguarding the power of advise and consent which as has been conferred upon us by the people. And in addition, Mr. (Vice) President, that in this government--the government of the State of Hawaii--this Senate will judiciously exercise its responsibility under the Constitution and under the principles of the American system of government.

"Thank you very much."

Senator O'Connor then spoke in favor of the nomination and stated:

"Mr. (Vice) President, I rise to speak in favor of Governor's Messages 236, and 259, 260, 261 and 301.

"Mr. (Vice) President, we are not dealing, when we consider these messages,

with some esoteric debate on political position. We're dealing with people who are human, who have feelings, who have positions in the community, who are real people.

"I don't know all of these people, but I do know some of them. I know Mr. Roy Nakamoto to be one of the finest attorneys in Hilo. I have had the pleasure of working with him on several matters and in trying several law suits against him in court. To deal with Mr. Roy Nakamoto or any of these other nominees in this fashion is wrong.

"If this position concerning advise and consent is to be taken it should have been properly taken in committee--raised there, disposed of there, and not have people who are to my knowledge outstanding people in this community used simply as a gesture in this body.

"I'm going to vote in favor of these people and I would urge everyone here to vote in favor because the committees that reviewed them have reported them to us favorably, as people, and I don't believe that we should on a point of principle wreck the reputations, or in any other way, invade the situations concerning these individuals in this body in this public fashion.

"I would urge everyone to vote in favor of these nominees."

Senator Ushijima then rose on a point of inquiry and remarked:

"Mr. Presiding Officer, I listened with great interest to the President of the Senate who brought up the constitutional question involved in the confirmation of these various individuals. The question I have is this...that this is a very serious matter that this body is discussing at the present time...and my question to the President of the Senate would be, if he is willing to yield to the question that I have, that if these matters had been contemplated by the President and he feels so strongly as to his constitutional interpretation, whether these matters have been seriously discussed with the Governor as to the position that he's taken on the interpretation of the Constitution? Will the President of the Senate answer the question?"

Senator Wong answered as follows:

"Mr. (Vice) President, I will yield to the question.

"In answer to my distinguished colleague from the Big Island, I think it would behoove all of us to know that the discussion on these nominees ensued

after the session last year. We met with the Governor in November in a meeting at Washington Place for breakfast. I told the Governor quite honestly that these nominees were definitely in trouble and asked him not to submit their names to the Senate.

"In early January of this year, I met once again with the Governor and asked the Governor if he would withdraw the names of the present nominees that we are discussing.

"Again, in February, I met with the Governor and asked him if he would withdraw the names because there was definite opposition in the Senate toward the appointment of these individuals. As a matter of fact, Mr. (Vice) President, the respective chairmen of the respective committees had a conversation with the Governor and they personally told him to withdraw the nominations.

"Last Friday, I again approached the Governor and told him that his nominees were definitely in trouble here in the Senate and asked that their names be withdrawn. His comment was that he was the appointing authority and therefore he did not want to ask the nominees to withdraw. If anything were to happen, it would be because the nominees themselves requested their names be taken off.

"To date, of the six nominees the Senate was concerned about, one nominee to SHPDA, Mr. KeNam Kim, submitted a letter to the Governor asking that his name be withdrawn from consideration by the Senate. To date this is the only message that I have received from the Governor and as late as yesterday afternoon I spoke with the Governor and told him that the nominees were definitely in trouble and that I was willing to hold back action on the committee reports until such time as he had an opportunity to talk to these individuals again."

Senator Ushijima thanked Senator Wong then continued:

"Well, the question that I had more specifically was that besides your asking the Governor to withdraw the names, the matter that you brought up here, that of your interpretation of the Constitution that what the Governor is doing is illegal in bringing down the names again... that is the question that I had in mind.

"I would think the proper thing would be that if you are going to ask this body to reject these names on

constitutional grounds, then certainly there should be some kind of opinion expressed by some qualified people as to whether your position is right or wrong.

"I would ask, first of all, if there was an Attorney General's opinion as to whether the actions taken by the Governor is illegal under the Constitution. And this, I have grave doubts about. So, based upon the argument by the Senate President, on that basis alone, that you should reject these nominees, I cannot accept that. I'm going to vote for all these four nominees.

"Thank you."

Senator Cobb then rose to speak on the confirmations and stated:

"Mr. (Vice) President, last session, in impartial rebuttal to the comments from my colleague from the Seventh District and in support of the position taken by the President, I recall very clearly being criticized on the floor of the Senate for not bringing the name out of the committee.

"I've had numerous discussions with the Governor and have sat in the presence of both the Governor and the President of the Senate, as the power and the whole concept of the role of advise and consent was being discussed, and would verify everything that the President has said relative to not only the position that's been staked out, but also the courtesy that's been given to the Governor in terms of the communication of the difficulties that existed as well as the circumvention of the Senate's right of advise and consent when an interim appointment is made, withdrawn, and then another interim appointment is made. The Governor has intimated that he wanted to see the entire Senate vote on the matter and that courtesy is being accorded."

Senator Holt then spoke in support of the nominations and stated:

"Mr. (Vice) President, speaking in favor of these nominations and before we take a vote to reject or approve, the previous speaker talked about courtesy to the Governor... asking him to withdraw the nominations, and now we're going ahead and we're going to act on these. But, I just have a question to the previous speaker as chairman of the committee whether the courtesy was extended to that nominee for the last two years to even appear before the committee for a hearing?"

Senator Cobb responded: "The individual

in question did appear last year and then this year the committee report was circulated."

Senator Holt then continued and stated:

"Mr. (Vice) President, I don't know who's pulling whose leg, but this gentleman, George Kaahanui, Jr., to my knowledge, was not informed of a hearing last year. He did not attend a hearing last year because he was not invited; also this year.

"It's unfortunate that we're taking the issue of this constitutional 'end run' by the Governor at the sake of some individuals in the community who have a lot to contribute and if we're going to be courteous to the Governor the least we could do is be courteous to these nominees.

"I can sincerely say that there's no reason why we're going through with this vote here on the floor right this minute when there is blanket position by the Senate coalition to reject these individuals. I don't see why we don't take them one at a time and decide why they should be nominated or not on the basis of merit and I sincerely suggest and ask that each and everyone of you to think about what you are doing right now and vote your conscience.

"Thank you."

Senator O'Connor then rose to inquire:

"Mr. (Vice) President, I rise on a point of parliamentary inquiry. We have had the chairman of the Consumer Protection Committee admit that he had no hearing on Governor's Message 236 this year. I would ask whether or not the Housing and Hawaiian Homes Committee had hearings on Governor's Messages 259, 260, and 261, and whether or not Higher Education had a hearing on Governor's Message 302 this year?"

The Chair then responded:

"In order to clarify some of the inquiries made here I will pose the question to the individual senators of the respective committees.

"First of all to the chairman of the Senate Committee on Consumer Protection, if he will answer the question of whether he had held hearings on the nominee?"

Senator Cobb answered: "We had a hearing last year. I'm going to be checking with my staff to verify whether we held another hearing this year on the same nominee."

At 1:29 o'clock p.m., the Senate

stood in recess subject to the call of the Chair.

The Senate reconvened at 1:31 o'clock p.m.

The Chair then queried the chairman of the Committee on Higher Education and Senator Saiki replied:

"Yes, Mr. (Vice) President, we certainly did. In fact, I had three meetings with the Governor on the matter. I held a public hearing last year and another public hearing this year and even extended my courtesy to the nominee with a one hour private meeting."

Senator O'Connor then said: "Mr. (Vice) President, with those answers, I would suggest to the Chair, on a point of parliamentary order, that Governor's Message No. 236 (George Kaahanui) is not properly before us if no public hearing was held on that nominee this year as that of the Governor's message which was given to this body this year."

Senator Wong interjected: "Mr. (Vice) President, I think the question has been answered in reference to public hearings. All three chairmen having jurisdiction over these nominees said that public hearings were held.

"Mr. (Vice) President, I would like to make a request at this time that rather than a blanket motion to take all of these nominees with one motion, I'd much prefer that we take each Governor's message by roll call vote."

The Chair answered: "Yes, I intend to make that suggestion.

"Now, Senator O'Connor, coming back to your inquiry, do you wish to appeal the Chair who at this point takes the stand that everything is in order or do you wish to appeal the decision of the Chair?"

Senator O'Connor responded and stated:

"Mr. (Vice) President, maybe I didn't hear correctly.

"I heard the chairman of the Consumer Protection Committee say in this body no longer than a few minutes ago that there had been no public hearing this year on this Governor's Message (236), and the requirement that I believe we have is that there shall be a public hearing on these Governor's messages before they are brought before this body on the floor.

"Now, he said they had one last year. That was a different Governor's

message, a different year, as the earlier speaker indicated and, therefore, I challenge the validity of having Governor's Message No. 236 acted upon at this time."

The Chair then asked: "Senator O'Connor, would you then want to disqualify the Governor's message on that particular appointee from even being considered for vote today?"

Senator O'Connor answered: "It is not properly before this body, Mr. (Vice) President."

The Chair remarked and asked: "It's your contention that it is not properly by procedure before this body, then we take no action one way or the other on that nominee. Is that your desire?"

Senator O'Connor answered: "Mr. (Vice) President, all I'm seeking at this time is a ruling on parliamentary procedure as to whether or not that message is properly before this body if there has been no public hearing on it."

Senator Wong then rose on a point of order and said:

"Mr. (Vice) President, Senator Cobb, the chairman of Consumer Protection Committee was ready to answer the question but now I believe Senator Kuroda can verify whether or not there was a hearing, in fact, on Governor's Message 236."

Senator Kuroda responded and remarked:

"Mr. (Vice) President, Senator Cobb has authorized me to make a statement inasmuch as he is waiting for confirmation of the announcement. I was at the public hearing when it was conducted and the name George Kaahanui was on the agenda because I was present and interested in that confirmation hearing especially with that name on it."

The Chair thanked Senator Kuroda for the clarification and said:

"For the record then, every committee chairmen has had hearings on each one of these nominees. That matter is settled."

At this time, Senator Cobb announced as follows:

"Mr. (Vice) President, a hearing was held on Thursday, April 15, 1982 at 2:00 p.m. in Senate conference room 2, including Governor's Message No. 236, Boxing Commission, George Kaahanui, term to expire December

31, 1984."

Senator Wong then requested and said: "Mr. (Vice) President, again, may I make a request that we take the five nominees by a roll call vote, if there be no objection by the members of the Senate?"

Senator Cobb, on a point of order, then said: "Mr. (Vice) President, Standing Committee Report No. 946 includes three messages in one. I think the motion would be proper if it stated a roll call vote for each of the standing committee reports."

Senator Holt then asked: "Mr. (Vice) President, before we take a vote on this motion, can I ask a question of the chairman of the Consumer Protection Committee?"

The Chair answered in the affirmative and Senator Holt asked: "Mr. Chairman, I'm wondering, before we take this vote, I'm not familiar with each and every one of these individuals, but I'm just wondering, before we take up the first one, Governor's Message No. 236, whether all the Senators here even know who this gentleman is or what he looks like, or even yourself, knowing that he has not appeared before your committee?"

Senator Cobb answered: "I think I saw him before my committee last year."

The Chair also responded and said: "Senator Holt, to answer your question, every member of this body has a notice of all nominees up for hearings. Each name is printed. It is the responsibility of each Senator here to attend or not attend the hearings on these nominees, if they so desire. If they want information, it is their responsibility to make sure that they attend these meetings."

Senator Abercrombie then stated:

"Mr. (Vice) President, I rise to speak on the issue raised by Senator Wong with respect to the constitutionality of the process of advise and consent."

"Mr. (Vice) President, I stood on this floor in years past and, I think, devoted a good portion of an hour to a discussion of advise and consent, as to what it meant, and I said at that time that we would face this issue again, and I warned at that time that if we did not take a strong position with respect to what advise and consent meant that we would face the situation with the executive, whether it's this governor or any governor to come."

"We'd face a situation in which the

governor would attempt to overturn, if he or she desires has every right to try it, would attempt to overturn the Rules of the Senate by making interim appointments in place of those nominations which had been rejected, and we had been warned about the possibility of this situation as far back as the Federalist Papers which recorded to good effect by the President and which I would like to refer to again.

"Speaking of the nominations of a president, but having reference, of course, to the executives in general and legislative bodies in general, the Federalist Paper No. 76, and I quote:

"But his nomination may be overruled: this it certainly may, yet it can only be to make place for another nomination by himself. The person ultimately appointed must be the object of his preference, though perhaps not in the first degree. It is also not very probable that his nomination would often be overruled. The Senate could not be tempted by the preference they might feel to another to reject the one proposed; because they could not assure themselves that the person they might wish would be brought forward by a second or by any subsequent nomination. They could not even be certain that a future nomination would present a candidate in any degree more acceptable to them; and as their dissent might cast a kind of stigma upon the individual rejected and might have the appearance of a reflection upon the judgment of the Chief Magistrate, it is not likely that their sanction would often be refused, where there were not special and strong reasons for the refusal.

"To what purpose then require the co-operation of the Senate? I answer, that the necessity of their concurrence would have a powerful, though, in general, a silent operation. It would be an excellent check upon a spirit of favoritism in the President, and would tend greatly to prevent the appointment of unfit characters from State prejudice, from family connection, from personal attachment, or from a view to popularity. And, in addition to this, it would be an efficacious source of stability in the administration."

"Now, the President has quoted that particular paragraph which has been read into the record of this body previously in the remarks that I made and that spectre is coming back to haunt us today. That's why the President had to repeat it. But I will go on and say:

"It will readily be comprehended that man who had himself the sole disposition of officers would be governed much more by his private inclinations and interests than when he was bound to submit the propriety of his to the discussion."

Again, the President has brought forth these words that I had entered into the record previously.

"The possibility of rejection would be a strong motive to take care in proposing. ... But it is as little to be doubted that there is always a large proportion of the body which consists of independent and public-spirited men who have an influential weight in the councils of the nation. Hence it is (the present reign not excepted) that the sense of that body is often seen to control the inclinations of the monarch, both with regard to men and to measures. Though it might therefore be allowable to suppose that the executive might occasionally influence some individuals in the Senate, yet the supposition that he could in general purchase the integrity of the whole body would be forced and improbable."

"What this comes down to, Mr. (Vice) President, is that this is in fact, regardless of whether or not we wish to personalize the situation, a situation in which a principle is involved. If the Senate would consent to the nominations before us, we would in effect be saying to this governor and any other governor that the way around the advise and consent procedure is simply to renominate individuals on an interim, put the pressure on as a result of the ensuing days and months until the next session can be held and then succeed in that fashion. This puts the individuals on commissions and boards in an untenable situation because they would be on tender hoofs from year to year wondering whether or not they're going to succeed.

"I would submit that it is not the Senate that has put these nominees into this position, but rather the disposition of the executive. This is not the way to conduct business. When the nominee has been rejected, another nominee should be brought forward, and then the Senate has the responsibility to say again whether they would reject.

"As Hamilton points out in the Federalist Papers, I think, the likelihood of constant rejections of the executive by a woeful and obstreperous Senate is unlikely because it would... by the same token render disingenuous the process on the part of the Senate, the legislative body, as to how it was coming to these

decisions. So it needs to be understood here, and understood quite clearly that these individuals find themselves in the position they are in today because of the desire of the executive and for no other reason, whether it is this governor or any other governor. And for that reason I support the position taken by the President.

"Once we've had the rejection, let's get new names down here to the Senate and then deal with it accordingly. That's the way to handle this thing."

At 1:48 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:51 o'clock p.m.

Senator Cayetano then said:

"It's not very clear in my mind how we got to this point, but it seems to me the principle articulated by our President and also by Senator Abercrombie is well-taken. However, should I be privileged to return to this body next year, let me say that the integrity of the process quoted and spoken of in the Federalist Papers by the previous speakers, I will make sure that they extend also to the rejection process."

Senator Holt rose to speak in support of the nominee and stated:

"Mr. (Vice) President, I rise to speak in favor of George Kaahanui as gubernatorial nominee to the Boxing Commission. I too do not understand what's going on here, how it has come to arrive at this point, but I would like to say that in support of the nominee by the Governor that he's an outstanding individual, a very warm and honest human being. He's a hardworking man, a good father. He happens to be a pastor at a local Episcopal Church; very active in the community having been with the Golden Gloves and the Puuhale Boxing Club for many years; a good Hawaiian at heart.

"I do not understand how a Senate committee can reject a nominee like this who has so much to contribute to the community. If it's principle that we're voting on, I think you've got to look further than that, each and everyone here who is voting, because this is a human being you are voting against; it's not a name, someone who doesn't exist out there.

"He goes to work everyday just like you and me and he's going to remember for the rest of his life the action you are about to take and the vote you are going to make right now.

Thank you."

The motion to advise and consent to the nomination of George Kaahanui, Jr., to the Boxing Commission was then put by the Chair, and Roll Call vote having been requested, failed to carry on the following showing of Ayes and Noes:

Ayes, 7. Noes, 17 (Abercrombie, Ajifu, Anderson, Carpenter, Cayetano, Cobb, George, Henderson, Kawasaki, Kobayashi, Kuroda, Saiki, Soares, Uwaine, Yamasaki, Young and Wong). Excused, 1 (Yee).

At 1:59 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:00 o'clock p.m.

Standing Committee Report No. 946-82 (Gov. Msg. Nos. 259, 260, and 261):

Senator Cobb moved that Stand. Com. Rep. No. 946-82 be received and placed on file, seconded by Senator Anderson.

Senator Cobb then moved that the Senate advise and consent to the nomination of Vance Cannon to the Hawaii Housing Authority, term to expire December 31, 1982, seconded by Senator Anderson.

Senator Abercrombie spoke against the nomination and remarked:

"Mr. (Vice) President, like anybody else, I guarantee you Mr. Cannon is a person of integrity and so on, which I do believe. Whether it's Mr. Cannon or anyone else, I do believe what I said. I'm not saying it for convenience sake, but I can assure you if I'm back again in this body and I'm a chairman again of a committee I would do what I did before as a chairman, and if I don't want somebody to come out of my committee, it's not coming out of my committee and I'll take the grief."

Senator O'Connor, in support of the nominee, stated:

"Mr. (Vice) President, this nominee, Mr. Vance Cannon is also an outstanding man in this community; he is an outstanding businessman. There's just nothing about him that I have ever known that would not qualify him to be on the Hawaii Housing Authority.

"I think what we're going through right now is an exercise which defeats the committee system of handling nominees. These nominees should have been handled in the committee. They should have been voted up or down by the committee. And the people I see voting against the nominees on this floor have the majority

of the votes in the committees and those committees should have either voted down and kept them in committee or voted them down and returned the message to this floor indicating no advise and consent.

"For this system where you build a straw man out of a positive committee report with positive votes from the committee, only to have the same people change their votes and vote against those people on this floor I think is a complete deviation from the system outlined in the Rules of this Senate.

"And for that reason, I think that these people, the individuals are being unduly castigated in this particular situation."

Senator Saiki then responded and said:

"Mr. (Vice) President, I would like to make a few comments in response to Senator O'Connor. I would like to state my opinion. Not only that, I would like to state an example of what happened in the case regarding Governor's Message 302.

"Senator O'Connor feels that all of these nominations should have been dealt with in committee. I too feel that the committee process is a vital process. But in the case of nominations, very often you are requested by the Governor himself not to retain names in committee but to give every opportunity for these names to be presented on the floor of the Senate and that a vote be taken.

"It is upon the Governor's request, last year, as well as this year, that this name is on this floor. I felt that it is the courteous thing to do...to award to the Governor a request. That is the reason Governor's Message 302 is on the floor before us.

"I hope that my colleague from the Seventh Senatorial District doesn't consider that this is a violation of the process because I'm sure he would like to have extended to him many courtesies upon request."

Senator Ushijima then responded and stated:

"Mr. (Vice) President, I just want to respond to the previous speaker as to what she says. I'm also a member of the committee. I remember last year signing a committee report with the majority signatures on the committee report on an appointment to the Board of Regents, but I never saw it appear on the floor. We never had a chance to vote it on the floor."

Senator Saiki answered: "I beg your pardon, Mr. (Vice) President, this name before us in Governor's Message 302 was indeed on the floor. It was on the floor for so long it was getting embarrassing, and the record will show that this name appeared and stayed on the floor for more than a week. And it's the same thing that's happening again this year. The name came down in adequate time."

Senator Ushijima responded: "Mr. (Vice) President, I was referring to some other nominee in the last session of the Legislature."

Senator O'Connor, in support of Mr. Cannon, continued:

"Mr. (Vice) President, I'm still speaking in favor of Mr. Cannon.

"The process that I earlier outlined is the established process and I echo Senator Cayetano's earlier remark...I don't understand how we've gotten to this point.

"A committee can bring a name to this floor suggesting a rejection of the advise and consent of this body. There's nothing wrong with that, and if that be the committee's will, a committee can so report out a name in that fashion. I signed such a document just the other day on Judge Fong and I cannot see setting up a straw man, though, and providing a positive committee report to this body only to have everyone or almost everyone who signed it in a positive fashion vote against the nominee.

"We have an established procedure in this body to handle these things and it is being violated by what we're doing today."

Senator Soares interjected and remarked: "Mr. (Vice) President, I think the example used by the previous Senator is not in order. The committee report that he signed had to come down voting for a rejection and he knows better than to use that as an example."

Senator Wong then rose on a point of clarification and stated:

"Mr. (Vice) President, I think we've discussed the process and I would just like to clarify it to the previous speaker.

"As he already knows, in the past year, we have attempted, honestly and sincerely, to convince the executive that these nominees that we are discussing today are not acceptable to the Senate. The Senate's position was clear and concise. In the closing days of this session there was a feeling that we

should not hide behind the committee structure as a means for not granting confirmation to individuals; rather, we should take the issue head-on here on the floor.

"In the past three or four days we have experienced something here in the Senate halls which I would like to remind everyone of, Mr. (Vice) President, and that was when the Governor was confronted with the nomination of Judge Fong, he was told specifically that the votes were not available. I thought he did the right and proper thing by withdrawing the nomination from the Senate.

"If I understand the process correctly here in the Senate, the powers of 'advise and consent' means that--with respect to nominations--the Senate has the authority to exercise its judgment as to whether or not to confirm the individuals named.

"Mr. (Vice) President, if we had not started this debate today, I would have personally implored this body to allow the Governor to withdraw all these names from the Senate floor and not have a debate and not vote them down here in the Senate. It is not my desire to embarrass or disparage the people. However, Mr. (Vice) President, I recall last session, because of actions taken on nominees the Senate coalition was accused of back-dooring these nominations by certain Democrats who are standing on the floor tonight espousing this rhetoric about process.

"Everyone should know by examining the committee reports on these individuals that there is a strong indication by committee members who have signed either with reservations or 'I do not concur' that these nominations were in trouble.

"I've seen in the very brief period here in the Senate where members have signed 'I do not concur' on reports and voted 'aye' on the floor. So, you know, Mr. (Vice) President, the whole idea of the process is that it works two ways.

"The point I am trying to make today, throughout all of this agony, is a point of the power of advise and consent of the Senate. Any governor, whoever that governor is, has the authority to discuss the matter with senators behind closed doors. After open hearings, the Senate then decides what it wants to do. I think that is the process.

"Prior to assuming the presidency, I recall on many occasions where if the Senate felt, in its wisdom, a particular

nominee was not acceptable to the Senate that nominee's name was processed through the president's office and the governor was informed of that nomination's problems here in the Senate. And more often than not, Mr. (Vice) President, those nominees were withdrawn.

"We had told the Governor in conference last year that if he would have submitted any of the choices that we are discussing here today, the Senate at that time would have moved not to confirm them. He chose not to do that, Mr. (Vice) President. He chose instead to wait until the Senate adjourned sine die and appointed them in the interim.

"I too am concerned about the process, Mr. (Vice) President, because for a committee to kill a nominee in committee would be the simplest thing, but we have asked and implored the executive to recall these names. The answer I got is 'they're willing to take their chances on the floor.' This is why they appear here today.

"As Senator Cayetano said, how did we get here. I often wonder too, but, Mr. (Vice) President, as long as I am the presiding officer of this Senate, if there is any approach or any appearance of an erosion of the power of advise and consent of this Senate, I will singularly or in concert with anybody, defend that privilege.

"Personally, I have no quarrel with the Governor, but the principle of advise and consent is violated when he offers a nominee the Senate rejects. He should send in a new nominee.

"Mr. (Vice) President, we're going to be here for another hour and a half discussing procedural aspects. I don't think there's any single member of this body who does not know what we're doing today. Everybody knows what is happening. As one Senator said, it's up to your conscience. I hope that we consider, when we vote for or against these individuals, the consequences for the future. Thank you very much."

Senator Cobb then added:

"Mr. (Vice) President, I would like to point out that every single committee report on the nominations that are presently contested before this body has an absolute majority of committee members signing either with reservation or I do not concur. The indication should be very clear. I further recall the criticism of last year that the decision was being made in committee and that the Governor has insisted upon an open floor vote. Now, that's happening."

The Chair remarked: "I have allowed discussion to take place on procedures because I think this is healthy. It provides for clarification or reasons for actions being taken by either the chairman of the committee or the committee members themselves. The Chair is not bothered by a person voting contrary to the way he signed the committee report.

"Many times you may sign a report clear; then you receive information between the time the committee report came on the floor and the time the vote is taken...information that may change your mind or vice-versa.

"You may sign a committee report 'I do not concur.' You may have clarification on information on a nominee that causes you to change your mind to vote for that man. So, I am not bothered and I don't think each of us should be bothered by voting contrary to the way we signed a committee report.

Roll Call vote have been requested, the motion was put by the Chair and failed to carry on the following showing of Ayes and Noes:

Ayes, 8. Noes, 16 (Abercrombie, Ajifu, Anderson, Carpenter, Cayetano, Cobb, George, Henderson, Kawasaki, Kobayashi, Kuroda, Saiki, Soares, Uwayne, Yamasaki and Wong). Excused, 1 (Yee).

Senator Cobb then moved that the Senate advise and consent to the nomination of Masanori Emoto to the Housing Housing Authority, term to expire December 31, 1984, seconded by Senator Anderson.

Roll Call vote having been requested, the motion was put by the Chair and failed to carry on the following showing of Ayes and Noes:

Ayes, 8. Noes, 16 (Abercrombie, Ajifu, Anderson, Carpenter, Cayetano, Cobb, George, Henderson, Kawasaki, Kobayashi, Kuroda, Saiki, Soares, Uwayne, Yamasaki and Wong). Excused, 1 (Yee).

Senator Cobb then moved that the Senate advise and consent to the nomination of Roy Nakamoto to the Hawaii Housing Authority, term to expire December 31, 1983, seconded by Senator Anderson.

Senator O'Connor rose to speak in favor of the nomination and stated:

"Mr. (Vice) President, I rise to speak in favor of Mr. Roy Nakamoto, gubernatorial nominee to the Hawaii Housing Authority.

"I have known Mr. Nakamoto since he and I both started practicing law together. He is probably one of the finest attorneys in Hilo. He has participated in numerous community services; he is well-known on the island of Hawaii, and is one of the finer people that I've had the pleasure of knowing professionally. He's not a personal friend of mine in the social sense. He is a professional friend of mine. I have the deepest respect for him, and I would urge everyone to consider very carefully their vote on Mr. Nakamoto because I believe that he would be an outstanding member of the Hawaii Housing Authority.

"A vote against Mr. Nakamoto is a vote against excellence in that Authority. I urge all to vote for him."

Senator Carpenter, although in support of Mr. Nakamoto, stated:

"Mr. (Vice) President, I can't help but agree with the initial remarks of the preceding speaker. I know Mr. Roy Nakamoto both as a personal friend and as a professional friend, and I will be voting against his nomination because of the remarks articulated by both the Senator from the Fifth District, Senator Wong, and the Senator from Manoa because I believe that supersedes the personalities involved in this particular issue."

Senator Ushijima also rose to speak in support of the nominee and stated:

"Mr. (Vice) President, I speak in favor of the confirmation of Mr. Nakamoto. I think, if there is an excellent appointment to the Hawaii Housing Authority, I don't have to repeat what the other speakers have already said about Roy Nakamoto.

"I think it's a tragedy and very shameful for him to be lost and rejected in all of the verbal 'shibai' that we've heard up to now. Thank you."

Senator Abercrombie responded: "Mr. (Vice) President, with respect to the remarks of the Senator from the Big Island, it may be a shame for an individual to go over the verbal 'shibai.' I suggest that he look in the mirror and start there before he starts characterizing the remarks of other people on this floor who oppose these nominations for the reasons stated."

Senator Ushijima answered: "Mr. (Vice) President, I might request the same of the previous speaker."

Roll Call vote having been requested, the motion was put by the Chair and failed to carry on the following showing

of Ayes and Noes:

Ayes, 8. Noes, 16 (Abercrombie, Ajifu, Anderson, Carpenter, Cayetano, Cobb, George, Henderson, Kawasaki, Kobayashi, Kuroda, Saiki, Soares, Uwaine, Yamasaki and Wong). Excused, 1 (Yee).

Standing Committee Report No. 947-82 (Gov. Msg. No. 302):

Senator Cobb moved that Stand. Com. Rep. No. 947-82 be received and placed on file, seconded by Senator Kuroda and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Tim Scott Farr to the Board of Regents, University of Hawaii, term to expire December 31, 1982, seconded by Senator Kuroda.

Roll Call vote having been requested, the motion was put by the Chair and failed to carry on the following showing of Ayes and Noes:

Ayes, 6. Noes, 18 (Abercrombie, Ajifu, Anderson, Carpenter, Cayetano, Cobb, George, Henderson, Kawasaki, Kobayashi, Kuroda, Saiki, Soares, Toyofuku, Uwaine, Yamasaki, Young and Wong). Excused, 1 (Yee).

At 2:20 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:23 o'clock p.m. with the President in the Chair.

Standing Committee Report No. 970-82 (Gov. Msg. Nos. 107, 112, 114, 115, 116, 117, 118, 121, 192, 196, 197, 198, 199, 200, 201, 241, 242, 275, 276 and 300):

Senator Cobb moved that Stand. Com. Rep. No. 970-82 be received and placed on file, seconded by Senator Soares and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Francisco V. Mariano to the Board of Chiropractic Examiners, term to expire December 21, 1985, seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Kuroda and Yee).

Senator Cobb then moved that the Senate advise and consent to the nominations of George Goto, M.D., and Kenneth

N. Sumimoto to the Board of Medical Examiners, terms to expire December 31, 1985, seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Kuroda and Yee).

Senator Cobb then moved that the Senate advise and consent to the nominations to the Board of Examiners of Nursing Home Administrators as follows:

Dorothy Hoe, term to expire December 31, 1984; and

Elroy Chong, term to expire December 31, 1983,

seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Kuroda and Yee).

Senator Cobb then moved that the Senate advise and consent to the nomination of Earl H. Baxendale to the Board of Examiners of Nursing Home Administrators, term to expire December 31, 1985, seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Kuroda and Yee).

Senator Cobb then moved that the Senate advise and consent to the nomination of Carolee Stamper to the Board of Examiners in Optometry, term to expire December 31, 1985, seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Kuroda and Yee).

Senator Cobb then moved that the Senate advise and consent to the nomination of Douglas H. Kaya, Jr., to the Board of Osteopathic Examiners, term to expire December 31, 1985, seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Kuroda and Yee).

Senator Cobb then moved that the Senate advise and consent to the nomination of William G. Joor, Jr., to the Board of Pharmacy, term to expire December 31, 1985, seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Kuroda and Yee).

Senator Cobb then moved that the Senate advise and consent to the nominations of Jayne G. Garside, Ph.D., and Leighton Oshima to Board of Certification for Practicing Psychologists, terms to expire December 31, 1985, seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Kuroda and Yee).

Senator Cobb then moved that the Senate advise and consent to the nomination of John T. Rathjen, D.C., to the Board of Chiropractic Examiners, term to expire December 31, 1985, seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Kuroda and Yee).

Senator Cobb then moved that the Senate advise and consent to the nomination of Carole Ann Ishimaru to the Board of Nursing, term to expire December 31, 1984, seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Kuroda and Yee).

Senator Cobb then moved that the Senate advise and consent to the nomination of Dennis Kuwabara to the Board of Examiners in Optometry, term to expire December 31, 1985, seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Kuroda and Yee).

Senator Cobb then moved that the Senate advise and consent to the nomination

of Garth T. Hansen to the Board of Pharmacy, term to expire December 31, 1985, seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Kuroda and Yee).

Senator Cobb then moved that the Senate advise and consent to the nominations to the Board of Certification for Practicing Psychologists as follows:

Herbert B. Weaver, term to expire December 31, 1983; and

Craig H. Robinson, term to expire December 31, 1982,

seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Kuroda and Yee).

Senator Cobb then moved that the Senate advise and consent to the nominations of Bella Ayako Nagatoshi and Akira Tanaka to the Board of Radiologic Technologists, terms to expire December 31, 1985, seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Kuroda and Yee).

Senator Cobb then moved that the Senate advise and consent to the nominations of Gary Toshio Ota, D.V.M., and Zacarias Baricuatro, to the Board of Veterinary Examiners, terms to expire December 31, 1985, seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Kuroda and Yee).

Senator Cobb then moved that the Senate advise and consent to the nominations of Rodney C.Y. Chun, M.D., and Arthur K. Kusumoto to the Board of Examiners in Naturopathy, terms to expire December 31, 1985, seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused,
3 (Anderson, Kuroda and Yee).

Senator Cobb then moved that the Senate advise and consent to the nominations to the Board of Examiners of Nursing Home Administrators as follows:

Philip R. Baltch, term to expire
December 31, 1983; and

Janet M. Hirata, term to expire December
31, 1985,

seconded by Senator Soares.

The motion was put by the Chair
and carried on the following showing
of Ayes and Noes:

Ayes, 22. Noes, none. Excused,
3 (Anderson, Kuroda and Yee).

Senator Cobb, then moved that the Senate advise and consent to the nominations of Howard K. Miyamoto, D.D.S., Walter A. Lichota, D.D.S., and Shirley A. Batad to the Board of Dental Examiners, terms to expire December 31, 1985, seconded by Senator Soares.

The motion was put by the Chair
and carried on the following showing
of Ayes and Noes:

Ayes, 22. Noes, none. Excused,
3 (Anderson, Kuroda and Yee).

Senator Cobb, then moved that the Senate advise and consent to the nominations to the Board of Medical Examiners as follows:

Ben K. Azman, M.D., term to expire
December 31, 1985; and

Thomas G. Cahill, M.D., term to
expire December 31, 1983,

seconded by Senator Soares.

The motion was put by the Chair
and carried on the following showing
of Ayes and Noes:

Ayes, 22. Noes, none. Excused,
3 (Anderson, Kuroda and Yee).

Senator Cobb, then moved that the Senate advise and consent to the nominations to the Board of Speech Pathology and Audiology as follows:

Ralph Uemae, term to expire December
31, 1985; and

Roland Tam, M.D., term to expire
December 31, 1983,

seconded by Senator Soares.

The motion was put by the Chair and
carried on the following showing of
Ayes and Noes:

Ayes, 22. Noes, none. Excused,
3 (Anderson, Kuroda and Yee).

Standing Committee Report No. 973-
82 (Gov. Msg. Nos. 106, 119, 120, 122,
191, 237, 273 and 274):

Senator Cobb moved that Stand.
Com. Rep. No. 973-82 be received
and placed on file, seconded by Senator
Soares and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Milton Hironaka to the CATV Advisory Committee, term to expire December 31, 1985, seconded by Senator Soares.

The motion was put by the Chair and
carried on the following showing of
Ayes and Noes:

Ayes, 22. Noes, none. Excused,
3 (Anderson, Kuroda and Yee).

Senator Cobb then moved that the Senate advise and consent to the nominations of Finn Anonsen and Kent H. Bowman to the Board of Pilot Commissioners, terms to expire December 31, 1985, seconded by Senator Soares.

The motion was put by the Chair and
carried on the following showing of
Ayes and Noes:

Ayes, 22. Noes, none. Excused,
3 (Anderson, Kuroda and Yee).

Senator Cobb then moved that the Senate advise and consent to the nomination of Joseph Cravalho to the Board of Private Detectives and Guards, term to expire December 31, 1985, seconded by Senator Soares.

The motion was put by the Chair and
carried on the following showing of
Ayes and Noes:

Ayes, 22. Noes, none. Excused,
3 (Anderson, Kuroda and Yee).

Senator Cobb then moved that the Senate advise and consent to the nominations of Toru Kawakami and Gregg T. Yamanaka to the Real Estate Commission, terms to expire December 31, 1985, seconded by Senator Soares.

The motion was put by the Chair and
carried on the following showing of
Ayes and Noes:

Ayes, 22. Noes, none. Excused,
3 (Anderson, Kuroda and Yee).

Senator Cobb then moved that the Senate advise and consent to the nomination of Cecilio "Tio" Alconcel to the CATV Advisory Committee, term to expire December 31, 1985, seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Kuroda and Yee).

Senator Cobb then moved that the Senate advise and consent to the nomination of Patrick Petti to the Credit Union Review Board, term to expire December 31, 1985, seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Kuroda and Yee).

Senator Cobb then moved that the Senate advise and consent to the nominations of Walter T.Y. Lau and Manuel R. Sylvester to the Board of Public Accountancy, terms to expire December 31, 1985, seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Kuroda and Yee).

Senator Cobb then moved that the Senate advise and consent to the nomination of Clifford Tamura to the Boxing Commission, term to expire December 31, 1985, seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, Kuroda and Yee).

FINAL READING

Senate Bill No. 397, S.D. 2, H.D. 2:

By unanimous consent, action on S.B. No. 397, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Friday, April 23, 1982.

At this time, Senator Soares, chairman of the Committee on Public Utilities, requested a waiver of the 48-hour notice of a Public Hearing on the following resolution:

H.C.R. No. 102, H.D. 1, entitled: "HOUSE CONCURRENT REQUESTING THE LEGISLATIVE AUDITOR TO MAKE A STUDY OF THE RATIONALE FOR THE IMPACT OF IMPOSING TAXES AND FEES UPON PRIVATELY-OWNED PUBLIC UTILITY COMPANIES,"

and the President granted the waiver.

At 2:24 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:27 o'clock p.m.

Senator Carpenter, in observation, stated:

"Mr. President, if the Judiciary Committee receives a governor's message relating to the filling of one of the vacancies on the Intermediate Court of Appeals between the time that we leave here or sometime over the weekend, we would anticipate that we would have a hearing on Monday morning at approximately 9:00 a.m. to hear that governor's message.

"Mr. President, this morning the Judiciary Committee, in hearing two other messages on individuals under consideration for the Intermediate Court of Appeals judgeship and also for a Circuit Court judgeship, the Chair recommended, with the deferment of the majority of the members of the committee, some albeit reluctantly, that we not come forward on Monday with the Senate consent, vis-a-vis a report to this body, for the simple reason that I believe that because the notice was short to begin with we did not meet the 48-hour requirement on receipt of these governor's messages related to these two appointments, and the fact that we had not really had an opportunity for the public to make its input.

"The Chair recommended that we wait a period of approximately two weeks and when that period ends that the committee meet and consider any correspondence and/or discussion before that in relation to those two governor's messages and subsequently report to this body.

"Mr. President, not because it was anyone's fault, but this year we will have considered during the session some seven nominations to judicial appointments. The first came with two associate justices being considered. Those individuals were...perhaps before I get into this I should say that in anticipation of the number of appointments that would have come before the Judiciary Committee's scrutiny I indicated to

the Governor that we would try to, as expeditiously as possible, process these candidates so that we could indeed go with the confirmation within the time frame of the session. We initially had two appointments for the Intermediate Court of Appeals to Associate Justice and we expedited those as quickly as we could. There was no public hue and cry in the negative to either of those two appointments. Consequently, that created two vacancies in the Intermediate Court of Appeals.

"We also heard a nomination of one of the individuals who occupied a judgeship there, a governor's message to appoint the individual to the chairmanship or chief judgeship of that panel. I don't think anyone in the Judiciary Committee or the entire Senate thought that the subsequent nomination of Judge Fong would have taken the entire 30-day period, which is the review period allocated for the processing of an individual.

"Subsequent to that, the two messages that we heard today then would have spoken to filling one of the vacancies on the Intermediate Court of Appeals, as well as a Circuit Court judgeship.

"The language in the Constitution that was changed with the 1978 amendment essentially, under Section 3, Article V, at that time, now Article VI, regarding the appointment of justices and judges said this: 'The governor shall nominate

by and with the consent of the Senate. Appointment of justices of the supreme court and judges of the circuit court. No nomination shall be sent to the senate and no interim appointment shall be made when the senate is not in session until after 10 days' public notice by the governor.' So, Mr. President, this is the reason that I made the recommendation this morning.

"I would add that perhaps as a further recommendation that when this period of public review has lapsed and the committee has had an opportunity to review whatever public input there may be that this Senate call itself back into session for the purpose of consenting or rejecting the nomination. Thank you."

The Chair then stated that Senator Carpenter's suggestion would be taken under advisement.

At 2:38 o'clock p.m., on motion by Senator Cobb, seconded by Senator Saiki and carried, the Senate stood in recess for the purpose of receiving Conference Committee and Standing Committee Reports.

ADJOURNMENT

At 12:00 o'clock midnight, the Senate adjourned until 11:30 o'clock a.m., Friday, April 23, 1982.

SIXTIETH DAY

Friday, April 23, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 12:00 o'clock noon, with the President in the Chair.

The Divine Blessing was invoked by the Reverend Tom Rienzi, Deacon, Star of the Sea, after which the Roll was called showing all Senators present with the exception of Senator Yamasaki who was excused.

The President announced that he had read and approved the Journal of the Fifty-Ninth Day.

At this time, the following introductions were made to the members of the Senate:

Senator Anderson rose and stated:

"Mr. President, we have with us this morning a man who needs no introduction, Mr. Fred Trotter. Fred has been selected the Hawaii Businessman of the Year and he is the fifth recipient of the prestigious O'o Award.

"Fred has been around an awful long time and he's lobbied very, very well. He's been very supportive of many of us in these halls and he, of course, is worthy of this award."

Senator Cayetano then rose and stated:

"Mr. President, Mr. Trotter has so many admirers in both the Senate and the House that Representative Eloise Tungpalan came over today, and since she is not a member of this house, asked that one of us present a lei to Mr. Trotter on her behalf. Senator Young will do so and I just wanted to say that for the record."

At 12:05 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:07 o'clock p.m.

At this time, Senator Carpenter introduced the vice-chairman of the County Council of the Big Island of Hawaii, Mr. Kalani Spencer Schutte, and the chairman of the Planning Committee of the County Council of the County of Hawaii, Mr. Takashi Domingo.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 324) submitting for consideration

and confirmation to the Western Interstate Commission for Higher Education, the nomination of Charles T. Akama, term to expire December 31, 1985, was referred to the Committee on Higher Education.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 626 to 637) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 626), transmitting House Concurrent Resolution No. 177, which was adopted by the House of Representatives on April 22, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.C.R. No. 177, entitled: "HOUSE CONCURRENT RESOLUTION COMMENDING WAIMEA HIGH AND ELEMENTARY ON THE OBSERVANCE OF ITS CENTENNIAL CELEBRATION," was adopted.

A communication from the House (Hse. Com. No. 627), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Concurrent Resolution No. 3, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 22, 1982, the Speaker appointed Representatives Takamine, Chairman, Andrews, Baker, Kawakami and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 628), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Concurrent Resolution No. 4, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 22, 1982, the Speaker appointed Representatives Toguchi, Chairman, Say, Andrews, Segawa and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 629), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Concurrent Resolution No. 5, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 22,

1982, the Speaker appointed Representatives Segawa, Chairman, Kobayashi, Andrews, Toguchi and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 630), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Concurrent Resolution No. 6, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 22, 1982, the Speaker appointed Representatives Sakamoto, Chairman, Fukunaga, Andrews, Baker and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 631), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Concurrent Resolution No. 7, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 22, 1982, the Speaker appointed Representatives Sakamoto, Chairman, Fukunaga, Andrews, Baker and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 632), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Concurrent Resolution No. 8, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 22, 1982, the Speaker appointed Representatives Sakamoto, Chairman, Fukunaga, Andrews, Baker and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 633), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Concurrent Resolution No. 9, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 22, 1982, the Speaker appointed Representatives Sakamoto, Chairman, Tungpalan, Fukunaga, Andrews and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 634), informing the Senate that pursuant to the disagreement

of the Senate to the amendments proposed by the House to Senate Concurrent Resolution No. 10, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 22, 1982, the Speaker appointed Representatives Say, Chairman, Andrews, Nakasato, Kiyabu and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 635), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Concurrent Resolution No. 11, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 22, 1982, the Speaker appointed Representatives Baker, Chairman, Okamura, Andrews, Takamine and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 636), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Concurrent Resolution No. 12, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 22, 1982, the Speaker appointed Representatives Shito, Chairman, Honda, Andrews, Segawa and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 637), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Concurrent Resolution No. 14, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 22, 1982, the Speaker appointed Representatives Aki, Chairman, Segawa, Andrews, Toguchi and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1038-82) informing the Senate that Conference Committee Report Nos. 76-82 and 77-82, Standing Committee Report Nos. 1019-81 to 1037-82, Governor's Message No. 324, and Standing Committee Report No. 1039-82 have been printed and distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Kobayashi, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 1039-82) recommending that House Concurrent Resolution No. 173 be adopted.

On motion by Senator Kobayashi, seconded by Senator George and carried, the report of the Committee was adopted and H.C.R. No. 173, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE WAIKIKI WAR MEMORIAL PARK AND NATATORIUM," was adopted.

ORDER OF THE DAY

ADVISE AND CONSENT

Standing Committee Report No. 987-82 (Gov. Msg. No. 227):

Senator Cobb moved that Stand. Com. Rep. No. 987-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Lucille W. Chung to the Board of Registration, Island of Hawaii, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Uwaine and Yamasaki).

Standing Committee Report No. 988-82 (Gov. Msg. No. 228):

Senator Cobb moved that Stand. Com. Rep. No. 988-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Gertrude K.P. Frantz to the Board of Registration, Maui, Molokai, Lanai and Kahoolawe, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Uwaine and Yamasaki).

Standing Committee Report No. 989-82 (Gov. Msg. No. 229):

Senator Cobb moved that Stand.

Com. Rep. No. 989-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations of Joan L. Husted and Teresita U. Okihara to the Commission on the Status of Women, terms to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Uwaine and Yamasaki).

Standing Committee Report No. 990-82 (Gov. Msg. No. 264):

Senator Cobb moved that Stand. Com. Rep. No. 990-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Cora K. Lum to the Hawaii Crime Commission, term to expire January 30, 1984, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Uwaine and Yamasaki).

Standing Committee Report No. 991-82 (Gov. Msg. No. 265):

Senator Cobb moved that Stand. Com. Rep. No. 991-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Amado Ilar Yoro to the Board of Registration, Island of Oahu, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Uwaine and Yamasaki).

Standing Committee Report No. 992-82 (Gov. Msg. No. 295):

Senator Cobb moved that Stand. Com. Rep. No. 992-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the

Senate advise and consent to the nomination of Edward M. Yoshimasu to the Criminal Injuries Compensation Commission, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Uwaine and Yamasaki).

Standing Committee Report No. 993-82 (Gov. Msg. No. 296):

Senator Cobb moved that Stand. Com. Rep. No. 993-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Elsie M. Hirai to the Commission on the Status of Women, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Uwaine and Yamasaki).

Standing Committee Report No. 1003-82 (Gov. Msg. No. 132):

Senator Cobb moved that Stand. Com. Rep. No. 1003-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations to the Board of Directors, Aloha Tower Development Corporation, as follows:

Donald M. Kuyper, term to expire December 31, 1982;

Thomas Trask, term to expire December 31, 1984; and

Aaron Levine, term to expire December 31, 1983,

seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Uwaine and Yamasaki).

Standing Committee Report No. 1004-82 (Gov. Msg. No. 133):

Senator Cobb moved that Stand.

Com. Rep. No. 1004-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Raymond Sasaki, Jr., to the Board of Planning and Economic Development, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Uwaine and Yamasaki).

Standing Committee Report No. 1005-82 (Gov. Msg. No. 207):

Senator Cobb moved that Stand. Com. Rep. No. 1005-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Moses Kealoha to the Board of Land and Natural Resources, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Uwaine and Yamasaki).

Standing Committee Report No. 1006-82 (Gov. Msg. No. 247):

Senator Cobb moved that Stand. Com. Rep. No. 1006-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations of Lee Gray and Peter Starn to the Board of Planning and Economic Development, terms to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Uwaine and Yamasaki).

Standing Committee Report No. 1007-82 (Gov. Msg. No. 308):

Senator Cobb moved that Stand. Com. Rep. No. 1007-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Winona Rubin to the Land Use Commission, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Uwaine and Yamasaki).

Standing Committee Report No. 1008-82 (Gov. Msg. No. 308):

Senator Cobb moved that Stand. Com. Rep. No. 1008-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Lawrence Chun to the Land Use Commission, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Uwaine and Yamasaki).

Standing Committee Report No. 1009-82 (Gov. Msg. No. 309):

Senator Cobb moved that Stand. Com. Rep. No. 1009-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Frederick P. Whittemore to the Land Use Commission, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Uwaine and Yamasaki).

Standing Committee Report No. 1012-82 (Gov. Msg. No. 321):

Senator Cobb moved that Stand. Com. Rep. No. 1012-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations of James Carras and Mack H. Hamada to the Hawaii Public Relations Board, terms to expire six years from date of appointment, seconded by Senator

Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Uwaine and Yamasaki).

Standing Committee Report No. 1013-82 (Gov. Msg. Nos. 135 and 281):

Senator Cobb moved that Stand. Com. Rep. No. 1013-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations of M. Naomi Morita and Robert K. Fujita to the State Foundation on Culture and the Arts, terms to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Uwaine and Yamasaki).

Senator Cobb then moved that the Senate advise and consent to the nomination of Dennis T. Toyomura to the State Foundation on Culture and the Arts, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Uwaine and Yamasaki).

Standing Committee Report No. 1014-82 (Gov. Msg. Nos. 136 and 209):

Senator Cobb moved that Stand. Com. Rep. No. 1014-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations of Howard H. Crowell and Mary Lani Rawlins to the King Kamehameha Celebration Commission, terms to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Uwaine and Yamasaki).

Senator Cobb then moved that the Senate advise and consent to the nominations to the King Kamehameha Celebration

Commission as follows:

Edward Naihe, Sr., term to expire December 31, 1982;

Elizabeth L. Cockett, term to expire December 31, 1985;

Antoinette L. Lee, term to expire December 31, 1985; and

Gwendolyn L. Joseph, term to expire December 31, 1985,

seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Uwaine and Yamasaki).

Standing Committee Report No. 1015-82 (Gov. Msg. Nos. 137, 250, 138, 139, 210, and 305):

Senator Cobb moved that Stand. Com. Rep. No. 1015-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Patricia W. Buckman to the Library Advisory Commission, City and County of Honolulu, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Uwaine and Yamasaki).

Senator Cobb then moved that the Senate advise and consent to the nominations of Linley Chapman and Marian A. Harris-de-Ochoa to the Library Advisory Commission, City and County of Honolulu, terms to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Uwaine and Yamasaki).

Senator Cobb then moved that the Senate advise and consent to the nominations of Daisy U. Smith and Diana Mae Miyaji to the Library Advisory Commission, County of Hawaii, terms to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair

and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Uwaine and Yamasaki).

Senator Cobb then moved that the Senate advise and consent to the nominations of Eleanor L.D. Tamura, Margaret R. O'Leary, Lena K. Palama and Kathleen A. Koerte to the Library Advisory Commission, County of Kauai, terms to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Uwaine and Yamasaki).

Senator Cobb then moved that the Senate advise and consent to the nominations of Robert A. Gahran and Marvin Tung-Loong to the Library Advisory Commission, County of Kauai, terms to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Uwaine and Yamasaki).

Senator Cobb then moved that the Senate advise and consent to the nominations of Alyce B. Haines and Winston S. Miyahira to the Library Advisory Commission, County of Maui, terms to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Uwaine and Yamasaki).

Standing Committee Report No. 1016-82 (Gov. Msg. No. 140):

Senator Cobb moved that Stand. Com. Rep. No. 1016-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Ann B. Simpson to the Board of Public Broadcasting, term to expire December 31, 1982, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused,

2 (Uwaine and Yamasaki).

Standing Committee Report No. 1017-82 (Gov. Msg. No. 208):

Senator Cobb moved that Stand. Com. Rep. No. 1017-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations of Doris Taitano, Emiko I. Kudo, Paula A. Guanzon Yano, Lydia C. Enoki and Sharon Mahoe to the Hawaii Education Council, terms to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Uwaine and Yamasaki).

Standing Committee Report No. 1018-82 (Gov. Msg. No. 249):

Senator Cobb moved that Stand. Com. Rep. No. 1018-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations of Elmer F. Cravalho, Francis M. Stillman, Sr., Edward J. Burns, Barbara Daly, Clayton K.K. Naluai, Barbara Meheula, Wayne Ishihara, Herbert E. Wolff, Sandi Eagleson and Domingo Los Banos to the 1984 Hawaii Statehood Silver Jubilee Committee, terms to expire June 30, 1986, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Uwaine and Yamasaki).

Standing Committee Report No. 1020-82 (Gov. Msg. No. 226):

Senator Cobb moved that Stand. Com. Rep. No. 1020-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations of Harry H. Kanada and Theodore J. Goldman, Ph.D., to the Intake Service Center Board, terms to expire December 6, 1982, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Uwaine and Yamasaki).

Standing Committee Report No. 1037-82 (Gov. Msg. Nos. 231, 232 and 303):

Senator Cobb moved that Stand. Com. Rep. No. 1037-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Joseph G. Williams to the Board of Taxation Review, Second Taxation District, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Uwaine and Yamasaki).

Senator Cobb then moved that the Senate advise and consent to the nomination of Mary H. Wong to the Board of Taxation Review, Fourth Taxation District, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Uwaine and Yamasaki).

Senator Cobb then moved that the Senate advise and consent to the nominations to the Board of Taxation Review, First Taxation District as follows:

Frank K. Hamada, term to expire December 31, 1982; and

Sharon R. Himeno, term to expire December 31, 1983,

seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Uwaine and Yamasaki).

At 12:09 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:11 o'clock p.m.

THIRD READING

House Bill No. 1971-82, H.D. 1:

By unanimous consent, action on H.B. No. 1971-82, H.D. 1, was deferred to the end of the calendar.

House Bill No. 1558-82, H.D. 2:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, H.B. No. 1558-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRECINCT OFFICIAL COMPENSATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

At 12:12 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:14 o'clock p.m.

MATTERS DEFERRED FROM APRIL 21, 1982

FINAL READING

Senate Bill No. 536, S.D. 2, H.D. 2:

On motion by Senator Cobb, seconded by Senator Yee and carried, S.B. No. 536, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Senate Bill No. 561, S.D. 2, H.D. 1:

On motion by Senator Cobb, seconded by Senator Yee and carried, S.B. No. 561, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REMOVAL OF SAND," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Senate Bill No. 1447, S.D. 1, H.D. 2:

On motion by Senator Cobb, seconded by Senator Yee and carried, S.B. No. 1447, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Senate Bill No. 1925, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Yee and carried, S.B. No. 1925, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYER-EMPLOYEE RELATIONSHIPS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Senate Bill No. 2183-82, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Yee and carried, S.B. No. 2183-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE FACILITIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Senate Bill No. 2224-82, S.D. 2, H.D. 1:

On motion by Senator Cobb, seconded by Senator Yee and carried, S.B. No. 2224-82, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Senate Bill No. 2304-82, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Yee and carried, S.B. No. 2304-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LOBBYING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Senate Bill No. 2334-82, H.D. 1:

On motion by Senator Cobb, seconded by Senator Yee and carried, S.B. No. 2334-82, H.D. 1, entitled: "A BILL FOR AN ACT PROVIDING PENALTIES FOR VIOLATIONS OF CHAPTER 290 RELATING TO ABANDONED VEHICLES,"

having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Anderson and Yamasaki).

Senate Bill No. 2524-82, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Yee and carried, S.B. No. 2524-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yamasaki).

Senate Bill No. 2636-82, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Yee and carried, S.B. No. 2636-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMED CONSENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (O'Connor). Excused, 1 (Yamasaki).

Senate Bill No. 2913-82, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Yee and carried, S.B. No. 2913-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yamasaki).

MATTERS DEFERRED FROM APRIL 22, 1982

Standing Committee Report No. 995-82 (S.R. No. 30, S.D. 1):

Senator Cobb moved that Stand. Com. Rep. No. 995-82 be adopted and S.R. No. 30, S.D. 1, be referred to the Committee on Legislative Management, seconded by Senator Anderson.

At this time Senator Campbell rose and stated:

"Mr. President, I rise to speak briefly in favor of Senate Resolution No. 30, S.D. 1, which requests a study of film studios in Hawaii.

"Mr. President, this resolution requests of the Legislative Reference Bureau to conduct a study on the feasibility of film studios being jointly established by our state government and the private sector.

"Mr. President, the resolution, in my judgment, takes a giant step in the direction of providing for this state one of the most viable film industries in this country. We have the climate, the diversity of population and the scenic beauty to make Hawaii the most attractive film making spot in the world. If this resolution passes, it would help hasten the day when this becomes a reality.

"I do want to commend the chairman of the subject matter committee for making some changes in the resolution which have made the resolution more effective and more comprehensive. I urge unanimous support of this resolution.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.R. No. 30, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF FILM STUDIOS IN HAWAII," was referred to the Committee on Legislative Management.

Standing Committee Report No. 1019-82 (S.C.R. No. 48):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 1019-82 was adopted and S.C.R. No. 48, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO GRANT RESTITUTION FOR AMERICANS OF JAPANESE ANCESTRY," was adopted.

Standing Committee Report No. 1021-82 (S.R. No. 8, S.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 1021-82 was adopted and S.R. No. 8, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEVELOPMENT OF PROPOSED BAIL REFORM LEGISLATION," was adopted.

Standing Committee Report No. 1022-82 (S.R. No. 139, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 1022-82 and S.R. No. 139, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 1023-82 (S.R. No. 86):

On motion by Senator Cobb, seconded

by Senator Anderson and carried, Stand. Com. Rep. No. 1023-82 was adopted and S.R. No. 86, entitled: "SENATE RESOLUTION URGING PURSUIT OF ALL AVAILABLE MEANS TO PUT AN END TO THE CAMPAIGN OF GENOCIDE AGAINST THE BAHAI FAITH IN IRAN," was adopted.

Standing Committee Report No. 1024-82 (S.R. No. 109, S.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 1024-82 was adopted and S.R. No. 109, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF THE HAWAII CRIMINAL JUSTICE SYSTEM TO ENSURE THE RIGHT TO SPEEDY TRIAL," was adopted.

Standing Committee Report No. 1025-82 (S.R. No. 111, S.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 1025-82 was adopted and S.R. No. 111, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE HAWAII CRIME COMMISSION TO CONDUCT A STUDY ON SPEEDING UP HAWAII'S CRIMINAL JUSTICE PROCEDURES," was adopted.

Standing Committee Report No. 1026-82 (S.R. No. 46, S.D. 1):

Senator Cobb moved that Stand. Com. Rep. No. 1026-82 and S.R. No. 46, S.D. 1, be adopted, seconded by Senator Anderson.

At this time, Senator O'Connor rose and stated:

"Mr. President, Senate Resolution No. 46 and Senate Concurrent Resolution No. 30, having to do with television cameras and broadcasting of court proceedings... I signed the committee reports 'with reservation' because originally they were aimed at only broadcasting sentencing.

"The resolutions before the body take into consideration the results of a committee of attorneys and media people, of which I was pleased to be a member, and which encouraged a period of time in which all proceedings in court would be broadcast either by television or radio. Since this resolution now goes to that point and does encourage that position, I certainly withdraw my reservation which went only to the sentencing provision and will wholeheartedly vote in favor of those two resolutions."

Senator Abercrombie then rose and noted:

"Mr. President, I think that Senator O'Connor should ask for a conflict rule as to whether he can vote inasmuch as this would be his only opportunity, should they start televising courtroom proceedings, to reach the measure of greatness that his brother has already achieved."

Senator Kuroda then rose and stated:

"Mr. President, my vote on these two resolutions is 'no' and I'd like to have that recorded. My thinking is different from Senator O'Connor's."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 1026-82 was adopted and S.R. No. 46, S.D. 1, entitled: "SENATE RESOLUTION URGING THE HAWAII SUPREME COURT TO ALLOW THE BROADCASTING OF COURT PROCEEDINGS FOR CRIMINAL CASES," was adopted on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Kuroda). Excused, 1 (Yamasaki).

Standing Committee Report No. 1027-82 (S.C.R. No. 30, S.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 1027-82 was adopted and S.C.R. No. 30, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE HAWAII SUPREME COURT TO ALLOW THE BROADCASTING OF COURT PROCEEDINGS FOR CRIMINAL CASES," was adopted on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Kuroda). Excused, 1 (Yamasaki).

Standing Committee Report No. 1028-82 (S.R. No. 133, S.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 1028-82 was adopted and S.R. No. 133, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE JUDICIAL SELECTION COMMISSION TO ENCOURAGE PUBLIC INPUT TO THE SELECTION OF JUDGES," was adopted.

Standing Committee Report No. 1029-82 (S.C.R. No. 86, S.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 1029-82 was adopted and S.C.R. No. 86, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE JUDICIAL SELECTION COMMISSION TO ENCOURAGE PUBLIC INPUT TO THE SELECTION OF JUDGES," was adopted.

Standing Committee Report No. 1030-82 (S.C.R. No. 16, S.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 1030-82 was adopted and S.C.R. No. 16, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING FINANCIAL AND MANAGEMENT AUDITS OF THE OAHU COMMUNITY CORRECTIONAL CENTER," was adopted.

Standing Committee Report No. 1031-82 (S.C.R. No. 54, S.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 1031-82 was adopted and S.C.R. No. 54, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE SENATE AND HOUSE TO CONSIDER THE TELEVISIONING OF IMPORTANT COMMITTEE PUBLIC HEARINGS ON CABLE TELEVISION STATEWIDE," was adopted.

Standing Committee Report No. 1032-82 (S.R. No. 27, S.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 1032-82 was adopted and S.R. No. 27, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF AN ORTHOPEDIC UNIT TO SERVE ORTHOPEDICALLY HANDICAPPED AND OTHER HEALTH-IMPAIRED CHILDREN IN THE CENTRAL OAHU AREA," was adopted.

Standing Committee Report No. 1033-82 (S.C.R. No. 17, S.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 1033-82 was adopted and S.C.R. No. 17, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF AN ORTHOPEDIC UNIT TO SERVE ORTHOPEDICALLY HANDICAPPED AND OTHER HEALTH-IMPAIRED CHILDREN IN THE CENTRAL OAHU AREA," was adopted.

Standing Committee Report No. 1034-82 (S.R. No. 16):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 1034-82 was adopted and S.R. No. 16, entitled: "SENATE RESOLUTION REQUESTING FINANCIAL AND MANAGEMENT AUDITS OF THE OAHU COMMUNITY CORRECTIONAL CENTER," was referred to the Committee on Legislative Management.

Standing Committee Report No. 1035-82 (S.R. No. 67, S.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 1035-82 was adopted and S.R. No. 67, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO CONDUCT A MANAGEMENT AUDIT OF THE LEGAL AID SOCIETY OF HAWAII," was referred to the Committee on Legislative Management.

Standing Committee Report No. 1036-82 (S.R. No. 124):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 1036-82 was adopted and S.R. No. 124, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE CONCEPT OF CREATING A DEPARTMENT OF CORRECTIONS," was referred to the Committee on Legislative Management.

At 12:20 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:22 o'clock p.m.

FINAL READING

Senate Bill No. 1308, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 1308, S.D. 2, H.D. 1, was deferred to the end of the calendar.

Senate Bill No. 2470-82, S.D. 2, H.D. 2:

By unanimous consent, action on S.B. No. 2470-82, S.D. 2, H.D. 2, was deferred to the end of the calendar.

Senate Bill No. 397, S.D. 2, H.D. 2:

By unanimous consent, action on S.B. No. 397, S.D. 2, H.D. 2, was deferred to the end of the calendar.

Conference Committee Report No. 6-82 (H.B. No. 2815-82, H.D. 1, S.D. 1, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 6-82 be adopted and H.B. No. 2815-82, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading seconded by Senator Anderson.

At this time, Senator O'Connor rose and stated:

"Mr. President, this again, creates another special fund which was not taken out by the conference committee and I'll vote against the bill."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 6-82 was adopted and H.B. No. 2815-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REGISTRATION OF VEHICLES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Campbell and O'Connor). Excused, 2 (Uwaine and Yamasaki).

Conference Committee Report No. 7-82 (H.B. No. 2817-82, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 7-82 was adopted and H.B. No. 2817-82, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFF-ROAD VEHICLES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Uwaine and Yamasaki).

Conference Committee Report No. 8-82 (H.B. No. 2826-82, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 8-82 was adopted and H.B. No. 2826-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WAIMANO TRAINING SCHOOL AND HOSPITAL," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Uwaine and Yamasaki).

Conference Committee Report No. 9-82 (S.B. No. 2550-82, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 9-82 was adopted and S.B. No. 2550-82, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Uwaine and Yamasaki).

Conference Committee Report No. 10-82 (H.B. No. 791, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 10-82 was adopted and H.B. No. 791, H.D. 1, S.D. 1, C.D. 1,

entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Uwaine and Yamasaki).

Conference Committee Report No. 11-82 (H.B. No. 1988-82, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 11-82 was adopted and H.B. No. 1988-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDIVIDUAL HOUSING ACCOUNTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Kawasaki). Excused, 2 (Uwaine and Yamasaki).

Conference Committee Report No. 12-82 (H.B. No. 2201-82, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 12-82 was adopted and H.B. No. 2201-82, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," having been read throughout, passed Final Reading by not less than two-thirds vote of all the members to which the Senate is entitled, on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Uwaine and Yamasaki).

Conference Committee Report No. 13-82 (H.B. No. 2838-82, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 13-82 and H.B. No. 2838-82, H.D. 1, S.D. 1, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 14-82 (S.B. No. 1697, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 14-82 was adopted and S.B. No. 1697, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JOB-SHARING IN THE DEPARTMENT OF EDUCATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yamasaki).

Conference Committee Report No. 15-82 (S.B. No. 2350-82, H.D. 2, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 15-82 be adopted and S.B. No. 2350-82, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Anderson.

At this time, Senator Campbell rose and stated:

"Mr. President, I voted against this bill prior to its going to conference and I'd like to ask a question of the chairman of the committee in order to have the basis for my vote at this time."

The question was posed and Senator Abercrombie having answered in the affirmative, Senator Campbell continued:

"Mr. President, I'd like to know from the chairman if this bill has been amended so that parents are not responsible for acts of vandalism by their children."

Senator Abercrombie then replied:

"Has been amended...? Is the question, has the bill been amended so that parents are not responsible?"

Senator Campbell answered in the affirmative and Senator Abercrombie continued:

"No. If you read the committee report, you'll see that."

Senator Campbell then replied:

"Yes, I did read the committee report and I looked at the bill and I didn't quite see that the bill had been changed. Of course, I've been up like you, Senator, till quite early this morning and I may have overlooked it."

"Mr. President, would you please record a 'no' vote for me on this bill."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 15-82 was adopted and S.B. No. 2350-82, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS," having been read throughout passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Campbell). Excused, 1 (Yamasaki).

Conference Committee Report No. 16-82 (S.B. No. 2353-82, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Cobb, seconded

by Senator Anderson and carried, Conf. Com. Rep. No. 16-82 was adopted and S.B. No. 2353-82, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JOB SHARING PILOT PROJECT IN THE PUBLIC LIBRARY SYSTEM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yamasaki).

Conference Committee Report No. 17-82 (S.B. No. 2561-82, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 17-82 was adopted and S.B. No. 2561-82, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yamasaki).

Conference Committee Report No. 18-82 (H.B. No. 2444-82, S.D. 1, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 18-82 be adopted and H.B. No. 2444-82, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Yee.

At this time, Senator O'Connor rose and stated:

"Mr. President, I am going to vote against this bill as it comes out of the conference committee, because it enlarges the number of doctors...the types of doctors who can declare a person being dead, to include osteopaths. I just don't believe that osteopaths should be included with the doctors of medicine and surgery who are earlier included in a section of the law."

Senator Cayetano then rose and stated:

"Mr. President, I share Senator O'Connor's concerns about who can declare people being dead. We do it all the time in this body."

Senator O'Connor then replied:

"Mr. President, I won't say what the previous speaker is a doctor of."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 18-82 was adopted and H.B. No. 2444-82, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEATH,"

having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 16. Noes, 8 (Ajifu, Anderson, Campbell, George, Kobayashi, O'Connor, Saiki and Soares). Excused, 1 (Yamasaki).

At 12:32 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:35 o'clock p.m.

Conference Committee Report No. 19-82 (S.B. No. 2765-82, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 19-82 was adopted and S.B. No. 2765-82, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yamasaki).

Conference Committee Report No. 20-82 (H.B. No. 2192-82, S.D. 1, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 20-82 be adopted and H.B. No. 2192-82, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Anderson.

Senator Cobb then rose and stated:

"Mr. President, I'd like to make a Journal entry to correct an error on the bill. On page 3, line 13, the third word, 'provisions' should be read 'provisos' relative to this bill."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 20-82 was adopted and H.B. No. 2192-82, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yamasaki).

Conference Committee Report No. 21-82 (H.B. No. 1553, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 21-82 was adopted and H.B. No. 1553, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO MERGERS OR CONSOLIDATIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yamasaki).

Conference Committee Report No. 22-82 (H.B. No. 2890-82, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 22-82 was adopted and H.B. No. 2890-82, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INDUSTRIAL LOAN COMPANY GUARANTY ACT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yamasaki).

Conference Committee Report No. 23-82 (H.B. No. 1653, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 23-82 was adopted and H.B. No. 1653, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REQUIREMENTS FOR AMENDMENT OF THE DECLARATION AND BYLAWS OF CONDOMINIUM ASSOCIATIONS UNDER THE HORIZONTAL PROPERTY ACT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yamasaki).

Conference Committee Report No. 24-82 (H.B. No. 2870-82, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 24-82 was adopted and H.B. No. 2870-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SENSITIVITY-AWARENESS GROUPS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (O'Connor). Excused, 1 (Yamasaki).

Conference Committee Report No. 25-82 (S.B. No. 2531-82, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 25-82 was adopted and S.B. No. 2531-82, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO EMPLOYER-EMPLOYEE RELATIONSHIPS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yamasaki).

Conference Committee Report No. 26-82 (H.B. No. 2183-82, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 26-82 was adopted and H.B. No. 2183-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MARINE AFFAIRS COORDINATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yamasaki).

Conference Committee Report No. 27-82 (H.B. No. 2408-82, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 27-82 was adopted and H.B. No. 2408-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CREDIT UNIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yamasaki).

Conference Committee Report No. 28-82 (H.B. No. 2057-82, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 28-82 was adopted and H.B. No. 2057-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRUGS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yamasaki).

Conference Committee Report No. 29-82 (H.B. No. 2477-82, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 29-82 was adopted and H.B. No. 2477-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR

AN ACT RELATING TO SOLID WASTE DISPOSAL," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yamasaki).

Conference Committee Report No. 30-82 (S.B. No. 2145-82, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 30-82 was adopted and S.B. No. 2145-82, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RIDESHARING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Campbell, O'Connor and Toyofuku). Excused, 1 (Yamasaki).

Conference Committee Report No. 31-82 (H.B. No. 2836-82, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 31-82 was adopted and H.B. No. 2836-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE SERVICING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yamasaki).

Conference Committee Report No. 32-82 (H.B. No. 2936-82, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 32-82 was adopted and H.B. No. 2936-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Abercrombie and Kawasaki). Excused, 1 (Yamasaki).

Conference Committee Report No. 33-82 (H.B. No. 2813-82, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 33-82 was adopted and H.B. No. 2813-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," having been read throughout,

passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yamasaki).

Conference Committee Report No. 34-82 (S.B. No. 2399-82, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 34-82 was adopted and S.B. No. 2399-82, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF REGULATORY AGENCIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yamasaki).

Conference Committee Report No. 35-82 (S.B. No. 2513-82, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 35-82 was adopted and S.B. No. 2513-82, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES: FRANCHISE TAX," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yamasaki).

Conference Committee Report No. 36-82 (H.B. No. 2313-82, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 36-82 was adopted and H.B. No. 2313-82, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DRIVER EDUCATION AND TRAINING FUND," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yamasaki).

Conference Committee Report No. 37-82 (H.B. No. 2359-82, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 37-82 and H.B. No. 2359-82, H.D. 1, S.D. 2, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 38-82 (H.B. No. 2559-82, H.D. 1, S.D.

1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 38-82 and H.B. No. 2559-82, H.D. 1, S.D. 1, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 39-82 (H.B. No. 2679-82, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 39-82 and H.B. No. 2679-82, S.D. 1, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 40-82 (H.B. No. 3119-82, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 40-82 was adopted and H.B. No. 3119-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL GROUP LIVING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yamasaki).

Conference Committee Report No. 41-82 (H.B. No. 1948-82, H.D. 2, S.D. 1, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 41-82 be adopted and H.B. No. 1948-82, H.D. 2, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Anderson.

At this time, the President stated:

"Calling the members' attention to Conference Committee Report No. 41-82, the Governor has requested immediate passage of this bill. This is contained in Governor's Message No. 306."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 41-82 was adopted and H.B. No. 1948-82, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Kawasaki). Excused, 1 (Yamasaki).

Conference Committee Report No. 42-82 (H.B. No. 2511-82, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 42-82 was adopted

and H.B. No. 2511-82, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMPLIANCE RESOLUTION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yamasaki).

Conference Committee Report No. 43-82 (H.B. No. 2947-82, H.D. 2, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 43-82 and H.B. No. 2947-82, H.D. 2, S.D. 1, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 44-82 (H.B. No. 509, H.D. 1, S.D. 1, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 44-82 be adopted and H.B. No. 509, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Anderson.

At this time, Senator Cobb rose and stated:

"Mr. President, I'd like to make some Journal entry remarks to correct some typographical errors. On page 2, line 19, a manifest error, they omitted the word 'the' from the statutory language; and on page 3, line 22, the word 'not' which was used should have been 'nor'."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 44-82 was adopted and H.B. No. 509, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Abercrombie, Kawasaki and O'Connor). Excused, 1 (Yamasaki).

Conference Committee Report No. 45-82 (H.B. No. 2295-82, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 45-82 was adopted and H.B. No. 2295-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII REGULATORY LICENSING REFORM ACT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused,

1 (Yamasaki).

Conference Committee Report No. 46-82 (H.B. No. 2778-82, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 46-82 was adopted and H.B. No. 2778-82, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXCEPTIONAL CHILDREN," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yamasaki).

Conference Committee Report No. 47-82 (H.B. No. 2767-82, H.D. 3, S.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 47-82 was adopted and H.B. No. 2767-82, H.D. 3, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (O'Connor). Excused, 1 (Yamasaki).

Conference Committee Report No. 48-82 (S.B. No. 2346-82, S.D. 2, H.D. 2, C.D. 1):

Senator Kuroda moved that Conf. Com. Rep. No. 48-82 be adopted and S.B. No. 2346-82, S.D. 2, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Yee.

At this time, Senator Abercrombie rose and stated:

"Mr. President, speaking in favor of the bill for educational fees, I think that if the members will direct their attention to the findings and purpose clause of the bill, they will find a succinct discussion and a summary, if you will, of the entire question of impact aid as it has evolved since we first had to come to grips with it when we found that the Federal Government was not paying impact aid to the State of Hawaii in the amount to which it was entitled and that there was every indication that the impact aid funds would be reduced even further and in fact, even more drastically and a faster rate than we had anticipated.

"We have been engaged in a struggle, first of all, to understand what impact aid was all about; what its implications were for the budget of the Department

of Education and the taxpayers of the state, as well as for those federally connected students and their parents who are entitled by virtue of being stationed in Hawaii or residing on federal property to have made available to them a free public education.

"As you are well aware, Mr. President, we even had to go into a special session at one point and develop a proviso which would enable us as a state to be able to continue our education system with some semblance of a rational basis for financing with respect to paying our teachers. We now find ourselves in a situation where the Federal Government has indicated that it will renege on its obligation to make its payment to us on June 30th, intending instead to postpone the payment until the end of the federal fiscal year on September 30th.

"Thus, the State of Hawaii found itself in a situation of having to provide \$6.1 million of its funds which will deprive the state, of course, of the opportunity of having use of those funds for some 90 days in order to make up the deficit of the Federal Government with respect to its obligation.

"Probably no more clear example could be given as to the chaos that would ensue in the Department of Education and in the financial planning both of the Legislature, the executive and the Department of Education, than the necessity of having to meet to deal with such a situation. And, luckily, we were in session; luckily, we were in a position where we could at least try to cover it. Unfortunately, for our taxpayers, we have to suffer the consequences of the inability of the Federal Government to meet its own obligation.

"Obviously, the postponing of the payment on impact aid was a rather transparent attempt by Mr. Stockman and his cronies in the Federal Administration to cover up the fact that they have a hemorrhaging deficit at the federal level which is going to be much worse than is being admitted by the Federal Government. And, when you consider that impact aid across the United States at the present time is in the neighborhood of almost \$500 million, and when you find that not only our community in Hawaii, but communities all over the country are suffering the same fate of not being paid on time, you can see that the Federal Government is trying to make use of that \$500 million for the 90-day period as one element in trying to forestall the full implications of

the Administration's posture with respect to deficits.

"Now, as a result of that, we can see if we do not have this bill passed, we would be faced in the State of Hawaii with meeting on an emergency basis probably every 90 days to six months, trying to figure out how we're going to pay our teachers. This is intolerable!

"What we have to do is meet the problem head-on, figure out what should be done, and then, take that course of action. Now, from a historical perspective, we were dealing with virgin territory. This is one of the first instances in which we, as a state, have had to confront the idea that the Federal Government would not do what it was obligated to do under law, or that they were contemplating a significant change.

"Therefore, we were tracking in this state, those legal efforts that were being made to try to resolve the situation. The one that was most likely to have a bearing on what we could do in terms of the law here in the State of Hawaii, was in the State of Virginia. The State of Virginia had passed a tuition fee bill. It was being applied in Fairfax County.

"The fee was charged to students in the Fairfax County schools who resided on federal property or federally connected students of the Armed Forces under Act 238, under the public law, Section 238 of Public Law 81-874, commonly known as the Impact Aid Law. This was a regrettable step from the point of view of the people in Virginia as it was when we first proposed it in the State of Hawaii, but it was a necessary step because the Federal Government, in the person of Mr. Caspar Weinberger of the Department of Defense, was denying that they had any responsibility in this area.

"I think it's very important, Mr. President, for the public to understand in the light of all the publicity that has occurred on charging tuition fees that this problem did not originate with the State of Hawaii, but rather with Mr. Weinberger and the Department of Defense, who apparently has a tender, loving, merciful care in his heart for tanks and planes and bombs, but has virtually none for the people who are in the armed services and their children.

"Maybe because he has a limousine to pick him up everyday and his lunch prepared by a special chef and is pampered in every way similar to despots and potentates throughout history, he doesn't

recognize what real people have to do in order to survive and he has no idea what it takes to provide an education in the United States today.

"One might say, for example, when examining his budget that he hasn't had much of an education himself with respect to the priorities that this nation should have. In any event, he refuses to recognize the responsibility of the Department of Defense with respect to military dependents.

"The object of this bill, therefore, as the object of the law in Virginia, was to force the United States Government to admit its responsibilities with respect to these students. A case was scheduled for the Eastern Federal District Court in Virginia on March 3rd, well within the period of time that this Legislature meets. I therefore proposed the bill based on the Virginia bill in the hopes that that trial will proceed; the case would be adjudicated, and we would have on the judicial record the fact that the Federal Government was indeed responsible for these children.

"As it happened, the plaintiffs in the case, the United States Government, paid the defendants in the case--a highly unusual procedure, and I'm sure my learned counsel on my left and in front of me will agree. They paid the amount of money that the Fairfax County School Board was required of them or was requiring of them. They admitted that they had responsibility for the military dependents.

"As a result, we modified our bill to require that the Federal Government take full responsibility with respect to the federal funds involved in impact aid, so that the question of whether or not the students would receive a tuition bill or tuition requirement or whether their parents or guardians would receive it was made moot.

"The bill before you now makes reference to the Federal Government and to the appropriate agency or entity in the Federal Government for the collection of these funds. I hope that puts to rest, once and for all, the question of who should pay with respect to the Federal Government's obligations and impact aid.

"Let me summarize very briefly, then, the procedure by which this would be implemented. We have before us in the bill a process whereby the Board of Education would continue to apply for impact aid as it does now. It would also apply under the same terms and circumstances as it does now. It will find itself with certain dates to

be met as it does now. The principal ones for our concern are January 31, when the impact aid request goes in, and May 31, when the government indicates whether or not it will pay the bill that had been submitted under the impact aid law.

"If the Federal Government does not meet its obligation to the state, at that point, we will institute proceedings with the Commissioner of Education to see to it that the Federal Government assumes full responsibility, fiscally, for the free public education of federally connected students. This is the sum and substance of the bill. This is the sum and substance of what the law, federally, allows us to do. This is the sum and substance of what must be done in the absence of the Federal Government meeting its obligation to its federally connected students.

"Thank you."

Senator Campbell then rose and stated as follows:

"Mr. President, I voted against the Senate version of this bill. I supported the intent of the Senate version of the bill and I would certainly like to applaud the efforts on the part of the chairman of the subject matter committee to address a serious problem...and the problem has really come to head with the New Federalism.

"I voted against the Senate version because of a point which has been very well made by the chairman of the subject matter committee, and I objected to charging tuition to the minors of military families who attend our public schools. And I'm very relieved, as a matter of fact, I didn't want to use the word 'delighted' because this is a rather disappointing situation as it relates to the Federal Government not taking its responsibility to our state when it comes to education of minors of military families...I am relieved to see that the conference committee has amended the bill so that the right direction is taken, and if someone were interested in my remarks in the Journal objecting to the Senate version, I simply indicated that my objections were based on the fact that we should be directing our attention toward the federal authority and not the minors of military families, and since that's been corrected, I'm very happy to support the bill.

"Thank you very much."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 48-82 was adopted and S.B. No. 2346-82, S.D. 2, H.D. 2, C.D. 1, entitled: "A

BILL FOR AN ACT RELATING TO EDUCATIONAL FEES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 1 (George). Excused, 4 (Anderson, Cobb, Henderson and Yamasaki).

Conference Committee Report No. 49-82 (H.B. No. 2331-82, H.D. 1, S.D. 1, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 49-82 be adopted and H.B. No. 2331-82, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Yee.

At this time, Senator O'Connor rose and stated as follows:

"Mr. President, I wonder if the chairman of the conference committee would yield to a question?"

The Chair posed the question and Senator Ajifu, having answered in the affirmative, Senator O'Connor continued:

"Mr. President, the bill before us defines individual as 'a natural person who is not part of a partnership, corporation, or joint venture which is a potential bidder under this section.' Chapter 171 includes the definition, in the definition section of a person, as 'includes individual, partnership, corporation, and association, except as otherwise defined in this chapter.' When you read the two definitions together, the bill just doesn't make any sense. I would like the chairman to explain how you can put person into this definition, have person defined elsewhere, and have the two come together so that you can make any sense of what this bill is trying to do."

Senator Ajifu then replied:

"Mr. President, I think the last amendment that was made by the Senate was to clarify some of the questions that were raised by the Department of Land and Natural Resources to take care of the corporations. We have put in the amendment providing for the Board of Land and Natural Resources to prescribe the qualifications of the question that you raised as to corporations."

Senator O'Connor then stated:

"I thank the chairman for the answer. It doesn't answer the problem, however.

"I rise now to speak against the bill. This bill just doesn't make sense.

Evidently, the intent of the bill is to try to limit certain kinds of qualified individuals...those people who can be bidders on auctions for farm, agriculture or pasture land. A simple reading of this bill would indicate, in looking at Chapter 171, and trying to relate this section would fit into it, that there are no amendments to this chapter. The chapter definitions don't relate to the content of the bill; and essentially, what it does is discriminate only in an auction situation, for two kinds of land--agriculture or pasture land.

"Chapter 171 contains a long section of defining the various kinds of land which are involved. One is intensive agricultural land; pasture land is included; commercial timber use is included in this section...all kinds of things. Whoever drafted this bill didn't read Chapter 171. I think the intent is probably good, but if we put it in Chapter 171, we're going to screw up Chapter 171 so nobody's going to be able to use it. Basically, that's why I'm going to vote against the bill."

Senator Kawasaki then rose and stated:

"Mr. President, I rise to speak against this bill, primarily because, however good the intentions may have been, the language of this bill requires prequalifications of someone bidding for pastoral and agricultural lease that he has some experience in agricultural activities or education in agriculture. It just seems to me that under the provisions of both the state and federal Constitutions, on the equal rights/equal opportunities concept, perhaps this would not stand a court test by prohibiting people without agricultural background or agricultural education from bidding on these leases. I think it flies in the face of the equal opportunity concept in our Constitutions. It just seems to me that this would not stand up to a court test, and for that reason, I vote against this bill."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 49-82 was adopted and H.B. No. 2331-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, failed to pass Final Reading on the following showing of Ayes and Noes:

Ayes, 12. Noes, 11 (Abercrombie, Cayetano, George, Henderson, Holt, Kawasaki, Mizuguchi, O'Connor, Saiki, Toyofuku and Ushijima). Excused, 2 (Anderson and Yamasaki).

Conference Committee Report No. 50-82 (H.B. No. 2332-82, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 50-82 was adopted and H.B. No. 2332-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND LEASES FOR AGRICULTURAL USE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Kawasaki).
Excused, 1 (Yamasaki).

Conference Committee Report No. 51-82 (H.B. No. 2888-82, H.D. 1, S.D. 1, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 51-82 be adopted and H.B. No. 2888-82, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Anderson.

At 1:05 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:16 o'clock p.m.

At this time, Senator Abercrombie then rose and stated:

"Mr. President, I rise to speak against this bill, but before that, I'd like to ask the chairman of the conference committee a question."

The Chair posed the question, and Senator Cobb, having answered in the affirmative, Senator Abercrombie continued:

"In the language of the committee report as follows: '...retains the legislative delegation of authority to county governments to enact "appropriate zoning" and land use restriction for the control of time share unit, time share plans, and transient vacation rentals,' whether that means with respect to the language in the bill and I quote 'In a hotel where the county explicitly approves such use, in advance, as a non-conforming use,' that this allows the counties to expand time sharing into hotels where they are non-conforming use, if they approve it?'"

Senator Cobb then replied:

"Mr. President, in response to the question, the present law has no prohibition against time sharing in a hotel regardless of the underlying zoning. That was passed in the original law two years ago, primarily because of the problem that existed on hotels on the Kona Coast, where the underlying zoning did not

conform to the use. The restriction contained in this bill, as it went over from the Senate to the House would have restricted hotels outside of zoning altogether. The House did not agree with that position and stated that it should be a matter of county determination.

"At the present time, Mr. President, three of the four counties have zoned or passed zoning ordinances relative to where time sharing is or is not allowed. The thrust of this particular bill will be to specify that instead of being allowed in a hotel without county approval, which is presently the case in which the counties, I think, have made a valid case, that they should have some approval process. It has been to say that if it is to be in a hotel where the underlying zoning has, in fact, been changed since the hotel was built, that it shall be a county determination as to whether or not the use of time sharing in that hotel would or would not be allowed and would or would not constitute a change in the non-conforming use, because when the underlying zoning of a hotel has been changed, the hotel continues to exist as a non-conforming use.

"The requirement contained in this bill will then be to require explicit county approval in advance, before such a non-conforming use could take place. In my own personal view, the change from hotel use to time sharing use is a change in non-conforming use. The House does not share that view. However, the bill will leave that determination of what constitutes a non-conforming use to the county."

Senator Abercrombie then stated:

"If the chairman was a ballet dancer, he could change his name to Nureyev."

"The plain fact of the matter is that this is an invitation for somebody to go buy the City Council now. So, 'in a hotel where the county explicitly approves such use, in advance, as a non-conforming use.' It is a mastery of the manipulation of the English language to state in the committee report that this 'retains the legislative delegation of authority to county governments to enact appropriate zoning and land use restriction.'"

"This house passed a ban on time sharing and over the continuing pronouncements by the chairman about his desire to ban time sharing is just wearing about as thin as it can get.

"Every time it comes out, every time we get the final time sharing bills out, what it is, is that time sharing lawyers have succeeded and the time

sharing bills come forward, and what they do is expand the opportunity for time sharing to help wreck the tourist industry here; to help destroy Waikiki; and undermine the economic viability of the visitor industry and much of the housing market in this state, and undermine the capacity to have any kind of credibility we have with our visitors.

"I just wish that sometime, somebody who's in charge of time sharing with consumer protection could say what they're really doing. They're trying to take care of time shares without appearing to do so.

"Now, we should vote this down. It shouldn't be in here encouraging city councils to get in there with their so-called 'explicit approval of events.' Does anybody think that means anything other than an invitation for them to go ahead and do it? After all the verbal mumbo jumbo that has just taken place...all that dancing around...after all, if they couldn't do it, and if it was already there, you wouldn't need the bill, would you? But that's what we have in front of us.

"Sooner or later, we've got to come to terms with this time sharing business and knock it out; not try to make it easier or make invitations to county councils to go and make it easier for those vipers to come in and try to take us over.

"We should vote it down. We're going to have to recommit the next bill because it's got six pages of errors in it, because the time share lawyers that wrote it won't be able to succeed with it with all the mistakes they made. We didn't have a conference on this bill. You have the House and the Senate on one side and have a conference with the time share lawyers. That's what the conference is all about, and that's all this thing ever is.

"If you're for time sharing, come out and say you're for time sharing. Senator Henderson says he is for time sharing on the Neighbor Islands under certain conditions, and said so. I'm against it! It's not the first time in my life that I've been against or for something. What I can't bear is that in politics, people won't say what they're for or against. I can put up with the greed; I can put up with dishonesty; I can put up with stupidity, even my own, but damn it, I can't bear cowardice!"

Senator Cobb then rose and stated:

"Mr. President, a brief rebuttal in response.

"The present law would not have any county authority involved in a hotel located even outside of the hotel zone. This requires that by whatever means the county chooses, whether it be by ordinance, by public hearing, by certificate of appropriateness. In addition, three times during the conference, your Senate conferees brought up the total ban of time sharing and three times it was rejected by the House. Since then, we have passed a resolution asking the Attorney General of the state to go forward and get a declaratory judgment from a court relative to the constitutionality of a total ban on time sharing."

Senator Kawasaki then rose and stated:

"Mr. President, I too, rise to speak against this bill, but I won't go into a discussion about it. I do want, however, to place on the record my comment that the chairman of the Consumer Protection Committee did, in all sincerity, report out from the Senate, a bill completely banning time sharing. So, it is not like he had not expended some effort to really come out with a bill banning time sharing. It was unfortunate that the bill that emanated from the Senate passed the Senate, went over to the House, and was not accepted by the body there. The chairman here, did attempt to sincerely pass the bill banning time sharing."

Senator O'Connor then rose and stated as follows:

"Mr. President, I will vote against this bill.

"The result of the conference committee is a substantial deviation from the Senate version that we sent into conference. In the Senate version, the provision that Senator Abercrombie earlier talked about, only applied to areas which were already zoned by counties for hotel, transient, vacation rental or resort use. The bill that we have before us allows the counties to approve of the non-conforming use...a new device, I guess, of hotels for time sharing purposes with no relationship to the underlying zoning, as was in the bill that we sent over.

"Further, the bill that we sent over had a specific provision putting in place time sharing in the state; the proviso that no new time share units or time share plans will be created unless explicitly and prominently authorized by a project instrument, and so forth. And that of course, has been removed in conference.

"It appears to me that our position, as earlier taken, was just completely

not achieved in the conference and the result speaks for itself. For that reason, I will vote against the bill."

Senator Cobb then stated:

"Mr. President, the reason that provision was deleted was because we have in the present law now, a requirement of 100% approval of the building owners in order to initiate a time share project, and we didn't want to jeopardize that provision of the 100% requirement."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 51-82 was adopted and H.B. No. 2888-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes. 15. Noes, 7 (Abercrombie, Campbell, Carpenter, Cayetano, Kawasaki, O'Connor and Toyofuku). Excused, 3 (Uwaine, Yamasaki and Yee).

Conference Committee Report No. 52-82 (H.B. No. 3078-82, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, Conf. Com. Rep. No. 52-82 and H.B. No. 3078-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING," were recommitted to the the Committee on Consumer Protection and Commerce.

Conference Committee Report No. 53-82 (S.B. No. 400, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 53-82 was adopted and S.B. No. 400, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTEREST," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 4 (Abercrombie, Kawasaki, O'Connor and Young). Excused, 3 (Uwaine, Yamasaki and Yee).

Conference Committee Report No. 54-82 (S.B. No. 2388-82, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 54-82 was adopted and S.B. No. 2388-82, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," having been

read throughout, passed Final Reading in the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Uwaine, Yamasaki and Yee).

Conference Committee Report No. 55-82 (S.B. No. 2638-82, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 55-82 was adopted and S.B. No. 2638-82, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SALES AND TRANSFER OF REAL PROPERTY SITUATED IN HAZARDOUS AREAS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Uwaine, Yamasaki and Yee).

Conference Committee Report No. 56-82 (S.B. No. 65, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 56-82 was adopted and S.B. No. 65, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND TRUSTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Uwaine, Yamasaki and Yee).

Conference Committee Report No. 57-82 (S.B. No. 2147-82, S.D. 2, H.D. 1, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 57-82 be adopted and S.B. No. 2147-82, S.D. 2, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Anderson.

At this time, Senator Kawasaki rose and stated as follows:

"Mr. President, while I think that reform is needed to penalize the drunken driver, I believe the penalties provided in this bill are a little too stiff for the first time offender who is picked up for drunk driving. I think that if he has no previous record of such conduct, the penalties might be a little more lenient.

"The first time penalty, I think, is a little too stiff, and I just wondered if it would not work hardship on people who have not, in the past, driven in a drunken fashion that would be a

hazard to motorists on the road. This, I think is too heavy a penalty for this bill."

Senator O'Connor then rose and stated:

"Mr. President, I carefully read through this bill. I've seen it advertised as a very tough approach to drunk driving.

"My first comment, . . . and I'm speaking against it, . . . my first comment on the bill is that it changes an existing law which is a misdemeanor under our statute to a petty misdemeanor. If that is being tough, I have difficulty in that approach.

"It incorporates in the statute a series of alternatives for sentencing judges, some of which are presently in use, some of which are not. But, there are no definitions anywhere for the alternatives which are contained in the bill.

"I suggest, first of all, the fact that it goes from a misdemeanor to a petty misdemeanor certainly doesn't make it a very tough bill, but I'm more concerned about the alternative system of sentencing that it provides. For example, a first offense, starting on page 1 . . . you get a 'fourteen-hour minimum alcohol abuse rehabilitation program' and simultaneously, on the top of page 2 of the bill, the judge may either take two of 'seventy-two hours of community service work; thirty-day suspension of license; or forty-eight hours of imprisonment.'

"Why not just come right up front and say what the sentence should be. I don't understand this alternative method of sentencing. Further, it goes on with a whole series of other things, the sum of which, without definition, is a very vague situation.

"The thing that concerns me most about this bill is that I am informed, and I believe it so indicates, that the penalties provided in this bill begin now and for the future. They have no retrospective effect. Therefore, it is my understanding that the penalties under this section, as amended, will apply in the future and anyone who has been convicted of drunk driving in the past will not fall under the specific provisions of this bill.

"If that be the situation, and I believe it to be from a straight reading of this bill, then in essence, we have created a complete fallacy by passing this bill. Worse, there is a cut-off provision, and the cut-off provision is four years. You get past four years, then any prior

convictions are disregarded entirely. I think for all the reasons I've pointed out, Mr. President, and particularly the reason where we've gone from a misdemeanor to a petty misdemeanor in the enactment of this thing, essentially, we have before us a bill which is a lot weaker than the present bill, even if administered as the Advertiser story the past week has pointed out, and is a bill that certainly should not be heralded as a tough drunk driving bill. The toughness of it is sort of like a marshmallow."

Senator George then rose and stated:

"I think all of us who read the original Senate version realize that we are dealing with a very different situation. It is necessary to make some compromises if you want to have a bill at all; you can't expect to have things your own way. In calling the bill a marshmallow, I think, the difference between what we have now and what this bill would provide for is that it provides an inevitable punishment, sanctions, which must be undertaken.

"Our present statute provides the availability of tough sentences which, unfortunately, are almost never invoked. The fact is that with the provisions of this bill, something is going to happen and something rather unpleasant is going to happen to even the first one convicted of drunk driving.

"It is interesting to me, Mr. President, that of the two previous speakers, one finds the bill too tough; and the other finds it a marshmallow. I prefer to think of it as some place in between where a judge is given the opportunity to tailor a mandatory sentence, to tailor among mandatory provisions something that suits the circumstance of each one who comes up with an infraction of the statute.

"I think it's a good bill. I would like very much to see all of you vote for it."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 57-82 was adopted and S.B. No. 2147-82, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 16. Noes, 7 (Cayetano, Holt, Kawasaki, Machida, O'Connor, Toyofuku and Ushijima). Excused, 2 (Yamasaki and Yee).

Conference Committee Report No. 58-

82 (S.B. No. 2467-82, S.D. 1, H.D. 1, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 58-82 be adopted and S.B. No. 2467-82, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Anderson.

At this time, Senator O'Connor rose and stated:

"Mr. President, could I address a question to the chairman of the committee?"

The question was posed and Senator Carpenter having answered in the affirmative, Senator O'Connor continued:

"What do the words mean, '...or who has waived indictment,' in the first section of the bill?"

Senator Carpenter responded:

"Mr. President, in responding to the question, the word that was previously used there was 'complaint.' My understanding is that an individual who waives indictment is an individual who accepts a complaint. So, basically, we've taken the word 'complaint' and substituted the language which seems to be more palatable to the House for the individual who has waived indictment, and inserted those words in its place."

Senator O'Connor then stated:

"I am not much of a student of what happens to a criminal when he is indicted, but it is my understanding that you waive the reading of the indictment, maybe, but you're still indicted; you're still arraigned, and the process proceeds in that fashion. I do not know how you can waive indictment in a criminal proceeding. I think that those words are basically meaningless and might change this important section of the law into nothingness. I'm going to vote against this bill."

Senator Cayetano then rose and stated:

"Mr. President, as I read the bill, waiving indictment means just that. I believe that would result in charges being brought by what we call information. Maybe Senator O'Connor is talking about waiving arraignment which cannot be done."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 58-82 was adopted and S.B. No. 2467-82, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS AND AMMUNITION," having been read throughout, passed Final

Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (O'Connor). Excused, 3 (Uwaine, Yamasaki and Yee).

Conference Committee Report No. 59-82 (H.B. No. 2348-82, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 59-82 was adopted and H.B. No. 2348-82, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO METAL AND GEM DEALERS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Uwaine, Yamasaki and Yee).

Conference Committee Report No. 60-82 (H.B. No. 2377-82, H.D. 1, S.D. 1, C.D. 1):

Senator Kuroda moved that Conf. Com. Rep. No. 60-82 be adopted and H.B. No. 2377-82, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Soares.

At this time, Senator O'Connor rose and stated:

"Mr. President, I'd like the record to incorporate the comments that I made earlier when this bill was before us for the purposes of my district and its representation."

The President then replied:

"So ordered."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 60-82 was adopted and H.B. No. 2377-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII RIGHT TO FARM ACT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 5 (Anderson, Cayetano, Cobb, O'Connor and Saiki). Excused, 3 (Uwaine, Yamasaki and Yee).

At this time Senator Anderson rose and stated:

"Mr. President, a point of order, may I go back to page 18, Conference Committee Report No. 50-82 at the top of that page. I had a phone call and left the room, and it died 12 to 11."

I'd like the Journal to reflect that I was a 'no' vote."

The President then replied:

"I think, at this point it would be moot because the bill failed to muster the required votes for passage."

Senator Abercrombie then rose and stated:

"Mr. President, a point of clarification. I hope the chairman of the Agriculture Committee understands that with friends like that his bill was in bad shape."

The President then replied:

"He does. He'll be hunting for votes for reconsideration somewhere between now and tomorrow, or even next week."

Conference Committee Report No. 61-82 (H.B. No. 2606-82, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 61-82 was adopted and H.B. No. 2606-82, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMITTED PERSONS, FURLOUGH, EMPLOYMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Uwaine, Yamasaki and Yee).

Conference Committee Report No. 62-82 (S.B. No. 2454-82, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 62-82 was adopted and S.B. No. 2454-82, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY TRANSACTIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Uwaine, Yamasaki and Yee).

Conference Committee Report No. 63-82 (H.B. No. 2407-82, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 63-82 was adopted and H.B. No. 2407-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR LICENSE," having been read throughout, passed Final Reading on the following showing

of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Uwaine, Yamasaki and Yee).

Conference Committee Report No. 64-82 (H.B. No. 2176-82, H.D. 2, S.D. 1, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 64-82 be adopted and H.B. No. 2176-82, H.D. 2, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Soares.

At this time, Senator O'Connor rose and stated as follows:

"Mr. President, I am going to vote 'no' on this bill. I oppose it. This is the bill which creates sanctions for encroachment upon public lands. This is a matter which has been debated in this body again and again, and people keep trying to have these large fines imposed on a daily basis for a simple encroachment on public land.

"I direct the members' attention to page 3 of this bill. It says: 'Any person causing an encroachment upon public land shall be subject to a fine of not more than \$500 per day and shall be liable for administrative costs incurred by the department and for payment of damages.'

"Mr. President, I again urge the members to think about what this means. If a person has his boundary line negligently upon the property of the state, he is encroaching for this purpose. If people's children have built a tree house or if you've extended the back of your lot up a hillside into state land, you're encroaching. And, we have a fine here of \$500 a day--a mandatory fine.

"Mr. President, I think that the people who worked on this bill didn't think through all the problems that are going to exist with property owners who are adjacent to state land. I have quite a few in my district and I'm concerned about them. This mandatory fine, such a huge fine, which can run over years...what if a person encroaches for ten years...we have several of those situations...\$500 a day? Mr. President, I urge everybody to vote against this bill."

Senator Kawasaki then rose and stated:

"Mr. President, I rise to speak against this bill. I fully concur with the good Senator from the Seventh District. I think the arguments he just made were made a week and a half ago and I

did make comments consonant with that view.

"I think that because of our concerns the language 'shall' is perhaps not desirable. I believe that the chairman of the Economic Development Committee had recommitment the bill and then changed the language to read 'may.'

"This bill passed the Senate, went over to the House, and came back exactly the way it originally was, defective. So, I believe the proper disposition of this bill is just to let it lie quietly or defeat it completely."

Senator Henderson then rose and stated:

"Mr. President, I addressed the concern of the Senate by changing 'shall' to 'may' and we put it up for vote to send it over to the House. They all voted the same way, so I didn't think they were really concerned about it.

"Furthermore, I think that whoever is encroaching, the language of this law will use good judgment and I'm sure that they will not impose a fine of \$500 a day for a tree house encroaching on state land.

"Thank you."

Senator O'Connor then replied:

"Mr. President, the previous speaker did change 'shall' to 'may' but he left the fine of \$500 a day. With the word 'shall' placed back in there, a judge sitting on one of these cases doesn't have any choice; he has to fine something a day--a day. And, that shall be a significant amount of money if the time period is long--and those time periods for encroachment on public lands can be long. There's no reason in the world for this type of punishment for encroachment on public land."

Senator Henderson then stated:

"Mr. President, the law says 'up to \$500.'"

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 64-82 was adopted and H.B. No. 2176-82, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, failed to pass Final Reading on the following showing of Ayes and Noes:

Ayes, 12. Noes, 11 (Anderson, Campbell, Cayetano, Holt, Kawasaki,

Machida, Mizuguchi, O'Connor, Toyofuku, Saiki and Ushijima). Excused, 2 (Yamasaki and Yee).

Conference Committee Report No. 65-82 (H.B. No. 3136-82, H.D. 2, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 65-82 and H.B. No. 3136-82, H.D. 2, S.D. 1, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 66-82 (H.B. No. 2318-82, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 66-82 was adopted and H.B. No. 2318-82, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTAKE SERVICE CENTERS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Abercrombie). Excused, 2 (Yamasaki and Yee).

Conference Committee Report No. 67-82 (H.B. No. 2177-82, H.D. 1, S.D. 1, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 67-82 be adopted and H.B. No. 2177-82, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Anderson.

At this time, Senator O'Connor rose and stated:

"Mr. President, I just want to point out to the conference committee chairman that the sanction in this bill is the way it should have been in the other bill.

"Thank you."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 67-82 was adopted and H.B. No. 2177-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOREST AND WATER RESERVE ZONES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Yamasaki and Yee).

At 1:45 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:55 o'clock p.m.

At this time, the President made the following announcement:

"Before proceeding to page 20, the Chair would like to call the members' attention to a matter not on the morning's Order of the Day. There is a request to recommit Conference Committee Report No. 74-82 on Senate Bill No. 2955-82, C.D. 1, back to the conference committee to correct some technical defects. This is the EMS bill which is clocked for tonight at 8:00 p.m. If there are no objections, the Chair so orders the recommitment."

By unanimous consent, Conf. Com. Rep. No. 74-82 and S.B. No. 2955-82, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES," were recommitted to the Committee on Conference.

THIRD READING

Standing Committee Report No. 862-82 (H.B. No. 2010-82):

By unanimous consent, action on Stand. Com. Rep. No. 862-82 and H.B. No. 2010-82, was deferred to the end of the calendar.

ADVISE AND CONSENT

Standing Committee Report No. 877-82 (Gov. Msg. No. 283):

By unanimous consent, action on Stand. Com. Rep. No. 877-82 and Gov. Msg. No. 283 was deferred to the end of the calendar.

Standing Committee Report No. 878-82 (Gov. Msg. No. 286):

By unanimous consent, action on Stand. Com. Rep. No. 878-82 and Gov. Msg. No. 286 was deferred to the end of the calendar.

Standing Committee Report No. 892-82 (Gov. Msg. No. 159):

By unanimous consent, action on Stand. Com. Rep. No. 892-82 and Gov. Msg. No. 159 was deferred to the end of the calendar.

Standing Committee Report No. 894-82 (Gov. Msg. No. 290):

By unanimous consent, action on Stand. Com. Rep. No. 894-82 and Gov. Msg. No. 290 (Walter R. Steiger to the Board of Regents, University of Hawaii) was deferred to the end of the calendar.

Standing Committee Report No. 895-82 (Gov. Msg. No. 290):

By unanimous consent, action on Stand. Com. Rep. No. 895-82 and Gov. Msg. No. 290 (James F. Gary to the Board of Regents, University of Hawaii) was deferred to the end of the calendar.

Standing Committee Report No. 896-82 (Gov. Msg. No. 290):

By unanimous consent, action on Stand. Com. Rep. No. 896-82 and Gov. Msg. No. 290 (Kenneth N. Kato to the Board of Regents, University of Hawaii) was deferred to the end of the calendar.

At this time, Senator Campbell rose and stated:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, everything seems to be in place for us to extend this session of the Legislature, and this is the third year in a row. I think somebody on this floor mentioned that the other day. This is the third year in a row that we have failed to meet the 60-day session deadline.

"Mr. President, I'd like to read two paragraphs from an editorial in the Honolulu Advertiser dated March 15, 1982, which has a significant bearing on some of the statements that I will be making in the next two or three minutes. As I think of this editorial, I'm of the opinion that the editor may have been monitoring some of the speeches I have made on this floor at the close of our legislative sessions in the past two or three years. The editorial reads as follows, at least those two paragraphs that I had reference to.

"The title is interesting too. The title is 'Over Hectic Law Making,' and it reads:

'Today's internal deadline at the state Legislature for getting bills out and to the floor has in recent days produced some strain on the people involved, and perhaps on the democratic process. The problem is too many bills to consider at this point and not enough time to do it. The symptoms are overcrowded agenda, packed hearing rooms, weariness, likely mistakes, and far too much time and money wasted by private citizens and public officials who sometimes wait for hours to testify.'

And that's the end of the quotation from the Advertiser.

"Mr. President, the money committees of this Legislature have been in meetings in what I consider marathon sessions for almost a week. These sessions have taken their toll, physically and mentally,

and it's been this precise situation that prompted you, Mr. President, to remark that the conferees were too tired to make vital decisions on the 'big bucks' involved in the money matters. I would rather have the Legislature extend itself for one day until Monday, than force the conferees to keep at it when they are beat.

"Now, Mr. President, with the exception of myself, this is the first time that I have heard an official statement on or off this floor which referred to the fact that around-the-clock sessions with very fatigued negotiators could, in fact, result in mistakes, miscalculations, unexpected and questionable agreements. These in turn result in poor legislation in many instances.

"Yes, this is the third year in a row that we have had to extend our legislative session. The need to extend the session, in my judgment, is a clear message to us legislators. We just don't have enough time to complete the important tasks assigned to us by the people of this state. You can't put a full year's work in a 60-day session, and when we try, we make needless mistakes. In some instances, it results, as I have indicated before, in poor legislation. And, I've said this on this floor before. We need a full-time legislature to address the volume and magnitude of the problems facing Hawaii's people.

"Mr. President, if there is any doubt that this Legislature is overtaxed and overburdened by the 60-day session which is already strained to the breaking point in its attempts to meet present legislative needs could possibly take on the kind of increased load mandated by the proposed transfer of federal funds to the states. So, Mr. President, the current mood then in Washington is to give to the states a large share of the responsibility of addressing our people's needs. It's called the New Federalism. Now, this New Federalism may fail in its present form, but Mr. President, I feel that we must get prepared for its concept in some major form to be with us for a very, very long time to come. The New Federalism package, which the President has submitted to Congress, in my judgment should have a rider which provides the Congress to become a part-time body and all state legislatures to become full-time.

"Mr. President, to me this makes sense. It's a major legislative responsibility to address the need of the people of this country and of our state will shift to the state. It will be impossible to adequately deal with the complexity and the quantity of problems Washington

is placing at the doorstep of our Capitol, if we don't go full-time or a reasonable modification thereof. The present three-month session of the Legislature is obsolete.

"One of the things I've been trying to say is simply this. More and more, Mr. President, we legislators find ourselves having to go around-the-clock the final week of the session in order to make a decent appearance that we have completed our business. What is the result of trying to crowd a full year's work into three months? The majority of the legislators, primarily because of the time pressure to finish on time, are left out of the crucial decision-making process when it counts most. That's when it comes to the final disposition, related to major issues facing our people. The people are shortchanged in the process, as well.

"Let me just pose this question. How many committee meetings, conference committee meetings or regular subject matter committee meetings can a member of this body attend when some of those meetings are held simultaneously? Another, of course, is poor legislation, as I've said in many instances. And the last session is a case in point. We had to extend our session in order to correct mistakes made largely because of hasty actions.

"Now, in closing, Mr. President, may I put this problem in perspective. We are set to adjourn on Monday. We are closing up shop and turning off the engine of the legislative process. We're doing this, Mr. President, in spite of the fact that we have a serious problem facing the people of this state related to pesticide in milk and in other food products. I guess I could spend the next half hour enumerating problems that this Legislature should more adequately address before leaving. Probably the most important issue facing us lawmakers is the fact that we are adjourning before we have a full understanding of the responsibility that the New Federalism is going to impose on us as a state's lawmaking body. Congress, the Conference of Governors and the President are locked in negotiations concerning federal transfer of programs to the state. These negotiations, Mr. President, are far from being completed, but we are adjourning.

"Therefore, Mr. President, I recommend that you appoint an interim committee, and I wish I could say that both houses ought to be involved in this, but I would suggest that you, Mr. President, appoint an interim committee whose job would include, but not be limited to the following:

1. Tracking the progress of the negotiations relative to the transfer of federal funds to the state;
2. Hold public hearings to get input from a broad cross section of our community which will be affected by this massive federal cut; and
3. Charge that committee with the responsibility of making a request for the reconvening of the Legislature if the situation warrants it.

"Mr. President, if this course of action is followed, it is my feeling that the people of this state would have a greater feeling of assurance as we close this legislative session.

"Thank you very much."

At this time, Senator Cayetano rose and stated:

"Mr. President, I would like to make some remarks on personal privilege.

"Mr. President, a few days ago, the Prosecutor of the City and County of Honolulu attacked me and some members of the House. He didn't mention me by name, but in his criticism or his attack, I got the feeling that it was me. He said something about a legislator having a 'Hotel Street haircut,' and I responded. I described Mr. Marsland's style as being McCarthy/McCarthy, part Joe McCarthy, part Charlie McCarthy, and I said that I didn't mind him criticizing me, but I didn't want him picking on my barber Eddie.

"Well, Mr. President, Mr. Marsland has put up the colors again and he responded and I'd like to respond to him. In yesterday's Star Bulletin he said, and I quote:

'Mr. Cayetano has the kind of jockstrap mentality that would raise that kind of comparison. Mr. Cayetano tries to make comparisons when legally speaking he doesn't have the background. I don't believe he has been beyond District Court in trying drunk driving cases.'

"Mr. President, I don't mind Mr. Marsland describing me as having a jockstrap mentality. Having friends like Carpenter, Abercrombie and Kawasaki, I've been described as having worse. But, I'm trying to figure out what he means when he says that I don't have the background to make comparisons. In my remarks about Mr. Marsland, all I said was that his style is part Joe McCarthy and part Charlie McCarthy,

and we all know from history that Joe McCarthy was the nutty one and Charlie McCarthy was the wooden dummy. So, I don't know what he's...you don't need a legal background for that...just a little common sense and background in history and I think you have to be about my age, 42, because some of these younger people around here don't know who Charlie McCarthy is or was.

"But there was another part where he says, 'I don't believe he has been beyond District Court in trying drunk driving cases,' and I'd like to respond to that because that kind of affects my ability to make a living as a lawyer. After having observed Mr. Marsland for some time, I think I would divide the legal community into two classes--Mr. Marsland in one class and all others in the other class.

"Now, with respect to the other class in which Senator O'Connor, Senator Ushijima and Yee are, let me say that I have been admitted to practice before the highest court of our land, the United States Supreme Court. I have had appeals in the U.S. Court of Appeals, Ninth Circuit, our Intermediate Court of Appeals, I might add, since this is a commercial, that I am batting 100%. And, I had an extensive criminal law practice at one time.

"I don't do that any more, primarily because I'm around guys like Kawasaki, Abercrombie and Carpenter. My record in criminal law I thought was pretty good. The Prosecutor states he has a 90% win record, a 10% loss record. Let me say that I think, my record added more to the 10% than the 90%. But with respect to Mr. Marsland, Mr. President, my experience with him has never gone beyond District Court in trying drunk driving cases. You see, about three or four years ago, Mr. Marsland and I were adversaries in District Court. It was a drunk driving case and Mr. Marsland lost. And after he lost, I was astounded by his behavior which is...which follows the way he behaves now. He whined; in fact, it's hard to describe him...I'd describe him as a balloon with a slow leak.

"And he's quite correct with respect to my dealings with him in court--I haven't been beyond District Court in trying drunk driving cases because after that one experience with him I know what his legal ability is and I don't feel it's necessary to go higher. So, that's what I wanted to say about that particular comment.

"I'd like to close, however, by saying

that I did talk to my barber Eddie. He was a bit upset. He pays high rent at Ross Sutherland in Ala Moana Shopping Center and he felt that if Marsland was going to criticize his haircut, why didn't he call it an 'Ala Moana Center haircut' instead of a 'Hotel Street haircut' where the rent is kind of low. Eddie, like myself, is Filipino and gets a bit excited, but I finally calmed him down, and Eddie decided that he'd like to offer an open hand to Mr. Marsland and has offered to give Mr. Marsland, free of charge, his 'Waipahu Special.'

"Now, Mr. President, the 'Waipahu Special,' is a free shave, but unlike the typical shave where the strokes are up, Filipino style, the strokes are horizontal. And, whereas, in the ordinary shave they use a special razor, the open end razor, there is a special razor that we use for this 'Waipahu Special.' I'd like to show it to you--here it is.

"So, if there are any of Mr. Marsland's boys in the audience...they were here yesterday and I introduced them...but I guess they're not here, but if they are, Charlie, Eddie says you have a free shave coming.

"Thank you."

Senator O'Connor then rose and stated:

"Mr. President, I would be derelict if I did not rise on a point of personal privilege concerning a very illustrative photograph which appears in today's Star-Bulletin.

"Now, I don't obviously have the Waipahu wit of Senator Cayetano and I obviously look at things a little differently, but we both laugh the same way.

"Yesterday, there was a party here in the Capitol. Thank God, I wasn't invited. There were others who were invited and this party is graphically described in today's Star-Bulletin by one of the most lascivious pictures that I've had the joy to see in years.

"There were a few prominent faces in the picture. It celebrated, evidently, the forthcoming campaign--I won't use the right word for the campaign, I'll just say campaign to which one of our members is going to subject himself. And in that celebration, evidently, there was a wild and forthright dance celebrating the rites of spring.

"Now, spring is almost over and campaign time is almost upon us, and obviously, that dance probably will be the last one of its kind in the Senator's campaign, I hope, unless

he's going to make it his campaign symbol. Now, that might be wonderful if he did. Maybe we could have a block party in every block and invite the same dancer. Now, that might get a lot of votes, except in Waipahu, because peering at this dancer and prominent in the picture, are several of our members, and by the look upon their faces, obviously, they seem to be enjoying something.

"I'm not sure exactly what they were enjoying--maybe it was the departure of the Senator for whom the party was given; maybe the dance; maybe the campaign forthcoming; but in any event, they were enjoying themselves. Mr. President, I would just take this whole matter as a happy matter, a matter which hopefully touches off a campaign in the right direction. Certainly, any campaign that starts with a dance like that deserves a lot of 'bang' somewhere, and I hope that that campaign and the departing Senator have all of the forthright luck in the future that that dance should afford them.

"With that, I will let someone else comment on this matter because he's going to anyway.

"Thank you."

Senator Abercrombie then rose and stated:

"Mr. President I rise on a point of personal privilege.

"I take grave exception to the characterization. Obviously, everyone knows that the Sunday Advertiser and Star-Bulletin is intending to run that picture again, blown up and with a little caption saying, 'who can you pick out in the picture above?' And obviously, one of the people who will be picked out in that picture, everyone very well knows, is myself.

"Now the difference is...and what I take exception to is I've been characterized as enjoying myself, or perhaps having an expression on my face which could be construed as one of enjoyment or fascination or lewd intensity. That, however, is far from the case, as the lady who was the object of the dance knows very well the look was one of complete chagrin and I was completely upset over the fact that I would have definitely volunteered to do it myself and there was no need to pay anybody to come over and do it when I was ready."

Senator Soares then rose and interjected:

"Mr. President, I would just like

to inform you that I have a public hearing that was supposed to start at 2:00 o'clock and I wish that we would have the other members who desire to speak on personal privilege do it tonight. My guests are waiting for me in the gallery."

Senator Anderson then rose and stated:

"Very briefly, Mr. President, I didn't make it to the party. Unfortunately, I didn't get there till a quarter to seven and I think Senator Abercrombie covered for me, but I think Judge Acoba's jockstrap was there to save the whole situation."

Senator O'Connor then replied:

"Mr. President, I hope that there's going to be a repeat performance tomorrow night for ex-President Ford."

The President then stated:

"Would you believe, Senator O'Connor, the story that the guy went swimming and was looking for somewhere to change?"

Senator O'Connor then responded:

"Yes, Mr. President, only if he was swimming in the Senate sauna."

At this time, Senator Saiki, chairman of the Committee on Higher Education, requested a waiver of the 48-hour notice of a Public Hearing on the following Governor's Message:

Gov. Msg. No. 324, submitting for consideration and confirmation to the Western Interstate Commission for Higher Education, the nomination of Charles T. Akama,

and the President granted the waiver.

At this time, Senator Henderson, chairman of the Committee on Economic Development, requested a waiver of the 48-hour notice of a Public Hearing for the following measures:

S.C.R. No. 3, S.D. 2, entitled:
"SENATE CONCURRENT RESOLUTION RELATING TO THE STATE AGRICULTURE FUNCTIONAL PLAN";

S.C.R. No. 4, S.D. 2, entitled:
"SENATE CONCURRENT RESOLUTION RELATING TO THE STATE EDUCATION FUNCTIONAL PLAN";

S.C.R. No. 5, S.D. 2, entitled:
"SENATE CONCURRENT RESOLUTION RELATING TO THE STATE HEALTH

FUNCTIONAL PLAN";

S.C.R. No. 6, S.D. 1, entitled:
"SENATE CONCURRENT RESOLUTION RELATING TO THE STATE WATER RESOURCES DEVELOPMENT FUNCTIONAL PLAN";

S.C.R. No. 7, S.D. 2, entitled:
"SENATE CONCURRENT RESOLUTION RELATING TO THE STATE RECREATION FUNCTIONAL PLAN";

S.C.R. No. 8, S.D. 2, entitled:
"SENATE CONCURRENT RESOLUTION RELATING TO THE STATE CONSERVATION LANDS FUNCTIONAL PLAN";

S.C.R. No. 9, S.D. 2, entitled:
"SENATE CONCURRENT RESOLUTION RELATING TO THE STATE HISTORIC PRESERVATION FUNCTIONAL PLAN";

S.C.R. No. 10, S.D. 2, entitled:
"SENATE CONCURRENT RESOLUTION RELATING TO THE STATE TOURISM FUNCTIONAL PLAN";

S.C.R. No. 11, S.D. 1, entitled:
"SENATE CONCURRENT RESOLUTION RELATING TO THE STATE ENERGY FUNCTIONAL PLAN";

S.C.R. No. 12, S.D. 2, entitled:
"SENATE CONCURRENT RESOLUTION RELATING TO THE STATE HOUSING FUNCTIONAL PLAN"; and

S.C.R. No. 14, S.D. 2, entitled:
"SENATE CONCURRENT RESOLUTION RELATING TO THE STATE HIGHER EDUCATION FUNCTIONAL PLAN,"

and the President granted the waiver.

Senator Henderson then rose and stated:

"Mr. President, one more thing, on personal privilege, I think my face was in that picture too and the expression on my face was one of shock. Right after the picture was taken, I left to call the police."

The President then replied:

"I really don't think it was very funny. I wasn't even invited."

At 2:24 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:29 o'clock p.m.

At 2:30 o'clock p.m., on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate stood in recess until 8:00 o'clock p.m. or subject to the call of the Chair.

NIGHT SESSION

The Senate reconvened at 11:30 o'clock p.m. with all Senators present.

At this time the following proclamation was read by the Clerk and was placed on file.

"PROCLAMATION

WE, Richard S.H. Wong, President of the Senate, and Henry Haalilio Peters, Speaker of the House of Representatives, of the Eleventh Legislature of the State of Hawaii, pursuant to the power vested in us by Section 10, Article III of the Constitution of the State of Hawaii, and at the written request of two-thirds of the members to which each house is entitled, do hereby extend the Regular Session of 1982 of the Eleventh Legislature of the State of Hawaii for a period of 18 hours beyond the Sixtieth day of the 1982 Regular Session.

DONE at the State Capitol,
Honolulu, Hawaii, this
23rd day of April, 1982

/s/ Richard S.H. Wong

RICHARD S.H. WONG
President of the Senate

/s/ Henry H. Peters

HENRY HAALILIO PETERS
Speaker of the House
of Representatives"

DEPARTMENTAL COMMUNICATION

A communication from the Office of the President, University of Hawaii (Dept. Com. No. 16), acknowledging receipt of Senate Resolution No. 122 urging the Governor to proclaim November 14-20, 1982 as Community Education Week, was read by the Clerk and was placed on file.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 638 to 642) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 638), transmitting House Concurrent Resolution No. 98, which was adopted by the House of Representatives on April 22, 1982, was placed on file.

By unanimous consent, H.C.R. No. 98, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE ESTABLISHMENT OF A WORLD PEACE CENTER IN HAWAII," was referred to the Committee

on Government Operations and Intergovernmental Relations.

A communication from the House (Hse. Com. No. 639), transmitting House Concurrent Resolution No. 153, H.D. 1, which was adopted by the House of Representatives on April 22, 1982, was placed on file.

By unanimous consent, H.C.R. No. 153, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE U.S. CONGRESS TO AUTHORIZE THE EXTENSION THROUGH FY 1985 OF PUBLIC LAW 92-444, THE CENTRAL, WESTERN AND SOUTH PACIFIC FISHERIES DEVELOPMENT ACT AND THE FUNDING AT \$5 MILLION PER YEAR," was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 640), returning Senate Concurrent Resolution No. 29, S.D. 1, which was adopted by the House of Representatives on April 22, 1982, was placed on file.

A communication from the House (Hse. Com. No. 641), returning Senate Bill No. 2271-82, which passed Third Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 642), returning Senate Bill No. 2903-82, S.D. 1, which passed Third Reading in the House of Representatives on April 23, 1982, was placed on file.

SPECIAL COMMITTEE REPORT

Senator Cayetano, for the special committee to investigate the problem of the pesticide heptachlor in milk, presented a report (Spec. Com. Rep. No. 2-82) informing the Senate that the Committee has met, discussed, reviewed and adopted its rules, transmitting a copy for the official record.

By unanimous consent, action on Spec. Com. Rep. No. 2-82 was deferred until Monday, April 26, 1982.

CONFERENCE COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2955-82, S.D. 2, presented a report (Conf. Com. Rep. No. 78-82) recommending that S.B. No. 2955-82, S.D. 2, H.D. 2, C.D. 1, as amended in C.D. 2, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 78-82 and S.B. No. 2955-82, S.D.

2, H.D. 2, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2434-82, S.D. 2, presented a report (Conf. Com. Rep. No. 79-82) recommending that S.B. No. 2434-82, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 79-82 and S.B. No. 2434-82, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2816-82, S.D. 2, presented a report (Conf. Com. Rep. No. 80-82) recommending that S.B. No. 2816-82, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 80-82 and S.B. No. 2816-82, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GRANTS, SUBSIDIES, AND PURCHASES OF SERVICE," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2978-82, S.D. 1, presented a report (Conf. Com. Rep. No. 81-82) recommending that S.B. No. 2978-82, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 81-82 and S.B. No. 2978-82, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CANCER COMMISSION," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 3143-82, H.D. 2, presented a report (Conf. Com. Rep. No. 82-82) recommending that H.B. No. 3143-82, H.D. 2, S.D. 1, as amended in

C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 82-82 and H.B. No. 3143-82, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2312-82, H.D. 1, presented a report (Conf. Com. Rep. No. 83-82) recommending that H.B. No. 2312-82, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 83-82 and H.B. No. 2312-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY BUDGET," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2907-82, H.D. 2, presented a report (Conf. Com. Rep. No. 84-82) recommending that H.B. No. 2907-82, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 8482 and H.B. No. 2907-82, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2113-82, H.D. 2, presented a report (Conf. Com. Rep. No. 85-82) recommending that H.B. No. 2113-82, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 85-82 and H.B. No. 2113-82, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was deferred for a period of 48 hours.

Senator Cobb, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed

by the Senate to House Bill No. 3078-82, H.D. 1, presented a report (Conf. Com. Rep. No. 86-82) recommending that H.B. No. 3078-82, H.D. 1, S.D. 1, C.D. 1, as amended in C.D. 2, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 86-82 and H.B. No. 3078-82, H.D. 1, S.D. 1, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2829-82, presented a report (Conf. Com. Rep. No. 87-82) recommending that S.B. No. 2829-82, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 87-82 and S.B. No. 2829-82, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 732, S.D. 1, presented a report (Conf. Com. Rep. No. 88-82) recommending that S.B. No. 732, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 88-82 and S.B. No. 732, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," was deferred for a period of 48 hours.

Senator Yamasaki, for the majority of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2400-82, presented a report (Conf. Com. Rep. No. 89-82) recommending that H.B. No. 2400-82, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 89-82 and H.B. No. 2400-82, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INHERITANCE TAX," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2070-82, H.D. 1, presented a report (Conf. Com. Rep. No. 90-82) recommending that H.B. No. 2070-82, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 90-82 and H.B. No. 2070-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR THE FISCAL BIENNIUM JULY 1, 1981 TO JUNE 30, 1983," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2759-82, S.D. 1, presented a report (Conf. Com. Rep. No. 91-82) recommending that S.B. No. 2759-82, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 91-82 and S.B. No. 2759-82, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES AND MAKING AN APPROPRIATION THEREFOR," was deferred for a period of 48 hours.

STANDING COMMITTEE REPORTS

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1040-82) recommending that the Senate advise and consent to the nomination of Raymond M. Hightower to the Policy Advisory Board for Elderly Affairs, term to expire December 31, 1983, in accordance with Gov. Msg. No. 222.

By unanimous consent, action on Stand. Com. Rep. No. 1040-82 and Gov. Msg. No. 222, was deferred until Monday, April 26, 1982.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1041-82) recommending that the Senate advise and consent to the nomination of Donn A. Carswell to the Advisory Commission on Manpower and Full Employment, term to expire June 30, 1985, in accordance with Gov. Msg. No. 262.

By unanimous consent, action on Stand. Com. Rep. No. 1041-82 and Gov.

Msg. No. 262, was deferred until Monday, April 26, 1982.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1042-82) recommending that the Senate advise and consent to the nomination of Rose T. Ohashi to the Board of Social Services, term to expire December 31, 1985, in accordance with Gov. Msg. No. 263.

By unanimous consent, action on Stand. Com. Rep. No. 1042-82 and Gov. Msg. No. 263, was deferred until Monday, April 26, 1982.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1043-82) recommending that House Concurrent Resolution No. 103, H.D. 1, be referred to the Committee on Legislative Management.

By unanimous consent, action on Stand. Com. Rep. No. 1043-82 and H.C.R. No. 103, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO REVIEW THE ADMINISTRATION AND ADEQUACY OF THE UNEMPLOYMENT COMPENSATION FUND, INCLUDING THE UNEMPLOYMENT TRUST FUND ACCOUNT, AND THE RELATED STATUTORY PROVISIONS," was deferred until Monday, April 26, 1982.

Senator Saiki, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1044-82) recommending that the Senate advise and consent to the nomination of Charles T. Akama to the Western Interstate Commission for Higher Education, term to expire December 31, 1985, in accordance with Gov. Msg. No. 324.

By unanimous consent, action on Stand. Com. Rep. No. 1044-82 and Gov. Msg. No. 324, was deferred until Monday, April 26, 1982.

Senator Soares, for the Committee on Public Utilities, presented a report (Stand. Com. Rep. No. 1045-82) recommending that House Concurrent Resolution No. 102, H.D. 1, as amended in S.D. 1, be referred to the Committee on Legislative Management.

By unanimous consent, action on Stand. Com. Rep. No. 1045-82 and H.C.R. No. 102, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO MAKE A STUDY OF THE RATIONALE FOR THE IMPACT OF IMPOSING TAXES AND FEES UPON PRIVATELY-OWNED UTILITY COMPANIES," was deferred

until Monday, April 26, 1982.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1046-82) recommending that the Senate advise and consent to the nomination of John A. Chanin to the Commission to Promote Uniform Legislation, term to expire December 31, 1985, in accordance with Gov. Msg. No. 172.

By unanimous consent, action on Stand. Com. Rep. No. 1046-82 and Gov. Msg. No. 172 was deferred until Monday, April 26, 1982.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1047-82) recommending that House Bill No. 2316-82, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1047-82 and H.B. No. 2316-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," was deferred until Monday, April 26, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1048-82) recommending that House Bill No. 2540-82 pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1048-82 and H.B. No. 2540-82, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS," was deferred until Monday, April 26, 1982.

ORDER OF THE DAY

FINAL READING

Conference Committee Report No. 68-82 (H.B. No. 2230-82, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 68-82 and H.B. No. 2230-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICITY GENERATED FROM NON-FOSSIL FUELS," was deferred until Monday, April 26, 1982.

Conference Committee Report No. 69-82 (H.B. No. 2092-82, H.D. 2, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 69-82 and H.B. No. 2092-82, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING

TO MOTOR VEHICLE SAFETY RESPONSIBILITY ACT," was deferred until Monday, April 26, 1982.

Conference Committee Report No. 70-82 (S.B. No. 544, S.D. 2, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 70-82 and S.B. No. 544, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Monday, April 26, 1982.

Conference Committee Report No. 71-82 (S.B. No. 1287, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 71-82 and S.B. No. 1287, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Monday, April 26, 1982.

Conference Committee Report No. 72-82 (S.B. No. 2269-82, S.D. 2, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 72-82 and S.B. No. 2269-82, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A CRIMINAL JUSTICE TRAINING FUND," was deferred until Monday, April 26, 1982.

Conference Committee Report No. 73-82 (S.B. No. 2926-82, S.D. 1, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 73-82 and S.B. No. 2926-82, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RELEASE OF MATCHING STATE FUNDS," was deferred until Monday, April 26, 1982.

Conference Committee Report No. 75-82 (H.B. No. 3092-82, H.D. 1, S.D. 1, C.D. 2):

By unanimous consent, action on Conf. Com. Rep. No. 75-82 and H.B. No. 3092-82, H.D. 1, S.D. 1, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," was deferred until Monday, April 26, 1982.

MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

House Bill No. 1971-82, H.D. 1:

By unanimous consent, action on H.B. No. 1971-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS," was deferred

until Monday, April 26, 1982.

Standing Committee Report No. 1022-82 (S.R. No. 139, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 1022-82 and S.R. No. 139, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING AN INVESTIGATION OF THE ALLEGATIONS OF BRUTALITY AGAINST INMATES OF THE OAHU COMMUNITY CORRECTIONAL CENTER ARISING FROM AND OF THE PROCEDURES UTILIZED IN THE PRISON SHAKEDOWN," was deferred until Monday, April 26, 1982.

Senate Bill No. 1308, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 1308, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," was deferred until Monday, April 26, 1982.

Senate Bill No. 2470-82, S.D. 2, H.D. 2:

By unanimous consent, action on S.B. No. 2470-82, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH," was deferred until Monday, April 26, 1982.

Senate Bill No. 397, S.D. 2, H.D. 2:

By unanimous consent, action on S.B. No. 397, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Monday, April 26, 1982.

Conference Committee Report No. 13-82 (H.B. No. 2838-82, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 13-82 and H.B. No. 2838-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY," was deferred until Monday, April 26, 1982.

Conference Committee Report No. 37-82 (H.B. No. 2359-82, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 37-82 and H.B. No. 2359-82, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WITNESS SECURITY AND PROTECTION," was deferred until Monday, April 26, 1982.

Conference Committee Report No. 38-82 (H.B. No. 2559-82, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 38-82 and H.B. No. 2559-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PAYMENT OF SETTLEMENT BETWEEN THE STATE OF HAWAII AND DILLINGHAM CORPORATION DBA HAWAIIAN DREDGING AND CONSTRUCTION COMPANY," was deferred until Monday, April 26, 1982.

Conference Committee Report No. 39-82 (H.B. No. 2679-82, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 39-82 and H.B. No. 2679-82, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COUNSEL AND OTHER SERVICES FOR INDIGENT DEFENDANTS IN CRIMINAL AND OTHER RELATED CASES," was deferred until Monday, April 26, 1982.

Conference Committee Report No. 43-82 (H.B. No. 2947-82, H.D. 2, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 43-82 and H.B. No. 2947-82, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AN AQUACULTURE AND LIVE-STOCK FEEDS PRODUCTION PROGRAM," was deferred until Monday, April 26, 1982.

Conference Committee Report No. 65-82 (H.B. No. 3136-82, H.D. 2, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 65-82 and H.B. No. 3136-82, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION," was deferred until Monday, April 26, 1982.

Standing Committee Report No. 862-82 (H.B. No. 2010-82):

By unanimous consent, action on Stand. Com. Rep. No. 862-82 and H.B. No. 2010-82, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR," was deferred until Monday, April 26, 1982.

Standing Committee Report No. 877-82 (Gov. Msg. No. 283):

By unanimous consent, action on Stand. Com. Rep. No. 877-82 and Gov. Msg. No. 283 was deferred until Monday, April 26, 1982.

Standing Committee Report No. 878-82 (Gov. Msg. No. 286):

By unanimous consent, action on Stand. Com. Rep. No. 878-82 and Gov. Msg. No. 286 was deferred until Monday, April 26, 1982.

Standing Committee Report No. 892-82 (Gov. Msg. No. 159):

By unanimous consent, action on Stand. Com. Rep. No. 892-82 and Gov. Msg. No. 159 was deferred until Monday, April 26, 1982.

Standing Committee Report No. 894-82 (Gov. Msg. No. 290):

By unanimous consent, action on Stand. Com. Rep. No. 894-82 and Gov. Msg. No. 290 (Walter R. Steiger to the Board of Regents, University of Hawaii) was deferred until Monday, April 26, 1982.

Standing Committee Report No. 895-82 (Gov. Msg. No. 290):

By unanimous consent, action on Stand. Com. Rep. No. 895-82 and Gov. Msg. No. 290 (James F. Gary to the Board of Regents, University of Hawaii) was deferred until Monday, April 26, 1982.

Standing Committee Report No. 896-82 (Gov. Msg. No. 290):

By unanimous consent, action on Stand. Com. Rep. No. 896-82 and Gov. Msg. No. 290 (Kenneth N. Kato to the Board of Regents, University of Hawaii) was deferred until Monday, April 26, 1982.

At 11:40 o'clock p.m., on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate stood in recess for the purpose of receiving Conference Committee Reports and any other communications.

ADJOURNMENT

At 12:00 o'clock midnight, the Senate adjourned until 10:00 o'clock a.m., Monday, April 26, 1982.

SIXTY-FIRST DAY

Monday, April 26, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 10:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Stanley E. Kain, Executive Director of the Hawaii Council of Churches, after which the Roll was called showing all Senators present with the exception of Senator Campbell who was excused.

The President announced that he had read and approved the Journal of the Sixtieth Day.

The following introductions were then made to the members of the Senate:

Senator Saiki introduced as follows:

"Mr. President, it is with great pleasure that I present to you and my colleagues here in the Senate, the now official candidate for the governorship of this state, Senator Andy Anderson."

Senator Anderson rose to be recognized and was acknowledged with a round of applause.

Senator Anderson then introduced as follows:

"Mr. President, I would also like to, at this time, introduce my running mate, Senator Pat Saiki."

Senator Saiki was also recognized and acknowledged with a round of applause.

Senator Anderson then requested that the Clerk read their letter of resignations addressed to the Senate President and also requested that it be entered into the Journal, and the Chair so ordered.

The letter of resignations reads as follows:

"April 26, 1982

Honorable Richard S.H. Wong
President of the Senate
Eleventh State Legislature
Regular Session of 1982
State of Hawaii

Dear Senator Wong:

It has been both an honor and a memorable experience to have been part of the Senate Coalition under your

leadership during the Tenth and Eleventh Legislatures. We believe historians of the future will look back on our bipartisan effort and note that it came at a time when our State was crying out for fresh and imaginative leadership.

The Coalition has served Hawaii well. It has provided citizens with fuller representation, it has set new standards for the careful deliberation of legislation, and it has increased accessibility to unprecedented levels. In addition, the Coalition has steadfastly faced the new challenges that are emerging from our increasingly complex economy and society. Finally, it has contributed immensely toward healing the factional divisions which have become such a concern in recent years. Indeed, this may be its most important contribution.

For these reasons, it is our fervent hope that the Coalition will be preserved -- in spirit if not in actual form -- well into the future. Therefore, to protect what we have accomplished and to avoid any appearance of conflict that might follow in the wake of our recent announcements concerning the Governorship and Lieutenant Governorship, we herewith tender our resignations as Vice Chairman of your Committee on Ways and Means and Chairman of your Committee on Higher Education.

With warm personal regards,

D.G. 'Andy' Anderson
Senator
3rd District

Patricia Saiki
Senator
7th District."

Senator Anderson then added: "Mr. President, for the record, I would like to note that Senator Saiki and I have obtained permission from Senator Yee to use the caucus room, privately, 15 to 20 minutes a day for the remainder of the session. We have put together our own research staff and have worked out all the details of being a minority within the minority. Thank you very much."

At 10:56 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:23 o'clock p.m.

Senator Abercrombie then introduced

Mrs. Dante Carpenter and stated: "Mr. President, it is my particular pleasure today to introduce someone, a beautiful lady from a family of beautiful ladies, the most beautiful lady in that family, Olan Carpenter."

Senator Kawasaki then made the following introduction:

"Mr. President, it gives me great pleasure, in behalf of the Senate, to make an introduction of two very loyal employees who have worked like Trojans for a good 24 years as managers of the Senate printshop, Mrs. Nora Ogawa and Mrs. Mary Gregory. They have managed the printshop for many sessions when bills came pouring in to be poured out and have done their Trojan work without complaint, without any hint of a request for pay increase, unlike many others, and I think it is very fitting that on this closing day of the session that we present them with certificates of merit as evidence of the Senate's appreciation of their fine work.

"We really appreciate the dedicated services of Mrs. Ogawa and Mrs. Gregory. Mr. President, may I present, Mrs. Nora Ogawa. Mrs. Mary Gregory could not be here this morning."

Mrs. Ogawa was presented with the Senate Certificate by Senator Kawasaki and Senators Cayetano and Soares presented her with leis.

At 12: 25 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12: 27 o'clock p.m.

FINAL READING

Conference Committee Report No. 90-82 (H.B. No. 2070-82, H.D. 1, S.D. 1, C.D. 1):

At 12: 28 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12: 31 o'clock p.m.

Senator Cobb moved that Conf. Com. Rep. No. 90-82 be adopted and H.B. No. 2070-82, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Yee.

Senator O'Connor, although in favor of the measure, remarked as follows:

"Mr. President, I am going to vote in favor of the budget but I rise to raise

certain procedural questions which have created problems for some concerning the handling of the budget and I will state the facts and the law which pertain to that situation.

"The budget was agreed to and printed last Friday. It was printed in the House printshop. It was put on deck in the House, as I understand it, somewhere around 11:30 - 11:40. At the same time, the budget had not been placed upon the desks of the Senators. Several individuals, including myself, stayed in these chambers until midnight to see if any other bills would be placed on deck, and no bills were placed on deck. One of these individuals who was standing in the chambers was the Governor; another was the Attorney General. There were several other Senators and quite a group of people. The budget was not placed upon the desks of the Senators prior to midnight on Friday.

"The Senate rule says that the 48-hour period for a bill upon which it must be available to the members shall commence with the placement of a printed copy of the bill in the form to be passed upon the desk of each member to which the Senate is entitled upon the convening of, or during each day's session. The budget bill was not so handled. It was not placed upon the desks of the Senators during that day's session.

"About 12:10 of that evening, I asked the Clerk of the Senate if the bill had been printed, and he acknowledged that it had and got a copy for me. I think I was the first Senator to get a copy of the bill.

"There are questions that are now being raised concerning the legality of that bill. On one hand, there is a certain argument raised that there has been precedent established in this body that the bill, simply by being somewhere in this building, conforms to the Senate rule, if a Senate member wants a copy and asks for it then it's available.

"But, unfortunately, Mr. President, that's not what our rule says. Our rules have the force and effect of law. It's plain under the Constitution that they do have the force and effect of law. I don't think there's been another time when a bill had such a public lack of conforming to the law, although I'm sure there were other times when bills had been handled in a variety of fashion. In prudence and caution, Mr. President, I would suggest that this may be a situation which would cause invalidity in the law of that bill.

"If we have the budget of the state rendered invalid by legal decision, it would be a shame. Therefore, I would suggest, Mr. President, with prudence and with caution that measures be taken to insure that this bill be handled so that there's no question about its validity down the line if a taxpayer's suit or other legal action is brought concerning that measure. But, I will say, Mr. President, that I am in favor of most of the provisions in the budget. There are certain things about it that I don't like and I'm sure that that's true of all of my colleagues.

"I will be voting in favor of it, although I am aware of many of its deficiencies. Thank you."

Senator Kawasaki also spoke in favor of the measure and stated:

"Mr. President, I'm rising in favor of passage of this bill and I'd like to respond to some of the comments made by the good Senator from the Seventh District.

"First of all, if it was a Senate rule that requires the 48-hour layover, I think it's very simple for us here to, by two-thirds vote, change, suspend the Senate rule.

"Secondly, if the matter is ever up for court decision, litigation of sorts, because of people questioning the legality of the bill, then I am confident that the courts will look at the bottom line reason for this so-called 48-hour layover...that reason being that the Senators here had sufficient time before voting on final approval. Whether they had sufficient time to look over the contents of the bill as to whether they want to agree or disagree. And, inasmuch as we've had sufficient time, so far as time goes, I think the courts will then determine and ascertain that there was sufficient time...the Senators had every opportunity to examine the bill, and this is really the bottom line for the reason of this 48-hour layover. That in consideration, I think, the passage...the approval on the part of the courts of what is done here is no question. I think there's never been a question that I was concerned about the legality of the bill.

"For that reason, although I too have concerns about some provisions in the budget bill but, in essence, the overall bill, I think, is a good one. I think it reasonably tries to protect the interests of the majority of the citizens of this state. I urge passage of this bill."

The Chair then made the following observation:

"Before proceeding any further, I want to make it clear to the members that I am very comfortable about the arguments against the process of how the budget arrived here on the floor. I think it is common knowledge to all of us Senators that the Constitution makes no reference in terms of the Senate rules for operational purposes, but rather that copies of the bill to be passed in its final form are made available to Senators. I take that availability to mean, first, placement on the desk for 48 hours, or second, a request to the Clerk to take a look at the bill.

"As I understand, in particular, the Clerk has informed me that the budget bill was printed, was available before 12:00 midnight on Friday, and that a Senator approached him for a copy of the bill around 12:07. That Senator was given a copy of the bill at 12:10, completely finished.

"It would be illogical of me to think that the budget which entails somewhere in the neighborhood of 250 pages could be printed up in three minutes and made available to that particular Senator just like that.

"Secondly, I would like to call the attention of the body to the rule of the 48 hours. We have in our possession an Attorney General's ruling which indicates that if we deck a bill on a Friday, the 48 hours can begin then and Saturday and Sunday would count towards the waiting period. I think the reason for this requirement is that in the past there were measures that were passed with less than 24 hours notice, and this was an insurance that things like this, in the future, would not happen.

"With reference to the 48-hour provision, the bills you see before you on your desk, every copy that you have before you, have been here in the Senate for over 48 hours. If you want to tie it down, it is in the vicinity of 58 hours on each of the bills.

"As in the past, there have been requests in motions to adjourn that we leave the Journal open. This is what was done and it was mainly for clocking purposes that the Clerk received all committee reports, all conference drafts, all bills and resolutions by the 12:00 o'clock midnight deadline.

"As I interpret the rule, I feel very secure about the passage of the budget and I am prepared to commit the Senate

to any challenge in the courts with reference to the operating budget. I have no qualms about it.

"I have informed the Governor about our decision and that I feel that the budget is in its proper form and we are prepared to vote on the budget and all the auxiliary bills which help to implement the budget today.

"I hope that someone will not challenge it because I feel very safe about it, but there will be a difference of opinion and the Chair recognizes that. I too would like to be cautious about how the process works."

Senator Cobb, in support of the measure, remarked:

"Mr. President, speaking in favor of the budget and in support of the remarks you just articulated, it is my understanding also that the House of Representatives has already passed the budget under a similar, if not identical, interpretation, and they feel perfectly confident about the matter also."

Senator O'Connor then added: "Mr. President, just so the facts are crystal clear, the House budget or the budget in the House was decked before midnight on Friday. Ours was not.

"I believe that prudence, since we are already into an extension of the session, should encourage the suggestion that there be another extension to make sure that this isn't an invalid bill.

"As the Chair just pointed out, there is a difference of opinion. As the Chair pointed out, the law and the rules can be read one way or they can be interpreted another way. Our rules are very plain on their face, and on their face our rules make the handling of that budget today improper. Whether or not past practice might change those rules, I cannot for myself encourage that sort of action.

"It is a shame, from an administrative standpoint, we face this situation but it's there and I would urge prudence and caution and I would urge that we insure that this measure, which is a terribly important measure, be legal and proper when we vote on it."

The Chair, in response, stated:

"Senator O'Connor, just to remind you that if by some quirk the courts decide otherwise, I am prepared to come back into special session to take care

of this particular problem. I don't feel it is a problem, so I think what we have before us today is a measure to be voted on, and to be sent to the Governor. It is up to the Governor to decide whether this, in fact, is legal or illegal. I really do believe that the Constitution will in the end govern what was done and that the bill was available to every member of this Senate if he wanted to ask for a copy of that measure."

Senator George then spoke in support of the measure and remarked:

"Mr. President, speaking in favor of the budget, given the gravity of the whole question we have in front of us to bring up one point, but I think that I have to do it with the indulgence of my colleagues.

"I'm talking about Dillingham as the solution to our problem of a general aviation airport. I've refrained from making this same little dissertation the other evening when it was brought up on the floor but I feel so strongly about it. I'm reminded of a famous fairy-tale by Hans Christian Andersen called 'The Emperor's New Clothes.'

"It seems to me that this budget makes the assumption that we have achieved a solution by passing the budget with this description of Dillingham general aviation airport, we are clothing ourselves in an imaginary solution. I think most will realize that it isn't a solution and that it wouldn't come into being.

"Another adage that I am reminded of is: 'the one who pays the piper calls the tune' and, unfortunately, we dance to the Federal Government's tune when it pays for the Honolulu International Airport. We are, therefore, stuck with the provisions laid down by the FAA at that time.

"I hope this is the last time I have to say this. I don't think Dillingham will ever be declared our general aviation reliever airport. I devoutly hope not. The only thing that gives me some measure of confidence that things will proceed along a sensible and logical basis is that the Department of Transportation has the money and the capability to proceed along the lines of continuing with the environmental assessment process for other airports on this island. I devoutly hope they do so.

"Thank you, Mr. President."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 90-

82 was adopted and H.B. No. 2070-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR THE FISCAL BIENNIIUM JULY 1, 1981 TO JUNE 30, 1983," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Campbell).

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 643 to 652) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 643), informing the Senate that the amendments proposed by the Senate to House Bill No. 473, H.D. 1, were agreed to by the House; and H.B. No. 473, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 20, 1982, was placed on file.

A communication from the House (Hse. Com. No. 644), informing the Senate that the amendments proposed by the Senate to House Bill No. 2154-82, H.D. 1, were agreed to by the House; and H.B. No. 2154-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 20, 1982, was placed on file.

A communication from the House (Hse. Com. No. 645), informing the Senate that the amendments proposed by the Senate to House Bill No. 2598-82, H.D. 1, were agreed to by the House; and H.B. No. 2598-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 20, 1982, was placed on file.

A communication from the House (Hse. Com. No. 646), informing the Senate that the amendments proposed by the Senate to House Bill No. 2682-82 were agreed to by the House; and H.B. No. 2682-82, S.D. 1, passed Final Reading in the House of Representatives on April 20, 1982, was placed on file.

A communication from the House (Hse. Com. No. 647), informing the Senate that the amendments proposed by the Senate to House Bill No. 2733-82, H.D. 1, were agreed to by the House; and H.B. No. 2733-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 20, 1982, was placed on file.

A communication from the House

(Hse. Com. No. 648), informing the Senate that the amendments proposed by the Senate to House Bill No. 2751-82, H.D. 1, were agreed to by the House; and H.B. No. 2751-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 20, 1982, was placed on file.

A communication from the House (Hse. Com. No. 649), informing the Senate that the amendments proposed by the Senate to House Bill No. 2750-82, H.D. 1, were agreed to by the House; and H.B. No. 2750-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 20, 1982, was placed on file.

A communication from the House (Hse. Com. No. 650), informing the Senate that the amendments proposed by the Senate to House Bill No. 2869-82, H.D. 1, were agreed to by the House; and H.B. No. 2869-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 20, 1982, was placed on file.

A communication from the House (Hse. Com. No. 651), informing the Senate that the amendments proposed by the Senate to House Bill No. 2975-82, H.D. 1, were agreed to by the House; and H.B. No. 2975-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 20, 1982, was placed on file.

A communication from the House (Hse. Com. No. 652), informing the Senate that the amendments proposed by the Senate to House Bill No. 3016-82, H.D. 1, were agreed to by the House; and H.B. No. 3016-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 20, 1982, was placed on file.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1049-82) informing the Senate that Stand. Com. Rep. Nos. 1040-82 to 1052-82 and Conference Committee Report Nos. 78-82 to 91-82 have been printed and distributed to all members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1050-82) recommending that House Concurrent Resolution No. 103, H.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1050-82 and H.C.R. No. 103, H.D. 1, was deferred to the end of the calendar.

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1051-82) recommending that Senate Resolution No. 67, S.D. 1, be adopted.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted and S.R. No. 67, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO CONDUCT A MANAGEMENT AUDIT OF THE LEGAL AID SOCIETY OF HAWAII," was adopted.

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1052-82) recommending that Senate Resolution No. 124 be adopted.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted and S.R. No. 124, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE CONCEPT OF CREATING A DEPARTMENT OF CORRECTIONS," was adopted.

MATTERS DEFERRED FROM APRIL 23, 1982

SPECIAL COMMITTEE REPORT

Spec. Com. Rep. No. 2-82:

By unanimous consent, Spec. Com. Rep. No. 2-82 from the Committee to investigate the problem of the pesticide heptachlor in milk, transmitting a copy of the "Rules of the Senate Committee Investigating Heptachlor Contamination in Milk" was placed on file.

FINAL READING

Conference Committee Report No. 13-82 (H.B. No. 2838-82, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Yee and carried, Conf. Com. Rep. No. 13-82 was adopted and H.B. No. 2838-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Campbell).

Conference Committee Report No. 37-82 (H.B. No. 2359-82, H.D. 1, S.D.

2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Yee and carried, Conf. Com. Rep. No. 37-82 was adopted and H.B. No. 2359-82, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WITNESS SECURITY AND PROTECTION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Campbell).

Conference Committee Report No. 38-82 (H.B. No. 2559-82, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Yee and carried, Conf. Com. Rep. No. 38-82 was adopted and H.B. No. 2559-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PAYMENT OF SETTLEMENT BETWEEN THE STATE OF HAWAII AND DILLINGHAM CORPORATION DBA HAWAIIAN DREDGING AND CONSTRUCTION COMPANY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Abercrombie, Cayetano and O'Connor). Excused, 1 (Campbell).

Conference Committee Report No. 39-82 (H.B. No. 2679-82, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Yee and carried, Conf. Com. Rep. No. 39-82 was adopted and H.B. No. 2679-82, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COUNSEL AND OTHER SERVICES FOR INDIGENT DEFENDANTS IN CRIMINAL AND RELATED CASES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Campbell).

Conference Committee Report No. 43-82 (H.B. No. 2947-82, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Yee and carried, Conf. Com. Rep. No. 43-82 was adopted and H.B. No. 2947-82, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AN AQUACULTURE AND LIVE-STOCK FEEDS PRODUCTION PROGRAM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Campbell).

Conference Committee Report No. 65-82 (H.B. No. 3136-82, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Yee and carried, Conf. Com. Rep. No. 65-82 was adopted and H.B. No. 3136-82, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 5 (Abercrombie, Anderson, Cayetano, Kawasaki and Wong). Excused, 1 (Campbell).

Conference Committee Report No. 68-82 (H.B. No. 2230-82, H.D. 1, S.D. 1, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 68-82 be adopted and H.B. No. 2230-82, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Yee.

Senator O'Connor, although in support of the measure, stated:

"Mr. President, I'm going to vote in favor of this bill but I would just like to inform the members that this bill started out as a humble little measure offered by one of our friends in Laupahoehoe who owns a windmill in his backyard and his windmill provides electricity for his house and he wanted to use the excess to put into Hilo Gas and Electric lines and have them pay for it.

"What we finally go into in this bill is a regulatory measure that doesn't have anything to do at all with windmills any more, much to the dismay of our friend from Laupahoehoe. It has to do with the rate for firm energy which is established by certain rules of the PUC.

"I am unhappy to find in the drafting of this measure that we are, instead of setting our own standard in statute, instead of writing statutory law so that it makes sense and is concise, crisp and clear, we refer to four PUC sections; therefore, putting ourselves at the mercy, so to speak, of the drafting of the PUC section.

"I watched this bill with some interest because my friend from Laupahoehoe called me up every morning and wanted to find out mostly how his windmill was doing and I finally had to tell

him it just blew off the wall."

Senator Soares, in support of the measure and in response to the previous speaker, stated:

"Mr. President, being one of the conferees on this bill for his friend from Laupahoehoe, a former member of the House named Stanley (Roehrig) Rodrigues, I have to make a response.

"His friend has enough power there from the Laupahoehoe windmill to supply the whole Hamakua Coast. But, nevertheless, I think the committee wrestled with this bill to make sure that we were being fair to the members of the windmill society as well as the HPOWER society and as well as the plantation society. We tried to cut across all three lines. It was very difficult to do that, so we actually are going to let the rules that now allow for these people to go before the PUC to try to get themselves into the ball game. We'd like to do it next year to help the HPOWER people as well so your conferees are very much aware of the need to encourage these members of the windmill society to keep on working on it."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 68-82 was adopted and H.B. No. 2230-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICITY GENERATED FROM NON-FOSSIL FUELS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Campbell).

Conference Committee Report No. 69-82 (H.B. No. 2092-82, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Yee and carried, Conf. Com. Rep. No. 69-82 was adopted and H.B. No. 2092-82, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SAFETY RESPONSIBILITY ACT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Campbell).

Conference Committee Report No. 70-82 (S.B. No. 544, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Yee and carried, Conf. Com. Rep. No. 70-82 was adopted and S.B. No. 544, S.D. 2, H.D. 1, C.D. 1,

entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Campbell).

Conference Committee Report No. 71-82 (S.B. No. 1287, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Yee and carried, Conf. Com. Rep. No. 71-82 was adopted and S.B. No. 1287, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Abercrombie, Cayetano and O'Connor). Excused, 1 (Campbell).

Conference Committee Report No. 72-82 (S.B. No. 2269-82, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Yee and carried, Conf. Com. Rep. No. 72-82 was adopted and S.B. No. 2269-82, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A CRIMINAL JUSTICE TRAINING FUND," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Campbell).

Conference Committee Report No. 73-82 (S.B. No. 2926-82, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Yee and carried, Conf. Com. Rep. No. 73-82 was adopted and S.B. No. 2926-82, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RELEASE OF MATCHING STATE FUNDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Campbell).

Conference Committee Report No. 75-82 (H.B. No. 3092-82, H.D. 1, S.D. 1, C.D. 2):

On motion by Senator Cobb, seconded by Senator Yee and carried, Conf. Com. Rep. No. 75-82 was adopted and

H.B. No. 3092-82, H.D. 1, S.D. 1, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Campbell).

Conference Committee Report No. 76-82 (S.B. No. 2904-82, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Yee and carried, Conf. Com. Rep. No. 76-82 was adopted and S.B. No. 2904-82, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A WATER COMMISSION AND FORMULATION OF A STATE WATER CODE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Campbell).

Conference Committee Report No. 77-82 (S.B. No. 2760-82, S.D. 2, H.D. 1, C.D. 1):

Senator Cobb moved that Conf. Rep. No. 77-82 be adopted and S.B. No. 2760-82, S.D. 2, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Yee.

At this time, Senator Kawasaki spoke against the measure and stated:

"Mr. President, several years ago when the utility companies came to us for the purpose of having us approve special purpose revenue bonds in which the rate of interest would be lower and there'd be some savings effectuated thereby, I voted against and spoke against that measure.

"The following year the hospitals came with the same kind of request for special purpose revenue bonds to take care of hospital expansion needs. I predicted at that time that very soon some of the people in the private entrepreneurial world would come with this kind of request, and sure enough, here is a bill in which we're asked to provide special purpose revenue bonds, interestingly enough, for one particular private entrepreneur, Ritz Department Store, so that they can build stores.

"I'm just afraid that if we set this precedent, I can predict very assuredly in the next year there will be a number of private enterprises asking for the same kind of special purpose revenue bonds. I think we're setting a very

bad precedent.

"The bill provides for a \$2.5 million funding and I suppose that if this bill passes and the revenue bonds are floated the Ritz Department Store will make use of perhaps a good portion of the \$2.5 million.

"Section 3 of the bill also provides that we're directed to provide special purpose revenue bonds in addition to other organizations if they so desire it. I don't think we're going to have very much money left out of the \$2.5 million fund, but I'm most concerned about the bad precedent we're setting in allowing the use of the state's name for the floating of special purpose revenue bonds for a private organization. I think by doing this we're going to open the door to a whole flood of requests of similar nature. I think we're perhaps not quite aware of what the end results may be. This is bad. I am against passage of this bill."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 77-82 was adopted and S.B. No. 2760-82, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Kawasaki). Excused, 1 (Campbell).

Conference Committee Report No. 78-82 (S.B. No. 2955-82, S.D. 2, H.D. 2, C.D. 2):

On motion by Senator Cobb, seconded by Senator Yee and carried, Conf. Com. Rep. No. 78-82 was adopted and S.B. No. 2955-82, S.D. 2, H.D. 2, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Campbell).

Conference Committee Report No. 79-82 (S.B. No. 2434-82, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Yee and carried, Conf. Com. Rep. No. 79-82 was adopted and S.B. No. 2434-82, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," having been read throughout, passed Final Reading on the following showing

of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Campbell).

Conference Committee Report No. 80-82 (S.B. No. 2816-82, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Yee and carried, Conf. Com. Rep. No. 80-82 and S.B. No. 2816-82, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GRANTS, SUBSIDIES, AND PURCHASES OF SERVICE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Campbell).

Conference Committee Report No. 81-82 (S.B. No. 2978-82, S.D. 1, H.D. 2, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 81-82 be adopted and S.B. No. 2978-82, S.D. 1, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Yee.

Senator Kawasaki rose to speak for the measure and stated:

"Mr. President, of all the bills that emanated from the Senate, I'm most happy about the final passage of this bill.

"This bill again proves to the nation that Hawaii is very progressive insofar as its concern for human services programs is concerned. The bill provides for the first time in any state of the union a funding to the tune of a half a million dollars for the acquisition, the dissemination and research connected with this new compound called interferon, which according to statistics of research so far conducted seems very promising in the way of offering relief or certainly hope to those categories of cancer victims (about one thousand of whom die annually in this state alone). It gives at least a glimmer of hope to these people who have tried every compound or cure known to the medical profession in the way of doing something about the horrible disease of cancer.

"This bill sets up the mechanism for a cancer commission which is now in existence in the Hawaii Medical Association organization. It provides for three lay persons to be appointed by the Governor to augment the cancer commission now in existence. They will do all they can to set up the mechanism

so at least some cancer victims in Hawaii can now have available to them the research results, and certainly at least try the compound interferon. This gives people a measure of hope--many people who have been diagnosed as terminal cancer patients with no hope. I think only the family with a person in the family who has cancer knows the agony and the utter feeling of futility that people experience when they find out that a dear one in the family is adjudged to be a terminal cancer patient.

"We hope that this bill will be rapidly implemented; that the Governor will do his best to find three very interested lay persons to serve on this board and, hopefully, this funding which will last about three years will be put to good use and, at least, as I said, give cancer victims of Hawaii a glimmer of hope.

"I urge the passage of this bill."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 81-82 was adopted and S.B. No. 2978-82, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CANCER COMMISSION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Campbell).

Conference Committee Report No. 82-82 (H.B. No. 3143-82, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Yee and carried, Conf. Com. Rep. No. 82-82 was adopted and H.B. No. 3143-82, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Anderson, Cayetano, George and Wong). Excused, 1 (Campbell).

Conference Committee Report No. 83-82 (H.B. No. 2312-82, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Kuroda, seconded by Senator Yee and carried, Conf. Com. Rep. No. 83-82 was adopted and H.B. No. 2312-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY BUDGET," having been read throughout, passed Final

Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Cobb). Excused, 1 (Campbell).

Conference Committee Report No. 84-82 (H.B. No. 2907-82, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Yee and carried, Conf. Com. Rep. No. 84-82 was adopted and H.B. No. 2907-82, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Campbell).

Conference Committee Report No. 85-82 (H.B. No. 2113-82, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Yee and carried, Conf. Com. Rep. No. 85-82 was adopted and H.B. No. 2113-82, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Campbell).

Conference Committee Report No. 86-82 (H.B. No. 3078-82, H.D. 1, S.D. 1, C.D. 2):

Senator Cobb moved that Conf. Com. Rep. No. 86-82 be adopted and H.B. No. 3078-82, H.D. 1, S.D. 1, C.D. 2, having been read throughout, pass Final Reading, seconded by Senator Yee.

Senator Abercrombie rose to speak against the measure and stated:

"Mr. President, if you will and the members will examine the bill, you will find that it is slightly less longer than the budget but not much. You will find page, after page, after page of statute language which ordinarily one would expect to find in the hearings that would be held with respect to a law in terms of rules and regulations.

"Time-sharing is, as I've indicated previously on this floor, such a pernicious practice, such an evil economic practice as it is conducted for the most part in this state, most especially in Waikiki, that we are now at the stage where previous regulations that had been issued through

statutes, as recently as a year ago, are now found to be so inadequate that the time-share industry has had to come in to this Legislature and promote dozens of pages of statute language which presumably are now going to regulate the industry. At the same time, the bill calls for more hearings to determine even more rules and regulations based on these pages and pages of statute language.

"The bill indicates that there will be a protection, not for any of our citizens of course and there won't be any protection for the visitor industry in terms of the kind of harassment that will take place. It's just to take place under a little bit different circumstances.

"We now have a situation where you will have rules and regulations adopted on top of all the pages of statute language with respect to what constitutes sales agents and acquisition agents who shall be allowed to solicit or encourage others to attend the time-share sales presentation or to contact a time-share sales agent or developer. No wonder that we have some six points to be developed in terms of rules and regulations...amazing, it's six points already, and there'll be rules and regulations adopted on top of it, ostensibly to limit the activities governing sales agents and acquisition agents...you know, now we have a difference as to what an acquisition agent is.

"The acquisition agent is, of course, the same hustler that we see in operation right now with respect to time-sharing. And we're going to have this phony business of so-called licensed agents, real estate brokers, for example, under number 4, subsection (4) on page 4: 'Shall provide that a real estate broker who employs, either directly or as an independent contractor, an acquisition agent who is not licensed under chapter 467 shall be responsible for the acts of such acquisition agent;'

"Now, there's a sterling phrase. That's really going to shake these people up, no question about that. It will shake them up, right up till the point that they go into court to overthrow all these regulations.

"The same people who come into the hearings talking about how they're only too happy to be regulated in order to get rid of the bad actors in time-sharing are the same people who are in court right now. I happen to have it in my hand from the 17th of April 1982, a story in which Judge Wakatsuki has disqualified himself...that's a separate issue, of course...the judge has disqualified

himself from a hearing for a motion on a preliminary injunction to prohibit enforcement of time-share solicitation regulations. The reason being that the judge knows one of the principals in the action being brought before the court.

"So, what is the action being brought before the court? The action is to overturn all the rules and regulations. And, why? Because they say that they will be unable to make all the money that they want to make. It's rather an incredible situation.

"Attorney Hiroshi Sakai, representing six persons involved in the time-sharing business, claims that the rules could cause them to lose their jobs and lose money. Well, as you know, Mr. President, when a plague is visited upon a city and the plague is finally routed the grave diggers lose their jobs as well, at least they are unable to dig as many graves as they could before. Presumably, that is not an argument to continue a plague...the same with time-sharing. The fact that they may lose their jobs is also when members of organized crime are brought to trial and put in jail, on occasion. Many of them lose their jobs... strong-arm men or shakedown artists of various kinds, they lose their jobs too. So, it's not an argument as to whether somebody is going to lose jobs or lose money.

"And speaking of losing money, of course, it is the taxpayers here who are losing money because these time-sharing units are undervalued. I can assure you, when I say for purposes of record, that now that the counties have full taxing power available to them that this Senator for one is going to be watching like a proverbial hawk as to what kind of assessed valuation takes place with respect to these time-share units in the City and County of Honolulu and also throughout the state. Other counties will be watching just as close and will be making appropriate assessment.

"I might say in conclusion that if anybody can stand up and tell me that they have read through these regulations and think for a moment that these things are going to counter the bad practices and deception that are going to take place in time-sharing, I would like to hear it. I would like to also hear what is going to occur aside from all the escrow arguments and all the rest of it what happens when these outfits actually go belly-up, as they will in terms of their management.

"After all, as was indicated in a recent article in the Los Angeles Times on

time-sharing that it is a little disconcerting when you live next door to somebody and then find that people are there 52 times a year for party time. I think that under those consequences you're going to find that management capability of these time-sharing outfits should be of two varieties, flim and flam.

"The whole idea of time-sharing is to get the money up front and get out. The escrow arguments don't mean anything to me because there's enough money to be made in this kind of deal that the time-shares will be more than willing to take care of that little impediment to their scheme because the profits will be there for them in any event.

"I'd like to say in conclusion that I think it should be defeated because all we're doing is postponing the time when the Attorney General will have to go into court with his latest set of statutes and statutory language and regulation against the time-shares who will be in court saying that this is unconstitutional too.

"I'd like to say that for my part, regardless of whether this passes or doesn't pass, if I am fortunate enough to be back in this body next year I am going to prepare a tax measure with respect to time-sharing which will at least see to it that if the people of the City and County of Honolulu, in Waikiki most particularly, and the people of the state in general are to be subjected to these free-booters in time-sharing that they shall be taxed to the max for the privilege of trying to destroy this particular aspect of our economic stability in this state."

Senator Cobb then rose to speak for the measure and stated:

"Mr. President, very briefly, last year the Department of Regulatory Agencies attempted to promulgate rules and regulations on the subject of escrow, but they did so without clear legislative authority.

"As we reviewed the bill last year, there was no provision for escrow simply because the matter had not been raised at hearings or in discussions in conference by either house of the Legislature.

"This year, the Department as well as the House came forward with very comprehensive proposals on escrow requirements which are contained in this bill.

"I would add that approximately 15 to 20 and some figures hold it even as high as 25 percent of the buyers

in time-share projects are local people, so there is an element of protection being added. This will provide very clear legislative authority and regulations and if they're challenged in court, I think, they will withstand the challenge because now we are providing that very clear authority and there have been indications from a number of members of the industry that they're not happy with the heavy regulatory impact of these rules and regs. But, I think it will provide some safeguards regardless of whether or not we have been successful in banning the subject, we would still have to address the existing units and that's exactly what this bill does.

"This instrument will stop the practice of having the money up front being taken out of town because it now must be placed in an escrow account and that will prevent the recurrence of what happened in the Paradise Palms case.

"I would urge the members to vote 'aye.'"

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 86-82 was adopted and H.B. No. 3078-82, H.D. 1, S.D. 1, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Abercrombie, Cayetano and Kawasaki). Excused, 1 (Campbell).

At 1:14 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 4:05 o'clock p.m.

At this time, the Chair, in explanation to the members, stated:

"The Chair would like to explain the situation here in the Senate which occurred early this morning. We had informed the Governor that the Senate was prepared to adjourn sine die at 6:00 p.m. this evening. Since then, we have received a communication from the Governor extending the Legislative Session of 1982 for a period of 54 hours.

"I want to make it very clear at the outset that as presiding officer of this Senate I disagree with the interpretation made by the Governor relative to the 'cloud' over the passage of the budget. But, since he has exercised his constitutional right to extend the session for another 54 hours, I am requesting that this

body reconsider its actions taken on the budget and its related bills.

"We will be here till Wednesday and it is hoped that any doubts or 'cloud' that may appear over the budget will be formally cleared up by this body.

"If there be no objection by the members of the Senate, I would like the Clerk to read the proclamation extending the session."

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 325), transmitting an Executive Order providing for a further extension of the 1982 Session of the Eleventh Legislature, as follows:

"EXECUTIVE ORDER

"WHEREAS, Section 10, Article III of the Constitution of the State of Hawaii, provides that an extension of not more than fifteen days of any session may 'be granted by the presiding officers of both houses at the written request of two-thirds of the members to which each house is entitled or may be granted by the governor'; and

"WHEREAS, the President of the Senate and the Speaker of the House of Representatives at the written request of two-thirds of the members to which each house is entitled by proclamation granted an extension of eighteen hours beyond the sixtieth day of the regular session of 1982 of the Eleventh Legislature of the State of Hawaii; and

"WHEREAS, the governor has been requested to grant a further extension and it appears that such an extension is necessary;

"NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of Hawaii, pursuant to the power vested in me by Section 10, Article III of the Constitution of the State of Hawaii, do hereby extend the 1982 regular session of the Eleventh Legislature of the State of Hawaii for a period of fifty-four (54) hours, following 6:00 P.M., April 26, 1982, pursuant to Section 10, Article III of the Constitution of the State of Hawaii.

DONE at the State Capitol, Honolulu, State of Hawaii, this 26th day of April, 1982.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii

APPROVED AS TO FORM:

/s/ Tany S. Hong

TANY S. HONG
Attorney General"

was read by the Clerk and was placed on file.

RECONSIDERATION OF ACTIONS TAKEN

Senator Cobb moved that the Senate reconsider its actions taken, earlier in the day, on the following bills:

H.B. No. 2070-82, H.D. 1, S.D. 1, C.D. 1;

H.B. No. 2838-82, H.D. 1, S.D. 1, C.D. 1;

H.B. No. 2359-82, H.D. 1, S.D. 2, C.D. 1;

H.B. No. 2559-82, H.D. 1, S.D. 1, C.D. 1;

H.B. No. 2679-82, S.D. 1, C.D. 1;

H.B. No. 2947-82, H.D. 2, S.D. 1, C.D. 1;

H.B. No. 3136-82, H.D. 2, S.D. 1, C.D. 1;

S.B. No. 2269-82, S.D. 2, H.D. 2, C.D. 1;

S.B. No. 2926-82, S.D. 1, H.D. 2, C.D. 1;

S.B. No. 2904-82, S.D. 1, H.D. 2, C.D. 1;

S.B. No. 2760-82, S.D. 2, H.D. 1, C.D. 1;

S.B. No. 2434-82, S.D. 2, H.D. 2, C.D. 1;

S.B. No. 2978-82, S.D. 1, H.D. 2, C.D. 1;

H.B. No. 2312-82, H.D. 1, S.D. 1, C.D. 1;

H.B. No. 2907-82, H.D. 2, S.D. 2, C.D. 1; and

H.B. No. 2113-82, H.D. 2, S.D. 2, C.D. 1,

seconded by Senator Soares.

Senator Anderson then rose to speak against the motion to reconsider and stated:

"Mr. President, every session gets more interesting than the first. I

can't imagine, in my wildest imagination, the Governor extending this session on the basis on which he did. I listened just now to the message. It is not clear why he's extending this session. 'Cloud' over the budget, you mentioned in the caucus room. I can't imagine how the man can stand up there on closing night, the upper part of the gallery, and know whether or not the Clerk has in fact in the office and available to the Senate, as the Constitution provides, the bills under which he's talking about. How anybody in the gallery can see the bills on the Clerk's desk at 12:00 o'clock midnight, when half of the time the Governor was in darkness up there, I can't imagine.

"If the Governor, in fact, were to come before us and say he wants his pay bill and the pay bill in fact was decked at 12:15 or 12:30 or quarter of one...I've heard three conflicting times but each one, in fact, beyond 12:00 o'clock, then I could understand it.

"I might even consider supporting any extension for the pay bill, if in fact he were honest about it. The people that he is looking for a pay raise for, in fact, haven't had a pay raise for quite a few years. It's hard for the public, with people like the Aloha Airlines, the automobile industry throughout the whole country who are not just going five days or being held in a current position, but actually taking cuts. It's a bad time to consider any pay raise, 10 percent or 18 percent it's bad politically. It's bad business and it's a bad way to handle it. Still,

if he had been honest, if he had sat down with the Senate and House and said, 'Gentlemen, I would like this bill for my people, would you please consider it.' I would probably go along with it. But this subterfuge of hiding behind the budget and clocking...Mr. President, I have been here 20 years...listening to Senator O'Connor this morning, if you will research the Journal, I have made that speech some hundred to hundred and fifty times when I was in the minority challenging the very procedure, the very steps that you took here this morning. But the shoe was on the other foot, of course. And every time I made that challenge the Clerk of the Senate wove, or waded in the air, the attorney general's opinion in my face.

"This morning when I asked my Senate counsel to find this opinion, I told him to go into Shadow's drawer with David and find the one that was most worn, it would be the one that

I wanted.

"Let me read this attorney general's opinion. This wasn't drawn up this afternoon for this Governor's convenience, it might have been done another time for another governor. It says, 'When a bill is in the final form has been printed and made available to legislators for more than 24 hours, regardless of when such print and availability first occurred,'...and it goes on and on and on. And this one: 'Accordingly, we are of the opinion' and this is the attorney general, 'that the 24-hour period' which is now 48 hours, 'required by Section 16 of Article 3 of the Hawaii Constitution begins to run from the time that the bill is first printed and made available to the members of the house in the form in which it is passed in such house in third reading irrespective of when such a bill or form was attained.'

"Mr. President, if the Attorney General's Opinion stands, that ruling, the current one this afternoon that was conveniently typed and sent down stands, there are many pieces of legislation now on the books which will have a 'cloud' passed over 'em.

"I have, as I said, been keeping track of some bills going on to the House, as a matter of conversation, that I understand that a Democrat House committee chairman complained about sometime ago, that House Standing Committee Reports 621 to 653 were not on the members' desks when they should have been according to their House rules.

"Is the Governor going to say then that all of those bills are also technically flawed? I don't think so.

"The truth of the matter, Mr. President, is he wants the pay bill and I guess he's hoping that the functional plans, with another two days to go, come out of conference.

"I have no objections to either of those coming out if in fact they should before those conference committees.

"Last week I took to this floor and I criticized quite severely and Senator Yamasaki got very upset and I apologized to the good Senator because I think he's one heck of a chairman, but I criticized the delay that the House Finance Committee in its open conference was causing us. Well, of course, Representative Kunimura got very upset with Senator Anderson and made some remarks.

"When it came to some comments and quotes, when talking about the pay bill the other day, I don't have the article before me but when questioned about the delay and the time and the procedure in which conferees have to work under, the good Representative said, and I quote: 'The only way to solve this is to let the fuse burn down close, and then you act.' Well, I think this is questionable logic. I think the fuse burned down too close, and the budget almost got caught up in this blowing up firecrackers as well as the pay bill. That letting it burn down on a deliberate basis, on a very deliberate basis, delaying and drawing up, it's wearing today and because of it. I wonder, really, if the department heads in the administration agreed to this logic of letting the fuse burn down.

"Mr. President, you're in for a lot of trouble next year if you conduct this house the way you have with the so-called self-imposed guidelines that you work out with the Speaker. It's going to be a circus. You cannot consider a billion and a half dollar budget with this self-imposed timetable, allowing every major chairman to send down 165 bills like we have experienced this year. It's not going to work. You're not going to be conforming to the Sunshine Law, as we should as the court so dictated. You're not going to have the in-depth responsible review that Senator Abercrombie has espoused on in the past and still get out of here in 60 days. You're going to be here for six months or eight months if we allow ourselves to conduct ourselves in this kind of nonsense way of doing business.

"I do not think this extension is necessary. I think it's a mishandling, a mismanagement, and I think the Governor should have been more honest, more open and stated his reasons in fact for why he wanted the extension.

"I have never seen a governor of this state question the conduct of the House or the Senate rule. Why he is even having his Attorney General rule legally on Rules of the Senate. God knows why.

"The question is, Mr. President, he wants his pay bill...his pay bill, not ours. And he wants his functional plans. He ought to openly and honestly say so and not behind, hiding behind this nonsense that in fact the budget was not on the Clerk's desk at five minutes to 12:00 midnight. I don't think it's a way to run a ship."

Senator Cayetano then rose to speak in support of the motion and stated:

"Mr. President, I rise to support the motion and I wish to respond to Senator Anderson's comments.

"First of all, let me say I'm glad to see the campaign has begun, Andy.

"Just so we understand the situation here, the Governor's position is premised on the fact that from visual observation the budget bill was not on our desks before midnight last Friday.

"Now, Senator Anderson read in part some attorney general's opinion and this is the opinion that's dated April 1970. I think that opinion was written on rules and, incidentally, it's addressed to Speaker Beppu, so I assume that the attorney general was commenting on the House rules. What those rules were at that time, we don't know; however, we do know that the situation was different because it speaks of a 24-hour period.

"The Senate rules are quite explicit. Let me read it to you because I believe this is what the Attorney General's Opinion is based on. Senate Rule 46, (1) reads as follows:

'(1) No bill shall pass third or final reading in the Senate unless printed copies of the bill in the form to be passed have been made available to the members of the Senate for at least 48 hours. Form to be passed means the form in which a bill is to be (a) passed on third reading in the Senate, (b) concurred to by the Senate after amendments have been made by the House, or (c) passed by the Senate after a Conference Committee has agreed upon it.'

Now, this is the key phrase which I think the Governor's position is based on:

'The 48-hour period for a bill shall commence with the placement of a printed copy of the bill in the form to be passed upon the desk of each member to which the Senate is entitled upon the convening of or during each day's session.'

"If one takes a literal reading of that rule, Mr. President, it does say that the Senate budget did not comply with that rule. The legislative rules, as a general proposition, are interpreted and enforced by the body itself.

"We have an opinion. We have taken the opinion that what we did was correct, that the copy of the bill was in fact available even though it may have been in the Clerk's office.

"The fact of the matter is that the

Governor has taken the opposite position, which is in light of our rules a reasonable interpretation of our rules. So, what we are doing here today is really an accommodation. There's no sense in this Senate getting into a sparring contest with the Governor over what these rules mean or may not mean. The Governor has the power to veto the budget. If he stands by his Attorney General's Opinion that the Senate passed the budget in violation of its rules, then he will do so after giving us ten days' notice. That will mean further that he will be calling us back into special session. I do not think that the Senate should be put in a position of confronting the executive on a situation which can be worked out. This is why I think the Senate leadership has decided to accommodate the Governor and this why I urge all members to support the motion for reconsideration."

Senator Cobb also spoke in favor of the motion and stated:

"Mr. President, I would agree in part with the two previous speakers even though they were at variance in their comments.

"First, I think the action the Senate took was proper, but since the Governor has declared an unchallenged authority to extend our session or to call us back into special session, and he has done so ostensibly for the purpose of the budget and the 'cloud' over the budget, the cleanest thing to do and the most responsible thing to do is to remove any such cloud that may hang. So, even though I think the Senate was correct in its initial action, if we can take this step responsibly to remove that cloud, I think it should be done.

"Secondly, though as it relates to the pay bill, that and several other measures would then become available for consideration on Wednesday. But, I think that's a separate issue and we should vote the pay bill up or down on Wednesday, if it is on our desks and before us for formal action. I do have somewhat of a suspicion in that nature, but again that's up to the motive of the Governor and the motives of the House, as well as the consideration on its merits by the members of the Senate, when and if it comes up to a vote on Wednesday."

Senator Anderson then asked if the Majority Floor Leader would yield to a question and Senator Cobb answered in the affirmative.

Senator Anderson asked: "How many times would you say that you have made the closing motion to adjourn leaving

the Journal open in this body, this year?"

Senator Cobb answered: "At least 12 to 15 times."

Senator Anderson further asked: "What does that mean, if I may ask?"

Senator Cobb answered: "That means the Journal shall remain open to receive any communications or committee reports by the close of that particular legislative day, normally 12:00 midnight, or if an earlier time is set in the motion, then it would be good up until that time."

Senator Anderson further asked: "Would I be unfair to say that with the 12 or 15 times that you made that motion, usually it was toward the heavy schedule part, that at any one time in that 12 or 15 times sitting on the Clerk's desk at five minutes till 12:00 or two minutes to 12:00 or 12:00 o'clock there might have been anywhere from one to a hundred bills there but not on here that we acted on the very next day?"

Senator Cobb answered: "Yes, I would agree with that."

Senator Anderson then said: "Mr. President, I wonder why the Governor wasn't in the gallery watching all of those actions?"

Senator O'Connor then spoke in favor of the motion and remarked:

"Mr. President, obviously, from the point of view that I stated this morning, it is a prudent, logical step.

"I'm somewhat appalled at this attitude that seems to prevail that rules are made to be broken.

"I think that if we look back over the years, rules have been followed much more often than they've been broken. And the rule that's set out in the third reading section of the Senate rules is plain.

"Now, I would quibble with the attorney general's opinion, earlier referred to by Senator Anderson, in that it was rendered at a time when the Constitution stated 24 hours. It was rendered in 1970 and was rendered concerning the House rules. Even to this day, the House rules are substantially different from the Senate rules in this area. The Senate rules are explicit and plain.

"If Senator Anderson had taken the time to compare that attorney general's opinion with the House rules and the Senate rules as they then existed and as they today exist, he would find that the Senate rule has been changed

and it is substantially different from the House rule as it existed in 1970.

"You simply can't get away from the rule; it says that 'the bill in the form to be passed' be 'upon the desk of each member to which the Senate is entitled upon the convening of or during each day's session.'... 'on the member's desk.' And he keeps pointing over his shoulder when he talks about the Clerk's desk. The Clerk's desk is right in front of him, not somewhere outside and beyond the pale of this body. When something's on the Clerk's desk it would be sitting right there in public view or if it were on the member's desk it will be on the member's desk.

"Mr. President, I commend the Governor for being a courageous individual to straighten out a technical, legal problem, leaving the doubt lingering that maybe it was motivated by the pay bill. But, in fact, the Governor has been plain. He has pointed out his honest opinion. I happen to share that honest opinion, pay bill or no, and I think that most of the attorneys that I know, reading Rule 46 of our rules would also share that opinion.

"You can't skin a cat and then call the skin a polecat skin. Thank you."

Senator Yee, although in favor of the motion, stated:

"Mr. President, I rise to speak in favor of the motion but I'd like to add some comments against the previous speaker.

"It is funny, and I've served 20 years in the Legislature as a member of the minority, this is the first time I've had a chance to sit as a member of a ruling coalition body. And I want the Journal to be very clear as to what Senator O'Connor said because we keep getting this same thing thrown in our faces whenever we try to raise the question of 48 hours.

"If we go back in the Journals of the past to what has happened day after day, and even during this session, we have openly, flagrantly violated this particular Senate rule that we have to govern this body. But, I think, what is obviously being missed is what the Constitution states.

"The Constitution states being available during that business session or during that session day, and that's all it requires. Our responsibility is to comply with the Constitution. The rules we adopt on the floor is to conduct our day to

day business here. It is not of substantive value; it doesn't make any laws. All it does is give us an order of discipline in an organization. But what is most important is what the Constitution states, and the Constitution, none of you can deny, all it says is that that bill in the final form that it is going to pass is made available for that legislative day, and that's all it states.

"Whether the Clerk's office is here or the Clerk's office is just a step away, I don't think the Constitution matters, as long as it is available. And let's face it, if you really wanted it, you could have gone to the Clerk's office, if not here you could go back there. This is really the crux of the thing and that's how I feel.

"However, because the cloud is raised, because we have this extra 54 hours before us, then we might as well clean it up. And that's the only reason I'm voting in favor of it. But the reasons that some of you give, I really don't think is feasible and I think it's not proper."

The motion to reconsider the actions taken was put by the Chair and carried.

At 4:28 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 4:54 o'clock p.m.

Senator Cobb, on a point of parliamentary privilege, stated:

"Mr. President, just to clarify a point of parliamentary privilege the motion to reconsider which was adopted by the Senate also includes to recall the bills from the Governor's office."

On motion by Senator Cobb, seconded by Senator Soares and carried, the following bills were placed on the calendar for Final Reading on Wednesday, April 28, 1982:

H.B. No. 2070-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR THE FISCAL BIENNIIUM JULY 1, 1981 TO JUNE 30, 1983";

H.B. No. 2838-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY";

H.B. No. 2359-82, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WITNESS SECURITY AND PROTECTION";

H.B. No. 2559-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PAYMENT OF SETTLEMENT BETWEEN THE STATE OF HAWAII AND DILLINGHAM CORPORATION DBA HAWAIIAN DREDGING AND CONSTRUCTION COMPANY";

H.B. No. 2679-82, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COUNSEL AND OTHER SERVICES FOR INDIGENT DEFENDANTS IN CRIMINAL AND RELATED CASES";

H.B. No. 2947-82, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AN AQUACULTURE AND LIVE-STOCK FEEDS PRODUCTION PROGRAM";

H.B. No. 3136-82, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION";

S.B. No. 2269-82, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A CRIMINAL JUSTICE TRAINING FUND";

S.B. No. 2926-82, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RELEASE OF MATCHING STATE FUNDS";

S.B. No. 2904-82, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A WATER COMMISSION AND FORMULATION OF A STATE WATER CODE";

S.B. No. 2760-82, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS";

S.B. No. 2434-82, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS";

S.B. No. 2978-82, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CANCER COMMISSION";

H.B. No. 2312-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY BUDGET";

H.B. No. 2907-82, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE"; and

H.B. No. 2113-82, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING."

RECONSIDERATION OF ACTION TAKEN

Senator Ajifu moved that the Senate reconsider its action taken on April 23, 1982 on H.B. No. 2331-82, H.D. 1, S.D. 1, C.D. 1, seconded by Senator Soares.

Senator O'Connor then rose on a point of parliamentary inquiry and asked:

"Mr. President, is the movant one who voted in favor of the measure or against the measure?"

The Chair replied: "In favor of the measure."

Senator O'Connor continued: "And the measure was defeated. I believe the movant then would not be an appropriate person to make the motion."

The Chair answered: "The majority in our rules indicate and from a parliamentary inquiry the majority vote for that day was 12 to 11 and therefore the majority prevailed for that particular day."

Senator Cobb added: "Mr. President, Cushings' is even more explicit. Even though the matter may have failed passage, a motion to reconsider must be made by a member who voted with the majority. In this particular case, neither side achieved 13 votes therefore the Senator from the Third District and chairman of the Agriculture Committee was a member of the majority part of the 12 as opposed to the 11."

The motion to reconsider the action was put by the Chair and carried.

Senator Ajifu then moved that H.B. No. 2331-82, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Soares.

Senator Ajifu then spoke in support of the measure and stated:

"Mr. President, I feel it very unfortunate that this bill failed to receive Senate approval on Friday and I'd like to speak now in support of the bill as we reconsider our decision.

"As we are all aware, the State of Hawaii is the largest landowner in the islands. The state currently practices a policy of generally not alienating its land, but rather leasing its land when

such leases are in the public interest.

"Many of these leases encompass land which is usable for ranching or farming purposes. Indeed, under Section 171-10 of the Hawaii Revised Statutes, the state's lands are divided into 13 categories, of which the top four are for agriculture or pasture purposes. These are technically known as sub-sections (1) through (4) of that section, namely, lands for 'intensive agricultural use,' 'special livestock use,' 'pasture use,' and 'commercial and timber use.'

"Traditionally, agricultural and pasture leases of public lands have been disposed of through competitive bid. I'm sure all the members of the Senate share my concern that the competitive bid process has in some cases in recent years been abused so that bidders with no intention to actually farm have been awarded public leases to these lands. While in the short term this might gain the state higher lease rent revenue, in the long run it injures the public interest to have such potentially productive public land unused or misused.

"The Legislature addressed this problem in recent years through Act 48 of the 1980 session as well as other measures. Act 48 allows the state to negotiate with potential lessees rather than go through a bid procedure. The intent was to allow the state, thereby, to screen lessee applicants. The measure has not removed the problem as it was not mandatory on the State Administration and the procedure has proven difficult to implement.

"A better alternative was proposed this year by the House bill under reconsideration now. This bill allows for open bidding, but also provides for pre-qualification of bidders so as to screen out those individuals and companies which could not seriously be considered to be interested in agricultural or pasture use of the lands in question.

"The screening system, as originally proposed by the House, was slanted towards farmer individuals. A farmer or rancher could qualify for bidding for a state agricultural or pasture lease by having a college degree in agriculture or being a Future Farmer of America program graduate with two years of training with farming projects, or a number of other possible criteria. Under this original House version of the bill, there was no need to define an 'individual' or a 'company' as the bill was slanted towards individuals only by means of the allowable qualification criteria.

"In a public hearing on March 24, 1982, your Committee on Agriculture heard testimony from the State Administration on the House version of this bill.

"They pointed out that the criteria was essentially taken verbatim from Section 171-68 which applies to agricultural and pasture leases being awarded in certain instances by drawing. As such, they didn't have that much trouble with the language.

"However, they pointed out that Section 171-68 was specifically designed for individual farmers and not for companies, and so to have used the language in a verbatim manner was in error as it would prohibit bona fide agricultural and ranching companies from being allowed to lease any public lands for their uses.

"The administration further testified that--let me quote here--that they 'were in accord with the basic purpose of the bill'--(which was) 'to insure that persons bidding bona fide agricultural and pasture leases are qualified to carry out the intended purposes for which the land is made available.'

"The administration was concerned, however, that sugar, pineapple, ranching, and other companies would be prohibited from leasing public agricultural and pasture lands under the original House draft.

"As the bill essentially followed some existing statutory language, and as the administration was generally in accord with how the bill was written, your committee did not see the need to radically alter the way the bill was drafted. However, as the administration strongly suggested an amendment to include sugar, pineapple, and ranching companies within the allowable qualification criteria, your committee did amend the bill to make it more understandable and to include both individuals as well as companies. This was done by including both individuals and non-individual concerns as allowable bidders under the criteria. A non-individual concern is defined as a partnership, corporation, or joint-venture properly formed under law and which is a potential bidder under this bill.

"At no time were the existing definitions of Chapter 171 amended.

"Generally speaking, the House conferees on this bill agreed with the Senate's position, and so the Conference draft before you reflects the statutory language I have just reviewed.

"Since Friday afternoon's session I have studied Section 171-1, regarding definitions, as was raised by the Senator from the Seventh District. I personally find no part of that section which would be impaired by this bill. Even if I am missing something, I do specifically note that Section 171-1 allows its definitions to be used only if they are 'not inconsistent with the context' of the chapter.

"This bill would establish a new section to Chapter 171. It would provide for definitions for 'individuals' and 'non-individual concerns,' but these would be used only for the proposed section itself and would not affect the rest of the chapter or conflict with the definitions in Section 171-1 in any way.

"So, Mr. President, in summarizing, I'd like to say that there is a very real need to safeguard the public lease disposition system so as to ensure that public agricultural and pasture leases go to persons who will indeed put them into productive use;

"That a viable way to do this is through staying with a bid system, but also instituting a pre-qualification screening system of potential bidders;

"That the original House version of this bill attempted to do this, but inadvertently had a flaw that excluded sugar, pineapple, and ranching companies from bidding;

"That the Senate amendments were to correct this flaw;

"That the final bill follows the comments and testimony of various private and public interested parties; and

"That the bill would not confuse or be confused with the definitional section or any other part of Chapter 171, as alleged on this floor last Friday.

"In conclusion, Mr. President, I would like to ask all of the members to support this measure and vote in favor of this bill. Thank you."

Senator O'Connor then rose to speak against the measure and stated:

"Mr. President, without beating a dead horse, the drafting of this bill and my objections the other day and today are purely technical. There is much to be desired.

"Where a chapter has a definition section, then the definition section should be amended if additional definitions are to be added in a measure. This bill

places new definitions into a new section of the bill, and the definitions conflict. There's simply no way around it. The definitions go like a dog chasing its own tail.

"The definition of 'person' which is already in the chapter includes the word 'individual' and the definition of 'individual' added by this bill includes the word 'person' and they go round and round.

"Over and above that I think it is just a shame that a measure that embodies a principle such as this, whether you agree with the principle or not, is brought to this floor in a condition that this bill is in, namely, completely sloppy draftsmanship with definitions that are unusable and with reference to sections of Chapter 171 which have to do with agricultural leases which you cannot understand because the word 'agricultural' is not used in Chapter 171 nor is it defined. The language in Chapter 171 is much more specific. It talks in terms of intensive agricultural land and other things of that nature.

"Anyway, to make a long story short, I'm going to vote against the measure. I think it also violates certain sections of our Constitution; for example, on farm ownership which says that 'public lands shall be used for the development of farm ownership on as large a spread of basis as possible.'"

The motion was put by the Chair and carried, and H.B. No. 2331-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 15. Noes, 9 (Anderson, George, Holt, Kawasaki, Machida, Mizuguchi, O'Connor, Saiki and Ushijima). Excused, 1 (Campbell).

RECONSIDERATION OF ACTION TAKEN

Senator Henderson moved that the Senate reconsider its action taken on April 23, 1982 on House Bill No. 2176-82, H.D. 2, S.D. 1, C.D. 1, seconded by Senator Soares.

Senator Henderson then stated as follows:

"Mr. President, this bill relates to public land and it is probably more clearly understood as the 'tree house bill' that the Senator from the Seventh District objected to. This bill was taken

up on Friday and vote on it was 12 ayes and 11 noes. It failed for lack of 13 aye votes. I am asking for reconsideration at this time."

Senator O'Connor spoke against the motion and stated:

"Mr. President, I had earlier awarded to the 'pig swill bill' the title of being the strongest criminal piece of legislation that we have enacted this year. Now, I think the 'tree house bill' has that unmistakable situation because for every kid that owns a tree house on state land, the good Senator is going to fine him \$500 a day for life."

The motion to reconsider the action was put by the Chair and carried.

Senator Henderson then moved that H.B. No. 2176-82, H.D. 2, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Soares.

Senator Kawasaki then spoke against the measure and stated:

"Mr. President, since the good Senator from the Seventh District is not beating a half-dead horse to death, perhaps I should take up the cudgel and continue. We voted against this bill primarily because we thought the penalties provided for in the bill of allowing the Board of Land and Natural Resources to impose a fine of up to \$500 a day on any encroachment, deliberate or otherwise, as being too stiff.

"The bill that emerged from the Senate and went over to the House provided language that the Land and Natural Resources Board 'may' and not specify the term 'shall' as is provided in this bill. We thought having the language changed back to a permissive one to say that the Land and Natural Resources Board 'may' impose a fine of up to \$500 a day on any land encroachment is perhaps a more liberal one.

"I still take that point of view consonant with that of the Senator from the Seventh District that this is too punitive, and in view of the fact that, as he says, there may have been cases of land encroachment on state lands that run into years that this language would impose a tremendous financial hardship on people who may not have deliberately encroached on state land.

"For that reason, I speak against this bill and I urge defeat."

Senator Henderson then spoke in support of the measure and stated:

"Mr. President, I think this gives the Department of Land and Natural Resources another necessary tool for their use in addressing problems of encroachment on state land, and I ask everybody to support the measure."

Senator Kuroda also spoke in support of the measure and stated:

"Mr. President, I speak in favor of the bill, however, I want to know whether I was listening to the same Senator whom I supported all these years on the capital punishment bill argue against the very stiff punishment. Did I hear correctly, Mr. Vice-President? You're against this bill because of stiffness, but you are still pursuing the capital punishment bill?"

Senator Kawasaki answered: "Mr. President, of course, the good Senator knows very well that the category of offenders we're talking about is quite different."

The motion was put by the Chair and carried, and H.B. No. 2176-82, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 16. Noes, 8 (Cayetano, Holt, Kawasaki, Machida, Mizuguchi, O'Connor, Toyofuku and Ushijima). Excused, 1 (Campbell).

At 5:14 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 5:21 o'clock p.m.

FINAL READING

Conference Committee Report No. 87-82 (S.B. No. 2829-82, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 87-82 and S.B. No. 2829-82, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS," was deferred until Wednesday, April 28, 1982.

Conference Committee Report No. 88-82 (S.B. No. 732, S.D. 1, H.D. 1, C.D. 1);

On motion by Senator Yamasaki, seconded by Senator Kawasaki and carried, Conf. Com. Rep. No. 88-82 and S.B. No. 732, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," was recommitted to the Committee

on Ways and Means.

Conference Committee Report No. 89-82 (H.B. No. 2400-82, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Yee and carried, Conf. Com. Rep. No. 89-82 was adopted and H.B. No. 2400-82, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INHERITANCE TAX," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Campbell).

Conference Committee Report No. 91-82 (S.B. No. 2759-82, S.D. 1, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 91-82 and S.B. No. 2759-82, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES AND MAKING AN APPROPRIATION THEREFOR," was deferred until Wednesday, April 28, 1982.

At 5:22 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 5:24 o'clock p.m.

MATTERS DEFERRED FROM APRIL 23, 1982

Standing Committee Report No. 1022-82 (S.R. No. 139, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 1022-82 and S.R. No. 139, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING AN INVESTIGATION OF THE ALLEGATIONS OF BRUTALITY AGAINST INMATES OF THE OAHU COMMUNITY CORRECTIONAL CENTER ARISING FROM AND OF THE PROCEDURES UTILIZED IN THE PRISON SHAKEDOWN," was deferred until Tuesday, April 27, 1982.

Standing Committee Report No. 1043-82 (H.C.R. No. 103, H.D. 1):

On motion by Senator Cobb, seconded by Senator Yee and carried, Stand. Com. Rep. No. 1043-82 was adopted and H.C.R. No. 103, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO REVIEW THE ADMINISTRATION AND ADEQUACY OF THE UNEMPLOYMENT COMPENSATION FUND, INCLUDING

THE UNEMPLOYMENT TRUST FUND ACCOUNT AND THE RELATED STATUTORY PROVISIONS," was referred to the Committee on Legislative Management.

Standing Committee Report No. 1045-82 (H.C.R. No. 102, H.D. 1):

On motion by Senator Cobb, seconded by Senator Yee and carried, Stand. Com. Rep. No. 1045-82 was adopted and H.C.R. No. 102, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO MAKE A STUDY OF THE RATIONALE FOR THE IMPACT OF IMPOSING TAXES AND FEES UPON PRIVATELY-OWNED PUBLIC UTILITY COMPANIES," was referred to the Committee on Legislative Management.

ADVISE AND CONSENT

Standing Committee Report No. 877-82 (Gov. Msg. No. 283):

Senator Cobb moved that Stand. Com. Rep. No. 877-82 be received and placed on file, seconded by Senator Soares and carried.

Senator Cobb then moved that the Senate advise and consent on the nomination of Charles G. Clark as Director of Health, term to expire December 6, 1982, seconded by Senator Soares.

Senator Cayetano, in support of the nomination, stated:

"Mr. President, I rise to speak in support of the nomination of Charles Clark as Director of the Department of Health.

"In order for Mr. Clark to avoid the fate of his predecessor and for him to successfully resolve the heptachlor-milk crisis, he will have to act with great courage and resolve.

"Accordingly, I offer the words of a song as sound advice. The song is about the heptachlor-milk crisis. The first stanza was written by Zoulou, one of Hawaii's great entertainers. The second stanza was written by members of Senator Dante Carpenter's staff, in particular, George Jenkins, and by Senator Neil Abercrombie.

"The song, which is sung to the tune 'Over There,' was recently sung by Senators Neil Abercrombie, Dante Carpenter and Duke Kawasaki, in a great performance on April 20, 1982, at the Honolulu International Country Club. The words go like this:

Heptachlor, Heptachlor

All that good, healthy milk, out da door
While the State's debating
To give its rating
To cows made fat with heptachlor

Time to stop, all that chop
In their chow, do it now, or we're pau
Hear the people booin'
Ole George Yuen
As dairies close their doors

First the milk, then the skim
Two percent, homogenize, then ice cream
Who can love those ladies
Who breast feed babies
Who now have haptachlor in them

Chairman Ben, surely can
Get the goods, on the hoods, like he should
Cause this big commotion
Was put in motion
By someone sitting on his brains

You'll be hurt, with yogurt
We'll import, to be sure, that it's pure
We'll check the samples
Of the pineapples

And/we/won't/drink/milk
Till/heptachlor's/no/more.

Good luck! Mr. Clark!"

The motion was put by the Chair
and carried on the following showing
of Ayes and Noes:

Ayes, 23. Noes, none. Excused,
2 (Campbell and Yee).

Standing Committee Report No. 878-
82 (Gov. Msg. No. 286):

Senator Cobb moved that Stand.
Com. Rep. No. 878-82 be received
and placed on file, seconded by Senator
Soares and carried.

Senator Cobb then moved that the
Senate advise and consent to the nomination
of Charles G. Clark to the Statewide
Health Coordinating Council, term to
expire December 31, 1983, seconded
by Senator Soares.

The motion was put by the Chair
and carried on the following showing
of Ayes and Noes:

Ayes, 23. Noes, none. Excused,
2 (Campbell and Yee).

Standing Committee Report No. 892-
82 (Gov. Msg. No. 159):

Senator Cobb moved that Stand.
Com. Rep. No. 892-82 be received
and placed on file, seconded by Senator
Soares and carried.

Senator Cobb then moved that the
Senate advise and consent to the nomination
of Robert M. Fujimoto to the Board
of Regents, University of Hawaii, term
to expire December 31, 1985, seconded
by Senator Soares.

The motion was put by the Chair and
carried on the following showing of
Ayes and Noes:

Ayes, 23. Noes, none. Excused,
2 (Campbell and Yee).

Standing Committee Report No. 894-
82 (Gov. Msg. No. 290):

Senator Cobb moved that Stand. Com.
Rep. No. 894-82 be received and placed
on file, seconded by Senator Soares
and carried.

Senator Cobb then moved that the
Senate advise and consent to the nomination
of Walter R. Steiger to the Board of
Regents, University of Hawaii, term
to expire December 31, 1982, seconded
by Senator Soares.

Senator Kawasaki then rose to speak
against the nomination and stated:

"Mr. President, I rise to speak against
confirmation of this nominee, primarily
because I don't think confirmation and
appointment of this gentleman to the
Board of Regents is much of an improve-
ment over what the quality of the Board
of Regents has been in the past.

"You will remember, Mr. President,
that two years ago, emanating from the
Legislative Auditor's report was an audit
of the University of Hawaii and that
report was very critical of the operations
of the campus there, very critical
of the direction provided by the top
leadership in the administration there
and by the Board of Regents.

"Consonant with the Senate view
that perhaps there's much credence
to the criticisms contained in that report,
the Senate last year in a public hearing
of the Higher Education Committee
examined the qualifications of the Board
of Regents, then proposed by the
Governor. We rejected four of the
nominees on the grounds that these
people were not the quality of people
that we wanted on the Board.

"The confirmation of this gentleman,
I think, really is no improvement over
the group of names submitted last year.
This gentleman, from what I understand,
had been a member of the faculty there,
was a representative of the employees'
group in their collective bargaining

negotiations with the state and I am told, hopefully from a very reliable source, that this gentleman was one of those not very enthused about the Board of Regents and the University administration's attempt to bring about some reforms consonant with the recommendations of the Legislative Auditor; that he in his own way was, in a way, an impediment toward adoption of some changes that would have been good for the University of Hawaii.

"I asked this gentleman, in trying to ascertain his attitude about some of the changes needed, as I asked all the other members last week about their attitude...I asked him, 'What is your attitude regarding post-tenure review?' To the credit of the other nominees, all of whom answered that they were for it and said it was needed, this gentleman 'fudged,' so to speak, and I wasn't quite satisfied that he could completely divorce his former role as a representative of the employees and now to serve on the Board of Regents. I was not convinced that this gentleman would have the objectivity in that position as a Board of Regent. I feel that he should be one that we reject and ask the Governor to send down some better name.

"For that reason, I vote against this nominee."

Senator Saiki spoke in support of Dr. Steiger and stated:

"Mr. President, I would encourage all members of this body to vote in support of the confirmation of Dr. Walter R. Steiger.

"I disagree with the previous speaker. I feel that Dr. Steiger is an open-minded, fair individual who will provide a very needed link to the faculty at the University of Hawaii, and for the entire system.

"Just briefly, he was a participant in the Institute of Dynamical Astronomy at Yale University, professor of physics at the University of Hawaii, a Fulbright scholar, a provost of Kauai Community College, chairman of the Department of Physics and Astronomy, named Professor-Emeritus in 1980, and is now the manager at the Science Center at the Bishop Museum...a man with an admirable background, one who will do an excellent job on the Board of Regents.

"I certainly endorse him and would like to have confirmation of Dr. Steiger to the Board of Regents."

Senator Abercrombie then rose for a conflict ruling as he has been instrumental in getting an appropriation for the Bishop Museum which involves Dr. Steiger in his present position, and the Chair ruled that he was not in conflict.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 20. Noes, 3 (Cayetano, Kawasaki and Toyofuku). Excused, 2 (Campbell and Carpenter).

Standing Committee Report No. 895-82 (Gov. Msg. No. 290):

Senator Cobb moved that Stand. Com. Rep. No. 895-82 be received and placed on file, seconded by Senator Soares and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of James F. Gary to the Board of Regents, University of Hawaii, term to expire December 31, 1984, seconded by Senator Soares.

Senator Saiki spoke in favor of the nomination and stated:

"Mr. President, I rise to speak in support of Mr. James F. Gary's nomination to the University of Hawaii Board of Regents.

"We have a rare opportunity, Mr. President, to add to the Board of Regents one of Hawaii's outstanding citizens.

"James Gary's leadership of Pacific Resources, Inc. is a success story we can all admire. In fifteen years, Pacific Resources, Inc. has been transformed into one of the largest industrial companies in the country and Mr. Gary has earned an international reputation as a recognized energy expert.

"But Jim Gary has not spent all of his fifteen years in Hawaii in corporate board rooms, Mr. President, he has found time to serve his community in a variety of important ways.

"Many of us know of his dedication to our young people. He was president of the Aloha Council of the Boy Scouts and received the Silver Beaver Award. He serves on the Board of Trustees of St. Andrew's Priory and Hawaii Loa College. So, he is very much in tune with our young people and their needs.

"Many of us have also worked with

him when he was director of the Aloha United Way, the Friends of East-West Center, and the Honolulu Symphony Society...and I can go on and on. The list of community service organizations in which he has served fills three pages of his resume.

"Some of my colleagues have questioned Mr. Gary's past financial involvements, citing a stock advisory newsletter dated seven years ago. These allegations were addressed fully by Mr. Gary at the public hearing of the Senate Higher Education Committee held last week. He testified that the analysis contained in the outdated newsletter is full of inaccuracies, half-truths and innuendos. At the time it was written, he said, the author never verified any of the details with management personnel of Pacific Resources, Inc. A record of Mr. Gary's rebuttal of each of the points raised, not only in this questionable newsletter but questions posed to him concerning his activities as a corporate leader within his corporation, is available in my office on tape, if anyone would like to hear it.

"Mr. Gary's corporate activities at Pacific Resources, Inc. have been made public through the company's annual report and proxy statements and monitored by the Internal Revenue Service and the Securities and Exchange Commission through Form 10-K. If these federal agencies, Mr. President, and the shareholders of Pacific Resources, Inc. are satisfied with Mr. Gary's financial activities within the company, then I have no reason to question Mr. Gary's integrity.

"Therefore, Mr. President, it is with full confidence that I urge the members of the Senate to confirm Mr. Gary's nomination to the Board of Regents. He will offer outstanding and effective leadership to the benefit of the University of Hawaii and our people."

Senator Cobb then requested a conflict ruling from the Chair as he is an employee of Pacific Resources, Inc., and the Chair ruled that he was not in conflict.

Senator O'Connor also requested a conflict ruling from the Chair because the law firm that he is a partner of does legal work for Pacific Resources, Inc., and the Chair ruled that Senator O'Connor was not in conflict.

Senator Cayetano then rose to speak against the nomination and stated:

"Mr. President, I am going to vote against this nomination.

"I will leave it to others, specifically Senator Kawasaki, to go into detail on the matters referred to by Senator Saiki.

"What bothers me about Mr. Gary's background is not that he is brilliant, intelligent and all of that. He certainly seems to be a very bright person. He also seems to be a very ambitious person, and I think this is probably how he became or he rose to become president of a firm like Pacific Resources, Inc. (PRI).

"What bothers me, Mr. President, is that I came across some information in dealing with Mr. Gary's nomination about his actions involving a certain corporate takeover. The case I am referring to involves one, David Chalmers, who is head of Coral Petroleum.

"Now, members of this body may remember the case. The dispute was between Mr. Chalmers and Mr. Gary and the others who were in control of PRI.

In the end there was a settlement in which Mr. Chalmers was paid the sum of \$20 per share even though the going market price at that time was only \$13 a share.

"Now, the members of this Senate may say, 'What's the big deal?' Well, unfortunately, the Employees' Retirement System is a minority shareholder in PRI and it is my feeling that the Employees' Retirement System, as a minority shareholder, had its shares of interest in PRI devalued by reason of this settlement, which in my view was geared primarily to save the jobs or the positions of Mr. Gary and those who were supporting him.

"I have been in this body for eight years now, and I think I can count votes, but what I'd like to do is put Mr. Gary on notice, on the record, that there is at least one Senator who feels that the Employees' Retirement System was short-changed primarily because of his doing; that what he did may be totally appropriate in the corporate world, but I don't think such actions would be appropriate in a body like the Board of Regents. And, for that reason, I'm going to vote against this nomination."

Senator Kawasaki also spoke against the nominee and stated:

"Mr. President, I feel very strongly, particularly about this appointee to the Board of Regents, perhaps more than any other name that has come before us in my sixteen years in this Senate.

"I did not know Mr. Gary, Mr. President, and I fully intended to vote for him except that when his name came out in the media as a possible nominee to the Board of Regents several people, I must say, interested and very courageous people, who are very familiar with his corporation... what I'd like to term, manipulations on the part of this gentleman... came to talk to me and I listened to them very carefully.

"I tried to ascertain whether I could give credence to some of the complaints these people had and I read very carefully the information that was supplied to me. On the basis of our discussion with complainants, as a matter of fact several Senators took part in this discussion, I was quite appalled at what we have here in the way of a request for confirmation.

"In fairness to Mr. Gary, I must say that he did not seek this position. I spoke to the Governor about this particular position and the Governor confirmed the fact that he on his own volition asked Mr. Gary to serve on the Board of Regents.

"Of course, one of the points made by the proponents of this confirmation was that this gentleman serves on a number of boards, nonprofit boards and entities... I agree. Considering the number of boards that he serves on and considering the number of organizations he serves as director, I just wonder, first of all, whether he has the time that is required to serve vigorously on the Board of Regents and provide adequate time so he can do a good job and knowing this gentleman's energies and his drive I would predict that in a few years he'll possibly be chairman of the Board of Regents. He has this kind of qualities so far as drive, ambition and single-mindedness is concerned. His qualities in this regard, are, I think, very impressive.

"What I am concerned about is what I consider his posture as a chief executive of Pacific Resources, Inc. (PRI) and Hawaiian Independent Refinery, Inc., and I think his posture, whether it was legal or not, whether it was sophisticated enough to have passed the judgment of the boards of both of these organizations, I think which he controls, I think is up for question because much was said by the proponents of Mr. Gary about his corporate activities is true.

"Incidentally, I am in total disagreement with the chairman of the Higher Education Committee that he answered questions I posed to him satisfactorily. I think some of these charges that are made

against him in this Wedbush, Nobel, Cooke, Inc. leaflet put out by one of the security analysts analyzing PRI as a stock to purchase or not to purchase... I don't think he answered these questions. He kind of dismissed it and said, 'Oh, that's scurrilous material, false information.'

"I asked this gentleman the question, 'If this information provided to clients of Wedbush, Noble is scurrilous and false, why did you not sue this very big and wealthy organization?' He did not quite answer this to my satisfaction. And I asked him this question particularly because these people who came to see me about Mr. Gary and the opposition to him had pointed out to me that this is the gentleman, if he knew that he had a legal position in any argument he would not hesitate to sue with no compunction whatsoever. So that's the reason I posed this question.

"But, because this matter of his corporate activities have been made an issue here, let me read what this Wedbush, Noble, Cooke leaflet contains. This is dated April 22, 1975 and this is in regard to PRI, and I quote:

'Pacific Resources has been streaking through the imagination of shareholders ever since the 1967 advent of President and Chief Executive Officer James F. Gary, propelled by his promise to transform sleepy little Honolulu Gas Company into a major energy resource supplier. In conjunction with outside investors, PRI in 1968 first announced plans to venture into petroleum processing with construction of a large refinery in Honolulu's Foreign-Trade Zone. There was, after all, an imminent dearth of the refining capacity necessary to satisfy climbing free-world petroleum consumption.

'Next came reorganization into a holding company and adoption of the present corporate name. There was, after all, no advantage to public utility regulation of a refining operation, thereupon named Hawaiian Independent Refinery, Inc., which would soon dwarf sleepy little Honolulu Gas. That was followed by successive three-for-two and two-for-one splits of the company's common shares, and by an acceleration in the rate of debt financing. Presumably the assets debt financed would leverage shareholder return and earnings would really streak.

'Then came the chartering of oil tankers for the purpose of capitalizing on red hot petroleum demand, and announcement of plans to construct the company's own U.S. flag tankers

in order to capitalize on a red hot charter hire market as well as to capitalize on the prospective requirement that thirty percent of U.S. petroleum imports be carried in U.S. flag ships.

'By 1973 the new Hawaiian refinery, HIRI, looked to be a success and so came announcement of plans to construct two additional refineries, one in California and one in Oregon. That year, you may remember, the petroleum industry, the process plant construction industry and the investment community were all trumpeting the need for more refineries. But crude oil was then available for only seven cents a gallon.

'When asked whatever happened to Honolulu Gas, PRI could this year say: "It has grown --grown in size, grown in scope, grown in its outlook toward our changing world."

'And what has all this growth done for shareholders (of PRI)? It hasn't done anything for the price of PRI common shares which is presently less than that obtained by Honolulu Gas in 1968 and only two-thirds that which shareholders themselves anted up during a 1971 rights offering. Neither has it done anything for the earnings supporting those common shares...

'Nor has all this growth done anything for the company's accounting credibility. Haskins & Sells in its report concerning the company's 1974 accounts saw fit to qualify its opinion on fully three counts, including as it relates to costs deferred in the since terminated construction of those aforementioned oil tankers. With charter hire markets now ice cold and with the requirement that thirty percent of imported petroleum be carried in U.S. flag ships killed by Presidential veto, against what are those costs eventually to be expensed? Haskins & Sells also points out that HIRI is accruing investment credits which the IRS has indicated it will disallow, and that no provision has been made for any liability which may result from a \$180 million breach of contract lawsuit brought by Union Oil Company, charging, among other things, that HIRI failed to deliver agreed upon quantities of petroleum product, that the product delivered did not meet specifications, and that the price charged was in excess of contract terms.

'Not addressed by Haskins & Sells is the specter into which all that 1967

promise has turned. First of all, HIRI's refinery is caught between a cartel mandated cost for its raw material and a recession and conservation attenuated demand for its product not likely to result in a respectable return on investment. In fact, most U.S. refineries are losing money today and were it not for the artificial device of "entitlement" tickets received gratis from the Federal government, so too might be this one.

'Second, conservation has only just begun. The nation's energy program has yet to take shape. The squeeze may get tighter, and entitlements, which are being challenged in court, may end. Third, proposed oil import tariffs on the company's non-privileged foreign merchandise produced in that Foreign-Trade Zone could price HIRI out of the market.

'In short, all of the growth experienced to date has produced a lot of shareholder headache and very little hope for the future. Unless, of course, you are a minority HIRI shareholder, one of those outside investors who helped to finance refinery construction, like James F. Gary.

'PRI has completed and recently announced (and bear in mind that this report is issued in April 1975) an agreement with principal HIRI minority shareholders to exchange three PRI common shares, worth about thirty dollars, for each of the HIRI shares not now owned, subscription cost ten dollars. Capital gain, twenty dollars. So if you are one of the privileged few (like Mr. Gary), all of that growth will yield the 1967 promise.

'Now, James F. Gary, in his capacity as Chief Executive Officer and during the refinery capital subscription period in 1970 and 1971, borrowed \$400,000 from PRI at a net annual interest cost of four percent for the purpose of subscribing to 40,000 HIRI shares at ten dollars each. PRI, it should be noted, was concurrently borrowing from its bank lenders for the same purpose amounts which reached \$5.15 million at an annual interest cost of one and one-half percent in excess of the bank's prime lending rate, or an estimated (interest charge of) thirteen and one-half percent... The difference, it might also be noted, has been at the expense of PRI shareholders, Mr. Gary excepted. The \$16,000 annual interest cost to that gentleman, meanwhile, has been more than covered by a \$59,000 increase in annual compensation over the past two years alone. In fact, Mr. Gary's

direct remuneration last year (again, talking about 1974) of \$159 thousand exceeded that of Honolulu based Chief Executives at both Alexander & Baldwin and C. Brewer where corporate net income was, respectively, fifty-two and twenty-six times that of Pacific Resources.

'James F. Gary is the Chief Executive Officer of HIRI as well as of PRI. In this second capacity he has been fortunate enough to be awarded stock purchase options covering 20,000 additional HIRI shares with an exercise price also at ten dollars each. These give Mr. Gary effective ownership of 60,000 HIRI shares at a nominal cost of \$600,000 to be exchanged for 180,000 PRI common shares having a current value of about \$1.8 million, yielding a James F. Gary gain of \$1.2 million on absolutely no out-of-pocket investment.

'As for the old Honolulu Gas shareholders, they end up on a losing streak. With one hundred percent ownership of a good will inflated and suspect refinery. And with James F. Gary. And with his minority shareholder position in the two new refineries.'

"Senator Cayetano alluded to the purchase of Mr. Dave Chalmers' shares by PRI at a time when Mr. Gary was the executive. There was a suit and this is contained in a June 20, 1981 stockholder report put out by PRI and there is an item that: 'On June 3, 1981 Mr. Chalmers and certain affiliates filed suit against the Company, certain of its directors (Messrs. Gary, Ing and Smales) and certain of its officers (including Mr. Pelletier) in the United States District Court for the District of Hawaii, alleging violations of federal securities laws and proxy rules and waste of corporate assets. The Company believes that the lawsuit is without merit.'

"The bottom line, however, notwithstanding this opinion expressed in this report is that Mr. Dave Chalmers' almost a million shares was bought by PRI at the leadership of Mr. Gary for a total sum of \$20 million. They paid, as Senator Cayetano pointed out, \$20 for shares that were selling in the open market for \$13 or in excess of \$7 dollars over what was the price on the open market.

"Now, this affects the interest of the Retirement System because they had about 924,000 shares at that time. This is indicative, again, of Mr. Gary's rather-biased attitude about leadership in a private corporate entity, however

legal it may be, however sophisticated it may be.

"In a listing of compensation to the top five people at PRI...and there is a formula they use for compensating these people...Mr. Gary, I think, today receives in excess of \$350,000 a year in salary, plus bonus, on top of which there is set aside for him in a profit-sharing plan, according to a formula which I will describe very shortly, \$192,000 annually. This brings his total compensation in excess of a half a million dollars.

"The formula used to compensate Mr. Gary for this profit-sharing portion of \$192,000 is based on his service (as listed in the annual report) at 34 years of service to the Honolulu Gas Company and its subsequent affiliate companies. It just is a matter of record that Mr. Gary has been in Hawaii for only fifteen years; a matter of record that his service with this same Gas Company is not in excess of, so far as I am concerned, sixteen years.

"It just seems to me that a person with good conscience, however much the board of directors at that time may have approved such a formula for this gentleman, I don't think a man of character could really in good conscience agree to such a compensation plan. I think, perhaps, this is indicative of the gentleman's posture. I was most disturbed by his very cavalier attitude in some of my questioning...that these corporate activities as listed in the Wedbush, Noble, Cooke leaflet, which if it was false, which if it was scurrilous, would have been the basis for a suit, a sizeable suit instituted by Mr. Gary against this company, which is a good, big-sized company.

"All of these things leave doubt in my mind. I am a little disturbed in my discussion about this gentleman's qualifications with some of the members of this body that apparently some of these very sophisticated corporate moves are 'quite legal and there's nothing very wrong with them.'

"You know, Mr. President, last week we refused confirmation of a judge, a hard-working judge that really had done great work on the motions calendar. We refused confirmation of this gentleman on the basis that he had favored certain friends of his, that he was guilty of favoritism and that he had perhaps a conflict of interest.

"We also denied the emergence from the Committee on Economic Development a gentleman whose name was up to

be reappointed as a member of the Board of Land and Natural Resources, again, on the complaint by Senators here or a few Senators, that this gentleman also favored a few friends while serving on the Board of Land and Natural Resources.

"Now, if I were to measure Mr. Gary's favoritism, favoritism in his own behalf and a conflict of interest in his own behalf, I think the so-called favoritism and conflict of interest charges made against these two gentleman that we rejected is...there is no comparison.

"Mr. Gary's personal favoritism in his own behalf, I think, is even a greater conflict, even a greater favoritism in his own behalf than anything we can imagine. Are we to have double standards, one for an ordinary citizen who wants to be reappointed as judge to the bench; for a person who wants to serve on the Board of Land and Natural Resources (and so far as I'm concerned he's done a good job)?

"Do we have a separate basis for a standard that we are going to allow for a gentleman because he belongs in the right circles, belongs to the right clubs, because he happens to have great connections in the upper economic circles in this state? It just seems to me appalling that we would let the public believe this to be true. We don't have different standards for different people serving on different boards and commissions or the Board of Regents.

"I recall Regent Wally Fujiyama making a comment in the papers about a month ago that what the University seeks or what well-meaning people connected with the University seek, are faculty members who not only have scholastic credentials, but people who have character. I think this is imperative. I am in total agreement with this gentleman.

"Now, if we are to provide leadership at the University of Hawaii, inspired leadership, then we've got to provide people there with unimpeachable character. And I have nothing to judge Mr. Gary by other than his corporate activities, as I said, however sophisticated and legal it may have been.

"I think it behooves this body to prove to the public that when citizens come to us with complaints, legitimate complaints, and so far as I can ascertain these complainants had nothing to gain by coming to us to provide us with information in opposing the confirmation of this gentleman. They had nothing to gain, but their concern was that this may not be the right appointee

to the Board of Regents, because of his drive, because of his ability they feel that in no time at all this gentleman can possibly get to be the chairman of the Board of Regents. I share this concern that these people have, and certainly I would like them to know that we do not take lightly concerns that people have and these concerns appear to be very legitimate to me and they are related to us...they are communicated to us.

"For these reasons, I would hope that some of us here have the sense of responsibility enough to vote against this confirmation."

Senator Soares spoke in favor of Mr. Gary and stated:

"Mr. President, I know the day has been a long one but I'd be remiss not to speak in favor of the nominee Jim Gary for the Board of Regents, primarily because I think that the many minutes of dialogue from my colleague across the floor here should be rebutted.

"We have never had, that I can recall, a more talented individual, a more recognized individual, a more dynamic addition to the Board of Regents than we have here. And I've heard, in my many years here in the Senate and in the House, the need for the downtown people to contribute their time and talents to assist us in the development of the University of Hawaii. I consider us very, very fortunate, indeed, to have a man like James F. Gary giving himself with all of the tremendous contributions he's made in every sector of our community.

"I also believe that we've got some other outstanding members of the executive staff in various corporations like Castle & Cooke, Bank of Hawaii and Brewer Pacific Agronomics who have some tremendous people that would know, before any of us, just how great a man Jim Gary is and would certainly, if he were not, make a lot of noise and he wouldn't be on their board of directors. Mr. Gary wouldn't have been chosen 'Man of the Year' by the sales and marketing executives. He wouldn't have four pages of affiliations in both the community... giving of various contributions in the community as well as his memberships, nationally and internationally, in tremendously important boards and associations.

"A man of Mr. Gary's caliber is a tremendous asset to our University Board of Regents. We are fortunate to have a man like him.

"I can tell you now, it is unfortunate

we brought up the name of the nominee for the judgeship which we had agonized over two hearings in Judiciary and we agonized on the floor here discussing the pros and cons about the nominee who is in the public sector; that he had his problems and many of us, except my colleague across the room, voted him down. Speaking of double standards...we had stacks of papers and many, many phone calls that I was surprised to receive, against that nominee, and I haven't received one phone call or one letter or derogatory comment made about this outstanding executive before us this afternoon.

"Mr. President, I know that the time has been long today and I can go on and on because I know the man personally. I admire him and respect him.

"I will conclude by saying, ladies and gentleman of the Senate, we have an opportunity to confirm an outstanding individual with many, many talents and I urge we vote him in and, by golly, if he's got the talents spoken of I'm sure the Board of Regents will elect him chairman four years from now."

Senator Holt then rose to request a conflict ruling as Mr. Gary is on the Board of Directors of his employer and the Chair ruled that Senator Holt was not in conflict.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Carpenter, Cayetano, Kawasaki and Toyofuku). Excused, 1 (Campbell).

At 6:06 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 6:20 o'clock p.m.

Standing Committee Report No. 896-82 (Gov. Msg. No. 290):

Senator Cobb moved that Stand. Com. Rep. No. 896-82 be received and placed on file, seconded by Senator Soares and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Kenneth N. Kato to the Board of Regents, University of Hawaii, term to expire December 31, 1985, seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Campbell, Kawasaki and Yee).

Standing Committee Report No. 1040-82 (Gov. Msg. No. 222):

Senator Cobb moved that Stand. Com. Rep. No. 1040-82 be received and placed on file, seconded by Senator Soares and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Raymond M. Hightower to the Policy Advisory Board for Elderly Affairs, term to expire December 31, 1983, seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Campbell, Kawasaki and Yee).

Standing Committee Report No. 1041-82 (Gov. Msg. No. 262):

Senator Cobb moved that Stand. Com. Rep. No. 1041-82 be received and placed on file, seconded by Senator Soares and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Donn A. Carswell to the Advisory Commission on Manpower and Full Employment, term to expire December 30, 1985, seconded by Senator Soares.

Senator O'Connor spoke in support of the nominee and stated:

"Mr. President, Mr. Carswell is a very fine person, a good friend of mine, but I don't know about this full employment stuff. He's the one that blew himself up with the aerial display on Kauai a few months ago. He hasn't been in full employment ever since."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Campbell, Kawasaki and Yee).

Standing Committee Report No. 1042-82 (Gov. Msg. No. 263):

Senator Cobb moved that Stand. Com. Rep. No. 1042-82 be received and placed on file, seconded by Senator Soares and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Rose T. Ohashi to the Board of Social

Services and Housing, term to expire December 31, 1985, seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Campbell, Kawasaki and Yee).

Standing Committee Report No. 1044-82 (Gov. Msg. No. 324):

Senator Cobb moved that Stand. Com. Rep. No. 1044-82 be received and placed on file, seconded by Senator Soares and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Charles T. Akama to the Western Interstate Commission for Higher Education, term to expire December 31, 1985, seconded by Senator Soares.

Senator Abercrombie, although in support of the nomination, stated:

"Mr. President, I'm going to vote for this nomination despite my deep disappointment that I was not named to be the gubernatorial nominee to the Western Interstate Commission for Higher Education so that I could see that it turns into a loan program."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Campbell, Kawasaki and Yee).

Standing Committee Report No. 1046-82 (Gov. Msg. No. 172):

By unanimous consent, action on Stand. Com. Rep. No. 1046-82 and Gov. Msg. No. 172 was deferred until Tuesday, April 27, 1982.

Standing Committee Report No. 1047-82 (H.B. No. 2316-82, H.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1047-82 was adopted and H.B. No. 2316-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 28, 1982.

Standing Committee Report No. 1048-82 (H.B. No. 2540-82):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1048-82 and H.B.

No. 2540-82, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 28, 1982.

THIRD READING

House Bill No. 1971-82, H.D. 1:

By unanimous consent, action on H.B. No. 1971-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS," was deferred until Tuesday, April 27, 1982.

Standing Committee Report No. 862-82 (H.B. No. 2010-82):

By unanimous consent, action on Stand. Com. Rep. No. 862-82 and H.B. No. 2010-82, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR," was deferred until Tuesday, April 27, 1982.

FINAL READING

Senate Bill No. 1308, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 1308, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," was deferred until Wednesday, April 28, 1982.

Senate Bill No. 2470-82, S.D. 2, H.D. 2:

By unanimous consent, action on S.B. No. 2470-82, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH," was deferred until Wednesday, April 28, 1982.

Senate Bill No. 397, S.D. 2, H.D. 2:

By unanimous consent, S.B. No. 397, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was recommitted to the Committee on Ways and Means.

STANDING COMMITTEE REPORTS

Senator Kawasaki, for the Committee on Government Operations and Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 1053-82) recommending that Senate Resolution No. 80 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1053-82 and S.R. No. 80, entitled: "SENATE RESOLUTION

URGING CONGRESS TO AMEND PRESIDENT REAGAN'S NEW FEDERALISM PROGRAM," was deferred until Wednesday, April 28, 1982.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1054-82) recommending that Senate Resolution No. 136 be referred to the Committee on Legislative Management.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 136, entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO CONDUCT A PROGRAM AUDIT OF THE STATE'S PROGRAM OF SPECIAL TAX CREDITS AND EXEMPTIONS," was referred to the Committee on Legislative Management.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1055-82) recommending that Senate Concurrent Resolution No. 89 be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.C.R. No. 89, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO CONDUCT A PROGRAM AUDIT OF THE STATE'S PROGRAM OF SPECIAL TAX CREDITS AND EXEMPTIONS," was adopted.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1056-82) recommending that Senate Resolution No. 47, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 47, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE IMPACT OF ALLOWING SHARES OF A PROFESSIONAL CORPORATION TO BE TRANSFERRED INTO A REVOCABLE LIVING TRUST," was adopted.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1057-82) recommending that Senate Concurrent Resolution No. 31, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.C.R. No. 31, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE IMPACT OF ALLOWING SHARES OF A PROFESSIONAL CORPORATION TO BE TRANSFERRED

INTO A REVOCABLE LIVING TRUST," was adopted.

CONFERENCE COMMITTEE REPORT

Senator Yamasaki, for the Committee on Conference, on the recommittal to Conference of Senate Bill No. 732, S.D. 1, H.D. 1, C.D. 1, having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses this bill as previously recommended by your Committee, presented a report (Conf. Com. Rep. No. 92-82) recommending that S.B. No. 732, S.D. 1, H.D. 1, C.D. 1, as amended in C.D. 2, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 92-82 and S.B. No. 732, S.D. 1, H.D. 1, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," was deferred for a period of 48 hours.

MATTER DEFERRED FROM EARLIER ON THE CALENDAR

Standing Committee Report No. 1050-82 (H.C.R. No. 103, H.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 1050-82 and H.C.R. No. 103, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO REVIEW THE ADMINISTRATION AND ADEQUACY OF THE UNEMPLOYMENT COMPENSATION FUND, INCLUDING THE UNEMPLOYMENT TRUST FUND ACCOUNT, AND THE RELATED STATUTORY PROVISIONS," was deferred until Tuesday, April 27, 1982.

At 6:27 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 6:28 o'clock p.m.

At this time, Senator Holt rose on a point of personal privilege and stated:

"Mr. President, this morning we received a letter from Senators Anderson and Saiki with respect to their resignations from the coalition, and my question to the Chair is, with these resignations what happens to the rest of the Republican chairmen we currently have?"

The Chair answered: "As I understand it, Senator Holt, they retain their chairmanships. The caucus has not met as yet to decide their fate. Whether or not the membership will ask that they be removed or stay on, that question

has not been decided."

Senator Holt then responded: "The reason I ask this question, Mr. President, is because in the past when the question was posed about the dissolution of the coalition when Senator Anderson announces for governor, I don't believe there was a caucus to decide whether the coalition will be dissolved, but all of a sudden it is a caucus decision. I thought it was the interpretation of the Chair that he had not made an announcement."

The Chair answered: "Senator Holt, the Chair requires thirteen votes to preside over this body and to assign chairmanships. We haven't decided what that does with Senator Anderson and Senator Saiki at this precise moment."

Senator Holt then remarked: "Then it is my understanding that what you said on November 5, 1981 and again on February 17, 1982...that the coalition is not automatically over once Senator Anderson announces for governor, that it is subject to a decision of the majority members of the Senate."

The Chair answered: "I would think it's not only the majority members of the Senate but the majority members that formed the Senate two years ago to decide whether or not it is sufficient that we ask them to step down from their chairmanships. We haven't had an opportunity to do that."

Senator Holt then said: "The only reason I'm raising these questions, Mr. President, is that because I believe I have on record your word, and you told me yourself that your word is good, that once Senator Anderson announces for governor the coalition would be over with. And we have it in the Journal, and I'm asking you at this time..."

The Chair interjected: "The coalition is not dissolved at this time. It may

be tomorrow morning, but we'll decide that issue tonight when we meet in caucus."

Senator Holt concluded by thanking the Chair.

Senator Abercrombie on a point of inquiry asked: "Mr. President, pending this, I presume that you will still want to retain thirteen votes to be president, should you choose to be president of whatever exists here in the Senate, is that correct?"

The Chair answered: "Yes, and I hope you and the 'seven' will vote for me as president."

Senator Abercrombie continued: "I understood in your answer to Senator Holt...you said that that would take place...some decision on this will be made at a caucus this evening, is that correct?"

The Chair answered in the affirmative.

At this time, the Chair made the following observation:

"For the events of Friday night, I must at this time acknowledge that apology is due Senators Toyofuku, Machida, Mizuguchi, Holt, O'Connor and Ushijima. They were willing to stay here the full course of the day, pending some word that we had resolved whatever differences we had. They were patient throughout the period. The Chair appreciates that and apologizes for not keeping them readily informed on what was going on here in the Senate."

ADJOURNMENT

At 6:34 o'clock p.m., on motion by Senator Cobb, seconded by Senator Yee and carried, the Senate adjourned until 11:00 o'clock a.m., Tuesday, April 27, 1982.

SIXTY-SECOND DAY

Tuesday, April 27, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:00 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Kim On Chong, Retired Chaplain of the Mid-Pacific Institute, after which the Roll was called showing all Senators present with the exception of Senator Campbell who was excused.

The President announced that he had read and approved the Journal of the Sixty-First Day.

At this time, Senator Yee, on behalf of the Senate, made the following introduction stating:

"Mr. President, I have the great honor, on behalf of all of us, to make a distinguished introduction this morning. We have on the floor this morning, a person who has distinguished herself for the last 20 years and a person who has made all the difficult and hard decisions in the Senate Office from the Third Senatorial District, one who goes out to the community meetings, takes all the flack in the Third Senatorial District and, the one who has to pay for all the lunches that the senior citizens have always been invited to in Conference Room 6, and yet, a particular Senator always gets all the credit for all of this hard work. So, I thought it was fitting that we recognize today, the 'real' Senator from the Third Senatorial District, Mrs. Jackie Chong."

At 11:27 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:20 o'clock p.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 326 and 327) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 326), informing the Senate that he signed the following bills into law on the dates indicated:

April 22, 1982:

H.B. No. 2018-82 as Act 11, entitled: "RELATING TO APPLICABILITY OF GENERAL INSURANCE LAW";

April 23, 1982:

H.B. No. 1042 as Act 12, entitled: "RELATING TO THE FILING OF FINANCING STATEMENTS BY CONSIGNORS AND LESSORS UNDER THE UNIFORM COMMERCIAL CODE";

H.B. No. 1094 as Act 13, entitled: "RELATING TO INSPECTION OF VEHICLES";

H.B. No. 2028-82 as Act 14, entitled: "RELATING TO HOTELS";

H.B. No. 2029-82 as Act 15, entitled: "RELATING TO BILLIARDS AND BOWLING ALLEYS";

H.B. No. 2097-82 as Act 16, entitled: "RELATING TO FAIR HOUSING";

H.B. No. 2167-82 as Act 17, entitled: "RELATING TO PROPHYLAXIS FOR THE PREVENTION OF BLINDNESS IN THE NEWBORN";

H.B. No. 2170-82 as Act 18, entitled: "RELATING TO SMOKING IN PUBLIC PLACES";

H.B. No. 2172-82 as Act 19, entitled: "RELATING TO SOLID WASTE DISPOSAL";

H.B. No. 2173-82 as Act 20, entitled: "RELATING TO EMPLOYMENT SECURITY";

H.B. No. 2191-82 as Act 21, entitled: "RELATING TO SOLICITATION OF FUNDS FROM THE PUBLIC";

H.B. No. 2203-82 as Act 22, entitled: "RELATING TO TAXATION";

H.B. No. 2204-82 as Act 23, entitled: "RELATING TO TAXATION";

H.B. No. 2224-82 as Act 24, entitled: "RELATING TO BOARDS AND COMMISSIONS";

H.B. No. 2247-82 as Act 25, entitled: "RELATING TO TAXATION";

H.B. No. 2334-82 as Act 26, entitled: "RELATING TO DISCRIMINATORY PRICING IN SUPPLYING LIQUOR";

H.B. No. 2339-82 as Act 27, entitled: "RELATING TO THE JURISDICTION OF THE HAWAII PUBLIC EMPLOYMENT RELATIONS BOARD";

S.B. No. 2376-82 as Act 28, entitled: "RELATING TO TIME LIMITATIONS";

H.B. No. 2405-82 as Act 29, entitled:
"RELATING TO DISCLOSURE OF FINANCE
COSTS";

H.B. No. 2562-82 as Act 30, entitled:
"RELATING TO DEPOSITS OF PUBLIC
FUNDS";

H.B. No. 2848-82 as Act 31, entitled:
"RELATING TO SICK LEAVE EXCEPTIONS";

H.B. No. 2935-82 as Act 32, entitled:
"RELATING TO BRANCH BANKS";
and

H.B. No. 3030-82 as Act 33, entitled:
"RELATING TO DENTISTRY,"

was placed on file.

A message from the Governor (Gov. Msg. No. 327), submitting for consideration and consent to the Intermediate Court of Appeals, the nomination of Harry T. Tanaka, Judge, for a term of ten years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, was referred to the Committee on Judiciary.

STANDING COMMITTEE REPORT

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1058-82) informing the Senate that Conference Committee Report No. 92-82 and Standing Committee Report Nos. 1053-82 to 1057-82 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

ORDER OF THE DAY

MATTERS DEFERRED FROM APRIL 26, 1982

Standing Committee Report No. 1050-82 (H.C.R. No. 103, H.D. 1):

On motion by Senator Young, seconded by Senator George and carried, Stand. Com. Rep. No. 1050-82 was adopted and H.C.R. No. 103, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO REVIEW THE ADMINISTRATION AND ADEQUACY OF THE UNEMPLOYMENT COMPENSATION FUND, INCLUDING THE UNEMPLOYMENT TRUST FUND ACCOUNT, AND THE RELATED STATUTORY PROVISIONS," was adopted.

Standing Committee Report No. 1022-82 (S.R. No. 139, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 1022-82 and S.R. No.

139, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING AN INVESTIGATION OF THE ALLEGATIONS OF BRUTALITY AGAINST INMATES OF THE OAHU COMMUNITY CORRECTIONAL CENTER ARISING FROM AND OF THE PROCEDURES UTILIZED IN THE PRISON SHAKEDOWN," was deferred until Wednesday, April 28, 1982.

Standing Committee Report No. 1046-82 (Gov. Msg. No. 172):

Senator Carpenter moved that Stand. Com. Rep. No. 1046-82 be received and placed on file, seconded by Senator Cayetano and carried.

Senator Carpenter then moved that the Senate advise and consent to the nomination of John A. Chanin to the Commission to Promote Uniform Legislation, term to expire December 31, 1985, seconded by Senator Cayetano.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused,
3 (Campbell, Kawasaki and Ushijima).

RE-REFERRAL OF HOUSE CONCURRENT RESOLUTION

The President re-referred House Concurrent Resolution No. 108, which was received on Tuesday, April 20, 1982, to the Committee on Human Resources.

RE-REFERRAL OF HOUSE BILL

The President re-referred House Bill No. 2849-82, H.D. 1, which was received on Wednesday, March 17, 1982, to the Committee on Human Resources.

At 12:23 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:27 o'clock p.m.

STANDING COMMITTEE REPORT

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1059-82) recommending that House Bill No. 2849-82, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

Senator Cobb moved that Stand. Com. Rep. No. 1059-82 be adopted and H.B. No. 2849-82, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Senator Yee.

At this time, Senator George rose to ask for a ruling of the Chair as to a possible conflict of interest, and the President ruled that there was no conflict.

Senator Anderson then rose and stated:

"Mr. President, if I may, a technical question, on page 1-A, under Standing Committee Report No. 1059-82, you've got 48 hours there and I think that should be 24 hours."

The President then stated:

"That's incorrect. May the record so note that it is 24 hours."

The motion was put by the Chair and carried and Stand. Com. Rep. No. 1059-82 was adopted and H.B. No. 2849-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 28, 1982.

At this time, Senator Carpenter, Chairman of the Committee on Judiciary, requested a waiver of the 48-hour notice of a Public Hearing on the following:

Gov. Msg. No. 327, submitting for consideration and consent to the Intermediate Court of Appeals the nomination of Harry T. Tanaka;

and the President granted the waiver.

At this time, Senator Holt rose and stated:

"Mr. President, I believe that this afternoon's paper reports that there was a caucus on the organization of the Senate and I was wondering if you would inform us as to what happened."

The President then replied:

"Senator Holt, I would like to respond in follow-up to your inquiry of yesterday about my statements earlier in the year about dissolving the coalition if Senator Anderson officially announces for governor. Since that is now a fact, as he has indeed announced for governor, I would now like to announce my proposal for the reorganization of the Senate strictly among Democrats as follows:

1. Committee chairmanships now being held by Republicans will be reassigned to Democrats. These are Agriculture; Ecology, Environment and Recreation; Economic Development; Higher Education; Public Utilities and Transportation.

2. Committee vice-chairmanships now being held by Republicans will be reassigned to Democrats. These

are Agriculture, Economic Development, Government Operations and Intergovernmental Relations, Legislative Management, Tourism and Ways and Means.

3. Committee assignments in the various standing committees will be reallocated among Democrats and Republicans on the basis of proportionate representation.

"Immediately after the session today, I would like to call a majority caucus of all Democratic Senators to work out the details of the reorganization of the Senate."

Senator Cobb then rose and stated as follows:

"Point of order, Mr. President. While as President, you formally have the authority to appoint committee chairmen, vice-chairmen and make committee assignments of the Democratic Senators, in actual practice, you cannot do so unless you have the majority of this body, namely, 13 votes, to support your action.

"I maintain that you have neither the 13 votes to dissolve the coalition nor the votes to reorganize the Senate. And, at this time, I would like to formally present a motion before the Senate. I move that the present organization of the Senate be kept as is for the remainder of the Eleventh State Legislature, with the exceptions of Senator Anderson no longer being vice-chairman of Ways and Means and Senator Saiki no longer being chairman of Higher Education, in concert with their letters of resignation."

Senator Yee then rose and stated:

"Mr. President, I second the motion."

Senator O'Connor then rose and stated:

"Mr. President, I guess I'm going to vote against that motion. I'm not sure whether I should vote against it or for it, but I would like to compliment the movant for the carefully drafted script. I would like to suggest that the entire script of this little situation has been very nicely thought out, and if this is the decision based upon the circumstances that we find ourselves in to publicly take out the sting of earlier positions taken by individuals in this body, then that's one of those things.

"I would suggest that this matter could have been handled in many other ways. It could have been handled earlier. As the Titanic went down,

the iceberg didn't leap under the Titanic and try to put it back up again, and I suggest that this scripted situation can only lead to further difficulties, further problems and further situations.

"For example, just for example, if the statement made earlier by the President, just a minute ago, were a straightforward statement, not carefully scripted into this motion, I would suggest that the Functional Plans could be on the desks of the members of this body by tomorrow morning in a form acceptable to all Democrats in this body, and I'll have more to say about that tomorrow when we terminate after this motion passes. But, that's just one of the casualties of the Titanic striking the iceberg."

The President then replied:

"May I just respond, very briefly, to my distinguished colleague from the Seventh Senatorial District on two points. One is how can I reorganize the Senate if the caucus consisting of a majority of the Senate chooses to retain the same organization. I think anyone who wants to change things needs 13 votes. All of us in this august body are very much aware of that.

"I have tried to make an attempt to change the organization of the Senate. There is a motion before the Senate that speaks for itself. But relating to the Functional Plans, I was meaning to tell this body that we are now awaiting the House to pass the Transportation Plan so that we can go to conference.

"My understanding is that there is a filibuster going on in the House on the Transportation Plan. So, so much for the Transportation Plan. I shouldn't be the one to speak on this motion on the floor. Is there any discussion?"

Senator Cayetano then rose and stated:

"Mr. President, I am going to support the motion. Let me say that I think the facts are that I am a member of this coalition, but also that I am a member of the Democratic faction of the coalition who has been most anxious to reorganize the Senate with Democrats only. I don't think anyone can deny that.

"This so-called script that Senator O'Connor speaks of may have become necessary because one script begets the other. You seven Democrats who are in the so-called 'dissident' faction, I ask you to look down the road. Why are we getting into this kind of monkey business at this stage of the game when it's totally impractical for us to dissolve the coalition with only two more days left. So how about let's just follow the

script and let's look to next year and see whether we can work things out."

Senator Cobb then rose and stated:

"Mr. President, I take strong exception to the remarks of my colleague from the Seventh Senatorial District that the Functional Plans might have come out differently if there was a Democratic chairman. If I were chairman, I would be holding to the same position that the present chairman is, because we had the Governor of this state, most of the legislators, most of the community groups and most of those who have been involved in the State Functional Plans think there are in fact, guidelines. And, the bill that we sent over from the Senate specifies guidelines, so in no way would I agree with the statement that there would be a difference if there were a Democratic chairman.

"In fact, most of the Democrats in the Senate, I think, would agree with the action taken by the chairman of the Economic Development Committee. As far as the script goes, Mr. President, you're going to be President whether you like it or not. You've attempted to dissolve the coalition in caucus and we voted you down. Now, you're doing it openly on the floor. I predict that the result will be the same."

Senator Yee then rose and stated:

"Mr. President, I would like to say that this is really no script, in answer to the comments made by the Senator from the Seventh Senatorial District, because after Senator Holt's question to you yesterday, we did meet in caucus and the caucus voted unanimously to retain the present leadership and to retain you as President of the Senate. And we also unanimously agreed that you didn't have the right as the total group to dissolve the coalition--you were only speaking as an individual.

"We respect you as the President of the Senate here, but in your commitment to the public, and to your fellow Democrats, it was an individual comment. You neither committed me nor did you commit the Democrats in the coalition. As a result, we unanimously felt that in the last few days of the session that the coalition had done well, and let us end it this way.

"This fall we're having an election and the people will judge us by what we have done this session.

"Thank you."

Senator Cobb then stated:

"Mr. President, I'd like to add one observation, perhaps an implication to the remarks of my colleague, that the Functional Plans might be different if we had a Democratic chairman. That is an acknowledgement on the part of the House that they're being obstructionists in legislation only because we have bi-partisan chairmanships in the Senate. I find that to be discouraging at best, and to be intimidating at worst."

Senator O'Connor then rose and stated:

"Mr. President, I would like to clarify something. I used those Functional Plans but as one example of the wreckage of a legislative session which is drifting slowly by us. I'll elaborate more on that later. I for one would not want to be one who had to take credit for the wreckage, and I think any attempt at this juncture would do more than dissolve the coalition and point at those individuals who might be responsible, will be less than responsible on the part of those of us in this body."

Senator Cayetano then rose and stated:

"Mr. President, I hope in the coming elections those Democrats who are up for election will not undergo experiences that will affect the next organization. I think we had better measure the words we say here on the floor today, and I'm talking about all Democrats."

Senator Holt then rose and stated as follows:

"Mr. President, I just wanted to congratulate you on a job well done."

"Now, I'm totally convinced that you and some of the other Democrats in this Senate have always been and will continue to be party to Senator Anderson's quest to be the Governor of this state."

"Thank you."

The President then replied:

"Senator Holt, I think in the election process, when we said we're going to make a difference, that difference should be felt in ideas rather than in pointing out individual personality differences throughout the whole two years. I think any Senator who represents his district is here not on a personal basis, but on the basis that he represents his constituents. For anyone who has campaigned on a slogan that he will make a difference, so far, I've not seen that difference."

"Now, as far as the personal attack on me as President for forming the coalition,

I will assume the responsibility. I told you two years ago before the formation of this coalition that I am responsible. I've never once told anyone that I was not. I have not once wavered in my commitment, a commitment that was made because Democrats couldn't get together. I would caution everyone, Democrats and Republicans alike, that tomorrow, I will say more on the subject about organization of the Senate for the future. I hope at that time, that people will understand where I'm coming from and that people will understand what we have to do in this state in the 80's to accomplish whatever dreams or aspirations we might have. And I will remind everyone that as far as I'm concerned, it was a difficult position for me and many Democrats to get involved in the coalition. But I'll elaborate on the reasons tomorrow."

"I want to say very firmly that I can accept personal responsibility for my actions and I will do so in the election process. If I have to run again this year or in the next election, I'm willing to face the people and have them decide whether the decision I made two years ago was correct or incorrect. And at that time, I think the votes will tell the story."

"Is there any further discussion on this matter?"

"If not, Senator Cobb, we will have to go into recess because we are awaiting the Transportation Plan to come from the House to the Senate so that the Senate can disagree and go to conference on the Functional Plans as late as it might be."

Senator Cobb then stated:

"Mr. President, I move that the Senate stand in recess subject to the call of the Chair in the event that we have to reconvene to take action on the House Communication which may arrive later this afternoon. Otherwise, we will be reconvening tomorrow at 11:00 o'clock a.m., leaving the Journal open."

The President then replied:

"Correction, Senator Cobb, we will have to wait here for receipt of the Senate Concurrent Resolution."

Senator Cobb then stated:

"I stand corrected, Mr. President. Then I amend the motion to specify that we stand in recess subject to the call of the Chair."

At 12:41 o'clock p.m., on motion

by Senator Cobb, seconded by Senator Yee and carried, the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:10 o'clock p.m.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 654 and 655) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 654), returning Senate Concurrent Resolution No. 13, S.D. 2, H.D. 1, which was adopted by the House of Representatives on April 27, 1982, was placed on file.

On motion by Senator Henderson, seconded by Senator Soares and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 13, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Henderson, Chairman, Abercrombie, Vice-Chairman, Ajifu, Cayetano, George, Kobayashi, Saiki, Yee, Kuroda and Young as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 655), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Concurrent Resolution No. 13, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 27, 1982, the Speaker appointed Representatives Dods, Chairman, Andrews, Waihee, Tungpalan and Medeiros as Managers on the part of the House for the consideration

of said amendments, was placed on file.

At this time, Senator Henderson, Chairman of the Committee on Economic Development, requested a waiver of the 48-hour notice of a Public Hearing on the following measure:

S.C.R. No. 13, S.D. 2, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE TRANSPORTATION FUNCTIONAL PLAN,"

and the President granted the waiver.

At 1:11 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:13 o'clock p.m.

STANDING COMMITTEE REPORT

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1060-82) recommending that House Concurrent Resolution No. 108 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1060-82 and H.C.R. No. 108, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE REPORT ON THE FINAL COMPENSATION PLAN AND THE COST THEREOF," was deferred until Wednesday, April 28, 1982.

ADJOURNMENT

At 1:16 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 2:00 o'clock p.m., Wednesday, April 28, 1982.

SIXTY-THIRD DAY

Wednesday, April 28, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 2:00 o'clock p.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Norito Nagao, Pastor of Honpa Hongwanji Mission of Hawaii, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Sixty-Second Day.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 328), informing the Senate that on April 26, 1982, he signed the following bills into law:

H.B. No. 3142-82 as Act 34, entitled: "RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM";

H.B. No. 34 as Act 35, entitled: "RELATING TO GIFTED CHILDREN";

H.B. No. 2105-82 as Act 36, entitled: "RELATING TO THE TOWING OF ABANDONED VEHICLES";

H.B. No. 2175-82 as Act 37, entitled: "RELATING TO PUBLIC LANDS";

H.B. No. 2232-82 as Act 38, entitled: "RELATING TO THE DRIVING OF MOPEDS";

H.B. No. 2406-82 as Act 39, entitled: "RELATING TO INTOXICATING LIQUOR";

H.B. No. 2697-82 as Act 40, entitled: "RELATING TO PUBLIC LANDS";

H.B. No. 2902-82 as Act 41, entitled: "RELATING TO SAFETY DEPOSIT BOXES";

H.B. No. 3124-82 as Act 42, entitled: "RELATING TO AUTHORIZED ABSENCE FROM A PSYCHIATRIC FACILITY";

S.B. No. 2257-82 as Act 43, entitled: "RELATING TO INHERITANCE TAXATION";

S.B. No. 2377-82 as Act 44, entitled: "RELATING TO THE HAWAII PENAL CODE";

S.B. No. 2520-82 as Act 45, entitled: "RELATING TO NOTARIES PUBLIC";

S.B. No. 2993-82 as Act 46, entitled: "RELATING TO FATHER DAMIEN

DEVEUSTER DAY";

H.B. No. 3133-82 as Act 47, entitled: "RELATING TO THE FUNDING OF COUNTY EMERGENCY MEDICAL SERVICES DEFICITS"; and

H.B. No. 2629-82 as Act 48, entitled: "RELATING TO CUSTODIAL INTERFERENCE,"

was read by the Clerk and was placed on file.

At 2:17 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:19 o'clock p.m.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 142 to 150) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 142), entitled: "SENATE RESOLUTION RECOGNIZING WITH GRATITUDE EACH OF THE MINISTERS OF RELIGION WHO OPENED A DAY OF THE SENATE, ELEVENTH LEGISLATURE, 1982, STATE OF HAWAII, WITH AN INSPIRATIONAL INVOCATION," was offered by Senators Kuroda and Yee.

On motion by Senator Kuroda, seconded by Senator Yee and carried, S.R. No. 142 was adopted.

A resolution (S.R. No. 143), entitled: "SENATE RESOLUTION EXPRESSING DEEPEST APPRECIATION TO THE MEMBERS OF THE VARIOUS MEDIA FOR THEIR COVERAGE OF THE ACTIVITIES OF THE ELEVENTH LEGISLATURE, REGULAR SESSION OF 1982," was offered by Senators Kuroda and Yee.

On motion by Senator Kuroda, seconded by Senator Yee and carried, S.R. No. 143 was adopted.

A resolution (S.R. No. 144), entitled: "SENATE RESOLUTION RELATING TO THE PRINTING OF THE JOURNAL OF THE SENATE," was offered by Senators Kuroda and Yee.

On motion by Senator Kuroda, seconded by Senator Yee and carried, S.R. No. 144 was adopted.

A resolution (S.R. No. 145), entitled: "SENATE RESOLUTION RETURNING ALL BILLS, CONCURRENT RESOLUTIONS,

AND RESOLUTIONS TO THE CLERK'S DESK," was offered by Senators Kuroda and Yee.

On motion by Senator Kuroda, seconded by Senator Yee and carried, S.R. No. 145 was adopted.

A resolution (S.R. No. 146), entitled: "SENATE RESOLUTION REGARDING COMPLETION OF THE WORK OF THE ELEVENTH LEGISLATURE SUBSEQUENT TO THE ADJOURNMENT THEREOF," was offered by Senators Kuroda and Yee.

On motion by Senator Kuroda, seconded by Senator Yee and carried, S.R. No. 146 was adopted.

A resolution (S.R. No. 147), entitled: "SENATE RESOLUTION AUTHORIZING THE PRESIDENT TO DESIGNATE THE EMPLOYEES WHO WILL WORK AFTER ADJOURNMENT," was offered by Senators Kuroda and Yee.

On motion by Senator Kuroda, seconded by Senator Yee and carried, S.R. No. 147 was adopted.

A resolution (S.R. No. 148), entitled: "SENATE RESOLUTION AUTHORIZING THE PRESIDENT TO EXPEND FUNDS AFTER ADJOURNMENT," was offered by Senators Kuroda and Yee.

On motion by Senator Kuroda, seconded by Senator Yee and carried, S.R. No. 148 was adopted.

A resolution (S.R. No. 149), entitled: "SENATE RESOLUTION RELATING TO STANDING AND SPECIAL COMMITTEES AUTHORIZED TO CONDUCT HEARINGS DURING THE INTERIM BETWEEN THE ADJOURNMENT OF THE REGULAR SESSION OF 1982 AND THE CONVENING OF THE REGULAR SESSION OF 1983," was offered by Senators Kuroda and Yee.

On motion by Senator Kuroda, seconded by Senator Yee and carried, S.R. No. 149 was adopted.

A resolution (S.R. No. 150), entitled: "SENATE RESOLUTION AUTHORIZING THE PRESIDENT TO APPROVE THE JOURNAL OF THIS SENATE FOR THE SIXTY-THIRD DAY," was offered by Senators Kuroda and Yee.

On motion by Senator Kuroda, seconded by Senator Yee and carried, S.R. No. 150 was adopted.

FINAL READING

House Bill No. 2070-82, H.D. 1, S.D. 1, C.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 2070-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR THE FISCAL BIENNIUM JULY 1, 1981 TO JUNE 30, 1983," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Kawasaki).

At 2:20 o'clock p.m. the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:26 o'clock p.m.

House Bill No. 2838-82, H.D. 1, S.D. 1, C.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 2838-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Cayetano and Kawasaki).

House Bill No. 2359-82, H.D. 1, S.D. 2, C.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 2359-82, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WITNESS SECURITY AND PROTECTION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Cayetano and Kawasaki).

House Bill No. 2559-82, H.D. 1, S.D. 1, C.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 2559-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PAYMENT OF SETTLEMENT BETWEEN THE STATE OF HAWAII AND DILLINGHAM CORPORATION DBA HAWAIIAN DREDGING AND CONSTRUCTION COMPANY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Abercrombie and O'Connor). Excused, 2 (Cayetano

and Kawasaki).

House Bill No. 2679-82, S.D. 1, C.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 2679-82, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COUNSEL AND OTHER SERVICES FOR INDIGENT DEFENDANTS IN CRIMINAL AND RELATED CASES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Cayetano and Kawasaki).

House Bill No. 2947-82, H.D. 2, S.D. 1, C.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 2947-82, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AN AQUACULTURE AND LIVE-STOCK FEEDS PRODUCTION PROGRAM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Cayetano and Kawasaki).

House Bill No. 3136-82, H.D. 2, S.D. 1, C.D. 1:

On motion by Senator Kuroda, seconded by Senator Soares and carried, H.B. No. 3136-82, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 4 (Abercrombie, Anderson, Cobb and Wong). Excused, 2 (Cayetano and Kawasaki).

Senate Bill No. 2269-82, S.D. 2, H.D. 2, C.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, S.B. No. 2269-82, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A CRIMINAL JUSTICE TRAINING FUND," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Cayetano and Kawasaki).

Senate Bill No. 2926-82, S.D. 1, H.D. 2, C.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, S.B. No. 2926-82, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RELEASE OF MATCHING STATE FUNDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Cayetano and Kawasaki).

Senate Bill No. 2904-82, S.D. 1, H.D. 2, C.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, S.B. No. 2904-82, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A WATER COMMISSION AND FORMULATION OF STATE WATER CODE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Cayetano and Kawasaki).

Senate Bill No. 2760-82, S.D. 2, H.D. 1, C.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, S.B. No. 2760-82, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Cayetano and Kawasaki).

Senate Bill No. 2434-82, S.D. 2, H.D. 2, C.D. 1:

Senator Cobb moved that S.B. No. 2434-82, S.D. 2, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Soares.

Senator Ajifu then rose to speak in support of the measure and stated:

"Mr. President, I'd like to also make some comments regarding the recent action of the House on this bill.

"Mr. President, I have the sad news to report that the conference draft we have before us was never decked in the House, which kills the measure there and prevents its passage this year. While eight of the House conferees signed for the measure, I am now told that the House leadership decided

to kill the bill by preventing its being decked.

"Mr. President, I feel that it is a very poor practice to name conferees, let them meet, let them come to a compromise, let the staff prepare a committee report and conference draft of the bill, get the committee report signed, have not a single conferee on either side oppose the bill, and then to refuse to submit the matter to the floor for a vote.

"The tragedy, Mr. President, is not just that the normal procedures of the Legislature are being abused. The tragedy is that this backroom decision on the part of the House has killed the only measure before this Legislature which begins to address the vital matter of important agricultural lands.

"We have a mandate, Mr. President. The voters told us in the Con-Con election of 1978 that they wanted us to act on the matter of agricultural lands. Over the last legislative interim I studied the matter extensively and had prepared a package of bills addressing the matter from different vantage points. Based on the broad testimony we received I came to the conclusion that the consensus was in favor of this study embodied in Senate Bill 2434, S.D. 2, H.D. 2, C.D. 1.

"I think it's a dark day, Mr. President, when the electorate can express its feelings so clearly, when all major politicians in the state are taking positions on the matter and decrying our lack of action, when even the Land Use Commission is crying for legislative guidance, when all of these things are going on, and then we have let one more year go by with no action. And all because of a backroom action by the House leadership.

"Mr. President, I think we owe it to ourselves, to the Land Use Commission, to the counties, and to the citizens of this state to go ahead and approve this conference draft so that it is clear to all that your Committee on Agriculture and that this Senate have not been deficient in its responsibilities with regard to the identification, protection, and conservation of agricultural lands. Thank you, Mr. President."

Senator Cobb then rose on a point of parliamentary inquiry and said:

"Mr. President, the House is showing bad faith by not approving and submitting to the floor of the respective body for vote a conference draft. I question

very seriously whether we should be doing the same, and whether or not the leadership of the two bodies is in order to resolve this matter."

The Chair then remarked as follows:

"Senator Cobb, in the best interest of the Senate, I would advise that we vote on the measure since the bargaining in conference was done in good faith; both sides abided by that decision. I don't think the Senate should deviate from that position and that the measure should be acted upon."

The motion was put by the Chair and S.B. No. 2434-82, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2978-82, S.D. 1, H.D. 2, C.D. 1:

Senator Cobb moved that S.B. No. 2978-82, S.D. 1, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Soares.

Senator Kawasaki spoke in support of the bill and stated:

"Mr. President, just a brief discussion.

"Of course, this bill originated in the Senate here but only last night by coincidence I happened to be watching TV and there was a nationally televised news item showing some dramatic results of the application of interferon for certain categories of cancer, and what interested me most was that because of the promise interferon shows that there has been a request made to the Congress of the United States for a \$50 million funding from the Federal Government to intensify research in interferon.

"I think, again, Hawaii has led the nation in being progressive enough to enact a bill like this providing for a half a million dollar funding. I think this gives, as I said time and again, a glimmer of hope to cancer patients designated as terminal cases without any other hope.

"I urge the passage of this bill."

Senator Cobb then remarked: "Mr. President, I note that three of the House conferees signed with reservation.

Is there any assurance that this bill is going to be passed by the House?"

The Chair answered that the matter is before the Senate.

The motion was put by the Chair and S.B. No. 2978-82, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CANCER COMMISSION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2312-82, H.D. 1, S.D. 1, C.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 2312-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY BUDGET," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2907-82, H.D. 2, S.D. 2, C.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 2907-82, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2113-82, H.D. 2, S.D. 2, C.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 2113-82, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1061-82) informing the Senate that Stand. Com. Rep. Nos. 1059-82 to 1062-82 and Senate Resolution Nos. 142 to 151 have been printed and distributed to all members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1062-82) recommending that Senate Resolution No. 88 be referred to the Committee on Legislative Management.

By unanimous consent, action on Stand. Com. Rep. No. 1062-82 and S.R. No. 88 was deferred to the end of the calendar.

ORDER OF THE DAY

Conference Committee Report No. 92-82 (S.B. No. 732, S.D. 1, H.D. 1, C.D. 2):

By unanimous consent, action on Conf. Com. Rep. No. 92-82 and S.B. No. 732, S.D. 1, H.D. 1, C.D. 2, was deferred to the end of the calendar.

At 2:38 o'clock p.m. the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:43 o'clock p.m.

THIRD READING

House Bill No. 2316-82, H.D. 1:

Senator Kuroda moved that H.B. No. 2316-82, H.D. 1, having been read throughout, pass Third Reading, seconded by Senator Soares.

Senator Carpenter, although in favor of the measure, stated:

"Mr. President, I'm going to be voting against this bill because this bill, as far as I'm concerned, came out after midnight on Friday. I don't believe that we should be here now. I think that we did everything, as you iterated earlier, within the bounds of the Constitution and the only reason that I'm here today is, basically, in support of the bills that we passed prior to adjourning Friday evening. I don't have any philosophical differences with the bills before us, but I believe that they should not be voted upon at this time. I urge everyone to vote 'no.'"

At 2:45 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:46 o'clock p.m.

Senator Kawasaki then rose to speak against the measure and stated:

"Mr. President, I'm voting against

this bill primarily because in the wake of a great increase in the number of judges that we have effectuated in the last few years and a great increase in the Judiciary budget, great edifices coming up on Halekauwila Street and Punchbowl Street and Alakea Street, and a great increase in the total operational cost of the Judiciary, I'm not quite convinced that the Judiciary requires seven additional judges and, of course, the concomitant additional need for staffing and so forth that comes in subsequent years, I have not as yet been thoroughly convinced that we need seven new judges. For that reason, I'm going to vote against this bill."

Senator Campbell then inquired as follows:

"Mr. President, I rise on a point of parliamentary inquiry.

"Mr. President, I'm concerned that the chairman of the Judiciary Committee contends that this bill and probably some other bills should not be voted on at this time. And his contention, as I understand it, is that are not properly on this agenda. I'd like to have an opinion from the Chair, from your podium, as to whether or not we should be voting on these bills?"

The Chair responded: "The chairman of the Judiciary Committee has raised a personal point in that he feels that any bill which did not meet the 12:00 o'clock deadline on Friday he will vote against. He very sincerely feels that all matters should have ended on Friday. He was not questioning whether or not the bills were properly before the body."

The motion was put by the Chair and H.B. No. 2316-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Anderson, Carpenter, Cobb and Kawasaki). Excused, 1 (Henderson).

House Bill No. 2540-82:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 2540-82, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Anderson, Carpenter and Kawasaki). Excused, 1 (Henderson).

MATTERS DEFERRED FROM APRIL 26, 1982

Conference Committee Report No. 87-82 (S.B. No. 2829-82, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 87-82 was adopted and S.B. No. 2829-82, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Henderson).

Conference Committee Report No. 91-82 (S.B. No. 2759-82, S.D. 1, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 91-82 and S.B. No. 2759-82, S.D. 1, H.D. 2, C.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 1053-82 (S.R. No. 80):

By unanimous consent, action on Stand. Com. Rep. No. 1053-82 and S.R. No. 80 was deferred to the end of the calendar.

THIRD READING

House Bill No. 1971-82, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1971-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Kawasaki). Excused, 1 (Henderson).

Standing Committee Report No. 862-82 (H.B. No. 2010-82):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 862-82 was adopted and H.B. No. 2010-82, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused,

1 (Henderson).

At 2: 51 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2: 52 o'clock p.m.

FINAL READING

Senate Bill No. 1308, S.D. 2, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, S.B. No. 1308, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Henderson).

Senate Bill No. 2470-82, S.D. 2, H.D. 2:

On motion by Senator Cobb, seconded by Senator Soares and carried, S.B. No. 2470-82, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Henderson).

Standing Committee Report No. 1022-82 (S.R. No. 139, S.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1022-82 was adopted and S.R. No. 139, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING AN INVESTIGATION OF THE ALLEGATIONS OF BRUTALITY AGAINST INMATES OF THE OAHU COMMUNITY CORRECTIONAL CENTER ARISING FROM AND OF THE PROCEDURES UTILIZED IN THE PRISON SHAKEDOWN," was adopted.

Standing Committee Report No. 1060-82 (H.C.R. No. 108):

By unanimous consent, action on Stand. Com. Rep. No. 1060-82 and H.C.R. No. 108 was deferred to the end of the calendar.

THIRD READING

House Bill No. 2849-82, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 2849-82, H.D. 1, entitled: "A

BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Carpenter). Excused, 2 (Henderson and Yee).

At 2: 59 o'clock p.m., on motion by Senator Cobb, seconded by Senator Yee and carried, the Senate stood in recess until 7: 00 o'clock p.m.

EVENING SESSION

The Senate reconvened at 7: 30 o'clock p.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 329 and 330) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 329), transmitting copies of the Annual Report of the Hawaii State Advisory Council on Vocational Education (FY 1981), prepared by the State Commission on Manpower and Full Employment to fulfill the requirements of Title II of the Education Amendments of 1976, P.L. 94-382, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 330), dated April 28, 1982, returning Senate Bill No. 2198-82, entitled: "MAKING APPROPRIATIONS FOR COMPENSATION CLAIMS ADJUSTMENTS," pursuant to the Senate request, was placed on file.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 656 to 659) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 656), transmitting House Concurrent Resolution No. 137 which was adopted by the House of Representatives on April 27, 1982, was placed on file.

By unanimous consent, action on H.C.R. No. 137 was deferred to the end of the calendar.

A communication from the House (Hse. Com. No. 657), transmitting House Concurrent Resolution No. 151, H.D. 1, which was adopted by the House of Representatives on April 23, 1982, was placed on file.

By unanimous consent, action on H.C.R. No. 151, H.D. 1, was deferred to the end of the calendar.

A communication from the House (Hse. Com. No. 658), transmitting House Concurrent Resolution No. 158, H.D. 1, which was adopted by the House of Representatives on April 27, 1982, was placed on file.

By unanimous consent, action on H.C.R. No. 158, H.D. 1, was deferred to the end of the calendar.

A communication from the House (Hse. Com. No. 659), returning Senate Concurrent Resolution No. 57, which was adopted by the House of Representatives on April 23, 1982, was placed on file.

MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

Standing Committee Report No. 1062-82 (Senate Resolution No. 88):

Senator Cobb moved that Stand. Com. Rep. No. 1062-82 be received and placed on file, seconded by Senator Soares.

Senator Young then moved that the referral of S.R. No. 88 to the Committee on Legislative Management be waived, seconded by Senator George and carried.

On motion by Senator Cobb, seconded by Senator Soares and carried, S.R. No. 88, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE GENERAL EXCISE TAX ON SALES REPRESENTATIVES AND PURCHASING AGENTS," was adopted.

Conference Committee Report No. 92-82 (S.B. No. 732, S.D. 1, H.D. 1, C.D. 2):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 92-82 was adopted and S.B. No. 732, S.D. 1, H.D. 1, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. No, 1 (Kawasaki). Excused, 2 (Machida and Mizuguchi).

Conference Committee Report No. 91-82 (S.B. No. 2759-82, S.D. 1, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 91-82 and S.B. No. 2759-82, S.D. 1, H.D. 2, C.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 1053-82 (S.R. No. 80):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1053-82 was adopted and S.R. No. 80, entitled: "SENATE RESOLUTION URGING CONGRESS TO AMEND PRESIDENT REAGAN'S NEW FEDERALISM PROGRAM," was adopted on the following showing of Ayes and Noes:

Ayes, 17. Noes, 6 (Anderson, George, Henderson, Kobayashi, Saiki and Soares). Excused, 2 (Machida and Mizuguchi).

Standing Committee Report No. 1060-82 (H.C.R. No. 108):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1060-82 was adopted and H.C.R. No. 108, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE REPORT ON THE FINAL COMPENSATION PLAN AND THE COST THEREOF," was adopted.

MATTER DEFERRED FROM EARLIER ON THE EVENING CALENDAR

Conference Committee Report No. 91-82 (S.B. No. 2759-82, S.D. 1, H.D. 2, C.D. 1):

Senator Yamasaki, moved that Conf. Com. Rep. No. 91-82 be adopted and S.B. No. 2759-82, S.D. 1, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Yee.

Senator Kawasaki rose to speak against the measure and stated:

"Mr. President, as expected, I rise to speak against this bill primarily because if there ever was an inopportune time for this bill to pass (and its cost implication amount to about \$950,000, slightly less than a million dollars) I think this is the time.

"Mr. President, at a time when some 26,150 people are looking for jobs who are not able to look forward to the bright prospect of sitting down with their families for dinner tonight to know that there's a job waiting for them tomorrow, and at a time when some thousands of people are suffering the ill effects of the sugar industry having lost \$300 million this past year; at a time, literally, when hundreds of employees in the pineapple industry are suffering the ill effects of the pineapple industry losing about \$7.9 million; at a time

when the construction industry finds itself at possibly a new low within the last decade insofar as job opportunities are concerned, as a consequence there are tile setters, carpenters, masons, electricians, out of jobs today with no prospect of having a job next week; at a time when federal employees, generally, have had their pay frozen; at a time when the employees of Aloha Airlines have had to take a 8% cut in their salaries; at a time when the sugar workers have had to retrench on their wage negotiation and fringe benefit demands; at a time when there's been wholesale layoffs in the automobile industry; at a time when the airline industry finds itself in the dismal financial situation; at a time when these people, the unemployed as well as people who are fortunate enough to have jobs, cannot look forward to a brighter financial picture; at a time when your electrical rates that come to you every month are higher than ever; at a time when the breadwinner of the family finds his water rates have gone up; at a time when his gasoline prices are higher; at a time when people who of necessity have to borrow money just to keep the family together find that interest rates run 17% and 18% if they can borrow money at all. At these times, for us to propose here pay increases for that class of public employees who generally have a salary in excess of \$30,000 a year with their thirteen paid holidays, with their fringe benefits, generous retirement benefits, I think is unthinkable.

"It just appalls me to think that we don't feel for the people who are looking for jobs, people who have lost jobs, breadwinners of the family who are just about making ends meet, if at all. I can't see how we can propose, as provided in this bill, an \$8,000 pay increase for the federal program coordinator's position, an increase from \$29,900 to \$38,610 at a time interestingly enough when federal programs are being cut off by President Reagan and the Washington Administration... a bill that provides for the chief negotiator of the Office of Collective Bargaining and the stadium manager, and where the Hawaii Public Employment Relations Board chairman who today makes \$42,000 a year--each of these positions--we're proposing a salary increase of \$47,500.

"The bill also proposes that we raise the district court compensation from \$40,000 to \$47,520. You know, when the proposition was advanced to us that we should raise the district court judges' pay of roughly \$34,000 to \$40,000, almost unanimously, people

well acquainted with the workload and the compensation of district court judges had communicated with us here in the Legislature to say that \$40,000 for a district court judge is too much. As a matter of fact, someone very high placed in the Judiciary himself commented to me that we really can't justify raising district court judges to \$40,000. That was a few years ago.

"In the bill today, we are proposing that these people receive \$47,520. Again, something quite alarming to me. The Ombudsman's salary is proposed to be raised from \$42,000 a year to \$50,490 a year. In 1967 when we proposed the Ombudsman's Office, and I should know, I am the author of the bill, we never anticipated that the position would someday pay \$50,000 a year. This bill not only provides that kind of salary, it provides the compensation of \$44,000 for the deputy, and on and on it goes.

"The point here is that we're talking about pay raises for that class of public employees who least need this kind of help. I don't mind if pay increases were proposed for people who work in the Oahu penitentiary, for example, because there apparently seems to be a dearth of people looking for jobs as jail guards and people at that step level. I don't mind if we were proposing pay increases for the blue collar custodian, those category of government workers who are having a difficult time making ends meet. But this bill suggests that we increase these people at the higher level, and as I said whose salaries are running in excess of \$30,000 a year, at a time as I pointed out when literally thousands of people in this state are out of jobs. I cannot in good conscience support a bill like that.

"I think it behooves this Legislature to think about this pay raise proposition very carefully and perhaps reconsider some of these pay increase propositions later on in the following sessions. Now, I don't mind the circuit court judges' pay going up a bit because I think their workload justifies that, but so far as the rest of these positions go, I think we cannot in this economic climate justify what is proposed here. For that reason, I urge members to vote against this bill."

Senator Carpenter then said: "Mr. President, while I have no philosophical disagreements with this bill before us, for the reasons I 'mumbled' earlier

in this session today, I'm going to vote 'no' on this bill."

Senator Yee spoke in favor of the measure and stated:

"Mr. President, I rise to speak in favor of this bill. I know that this is a very controversial bill and it's very difficult to say that people in this category are entitled to any pay increase. But listening to the previous speaker when he was mentioning the pay that they were receiving today and the pay that they would receive after this bill, if it passes. There was one person that started off at \$42,000 and would be getting \$47,500 for a \$5500 difference, and based on that increase, the person is receiving only a 11.9% increase for a period of six years and divided by six, my calculator says it's 1.9% a year salary increase.

"Now, we know at 1.9%... let's take a round figure of 2% salary increase a year for executives... it's not a great increase. If we had passed the law which says that executives should receive compensation of 2%, 3%, 4% a year, I don't think anyone would criticize us for it. But these people who hold responsible positions face tremendous political pressure, tremendous community pressure and peer pressure, it's not an easy position; it's a difficult position; and they can be knocked off their positions as quickly as they're hired if they don't do a good job, whereas, other employees, they have security, they have union protection by labor agreements. But, the top executives do not have these kinds of privileges.

"We have seen our university professors move from the University of Hawaii and go elsewhere because compensation opportunities are greater than in Hawaii. And I for one who cares for Hawaii would not like to see mediocre people running this government.

"We spend nearly \$2 billion a year to manage the State of Hawaii and we need competent people; we need competent judges. I feel that when we're talking about 1.9% a year increase for these gentlemen, I think it's a very modest increase for the responsibility they have. And I always take the position that if they don't do their jobs, kick them out; and if we have not kicked them out, it's our responsibility, it's part of our fault, part of the Governor's fault for appointing mediocre people and part of our responsibility for confirming mediocre people. So, I think we have a responsibility to these people.

"What I like about this bill, outside of being what is fair, it is right. I maybe committing political suicide in taking this position, but this bill also has a provision in it that will freeze the salaries of the county executives throughout the state. I think it's ridiculous to have a county cabinet officer, a director of a county department making more money than a department head of the state whose responsibilities are greater.

"I like the idea of a salary study in this bill because salaries should be based on responsibility. I cannot see the director of the Hawaiian Homes Commission being paid the same salary as the director of transportation whose responsibility is much greater. The difference is too great. I think we should begin to address these things and come out with a fairer type of compensation for our executives.

"Mr. President, I feel that there is sufficient merit to justify a pay increase for these people. If they're not 'cutting the mustard' like in private business, you get them out; and I say the same thing with political servants... if they can't do their jobs, it's our responsibility to get them out. Thank you."

Senator Cobb spoke against the measure and stated:

"Mr. President, I'm going to be voting against the bill for two very basic reasons: One, there has been no consideration of the Governor and the president of the University of Hawaii's fringe benefits in computation of this bill. The philosophical objection to that is very simple... that as long as there is no consideration there, we will continue to peg the salary structure based on the Governor's being the ceiling. It will continue to hold down others, who I think might deserve more, particularly when they don't have the compensation of fringe benefits. That's one glaring error.

"The second is that the salary cuts going on in the private sector of our community, just for people to keep their jobs, I don't think we should be setting an example by voting a pay raise for our top executives when there are so many pay cuts going on in the private sector.

"I might add, Mr. President, with respect to the first issue of fringe benefits, I made a comparison, made available to every member of our Ways and Means Committee who was going

in to negotiations on this particular matter because I'd hoped that there would be some consideration of it, and if we're not willing to consider this issue, I hope the salary commission takes it up because I think the idea of a salary commission to study the plan is good.

"I have mixed feelings on the bill because, quite frankly, I agree with the cap on county salaries. I think it's been irresponsible that any mayor or any county executive could have their salary increased as a result of collective bargaining agreements. That removes all incentive to hold down the cost of a collective bargaining agreement.

"Despite the mixed feelings, Mr. President, on balance I'm going to vote 'no' because the first two considerations outweigh the latter. Thank you."

The motion was put by the Chair and Conf. Com. Rep. No. 91-82 was adopted and S.B. No. 2759-82, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES AND MAKING AN APPROPRIATION THEREFOR," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 16. Noes, 9 (Abercrombie, Anderson, Carpenter, Cayetano, Cobb, George, Henderson, Kawasaki and Saiki).

MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

House Concurrent Resolution No. 137:

Senator Cobb moved that H.C.R. No. 137 be adopted, seconded by Senator Soares.

Senator George then rose to ask if the chairman of Ways and Means would yield to a question and Senator Yamasaki answered in the affirmative.

Senator George asked: "Mr. President, H.C.R. 137, a resolution requesting a management audit review of the operations of the Department of Transportation's Airports Division in which the House is seeking our concurrence, requests a rather extensive management audit. As the chairman of Ways and Means will remember, last year when the Senate was deeply inquisitive about an audit of just the duty-free operation of this particular division, the price tag of \$50,000 was put on

the cost of such an audit by the Legislative Auditor. I am wondering if the chairman of Ways and Means can advise me whether or not money has been allocated for the Legislative Auditor to undertake this more extensive management audit?"

Senator Yamasaki answered: "There isn't any specific appropriation to the Auditor's office such as the amount requested for the study requested by the concurrent resolution. However, I see in the appropriation, Act 1, I believe, there is an amount of about \$150,000 for studies to be requested by the Speaker and the President of the Senate...to conduct such studies as necessary as the Speaker and the President of the Senate might request or authorize."

Senator George then rose to speak against the adoption of the resolution and stated:

"Mr. President, in view of the fact that the Legislative Auditor indicated that a study of simply a duty-free operation would run to some \$50,000 and would entail making an assignment of such a study or studies, as a matter of fact, were finally undertaken, I believe due to the problem of separation of powers it was finally assigned by the Department of Transportation to an outside consultant for \$50,000, I'm sorry, that was \$75,000, and one of the parties to this particular problem undertook a complementary study costing \$50,000. I simply don't feel that the Legislative Auditor is capable of undertaking the enormous assignment which is outlined in H.C.R. No. 137.

"I offer the additional thought that one of the aspects of H.C.R. No. 137 refers to the master lease which is to be renewed in July. I don't see there's any way that any study undertaken by the Legislative Auditor which has to be reported back to us can have any effect at all on a master lease which will be negotiated and renewed long before we come back into session. I have no particular objection to passing this as a hollow resolution which I believe can be referred and never undertaken. But I feel kind of silly doing it, and I'm going to vote against our concurrence with this resolution simply because I feel it isn't going to do any good to anybody."

At 7:52 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 7:53 o'clock

p.m.

By unanimous consent, H.C.R. No. 137, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AUDIT AND REVIEW OF THE OPERATIONS OF THE DEPARTMENT OF TRANSPORTATION'S AIRPORTS DIVISION, was referred to the Committee on Transportation.

House Concurrent Resolution No. 151, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.C.R. No. 151, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A SMALL BUSINESS ADVISORY COMMITTEE AND REQUESTING THE GOVERNOR TO APPOINT ITS MEMBERS," was adopted.

House Concurrent Resolution No. 158, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.C.R. No. 158, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING ACCELERATION AND BROADENING OF ECONOMIC TRADE RELATIONS BETWEEN CANADA AND HAWAII, REQUESTING THE GOVERNOR OF HAWAII TO PROCLAIM 'CANADA-HAWAII WEEK,' AND REQUESTING A REPORT FROM THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT (DPED) AS TO THE FEASIBILITY OF ESTABLISHING A 'CANADA-HAWAII TRADE ASSOCIATION,'" was adopted.

At this time, Senator Campbell rose on a point of personal privilege and stated:

"Mr. President, there was a plane crash in China yesterday and all of the persons aboard were killed. Two of the Americans aboard were long time residents of this state and I refer to Dr. J. Linsley and Margaret K. Gressitt. They have both made outstanding contributions to this state in the field of education as it relates to our life style. Thank you."

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 331 to 336) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 331), informing the Senate of the withdrawal of the nomination of Nicholas W. Teves, Jr., to the Board of Electricians and Plumbers, term to expire December 31, 1985, was placed on file.

In compliance with Gov. Msg. No. 331, the nomination listed under Gov. Msg. No. 109, dated February 3, 1982, was returned.

A message from the Governor (Gov. Msg. No. 332), informing the Senate of the withdrawal of the nomination of Roland Higashi to the Board of Land and Natural Resources, term to expire December 31, 1985, was placed on file.

In compliance with Gov. Msg. No. 332, the nomination listed under Gov. Msg. No. 246, dated February 3, 1982, was returned.

A message from the Governor (Gov. Msg. No. 333), informing the Senate of the withdrawal of the nominations to the Commission on Population and the Hawaiian Future, of Hitoshi Mogi, Marc E. Duncan, Evelyn Olores and Jane H. Fukunaga, terms to expire December 31, 1985, and James E. Dannemiller, term to expire December 31, 1983, was placed on file.

In compliance with Gov. Msg. No. 333, the nominations listed under Gov. Msg. No. 134, dated February 3, 1982, and Gov. Msg. No. 248, dated March 23, 1982, were returned.

A message from the Governor (Gov. Msg. No. 334), informing the Senate of the withdrawal of the nomination of Thomas T. Nakahara to the Real Estate Commission, term to expire December 31, 1985, was placed on file.

In compliance with Gov. Msg. No. 334, the nomination listed under Gov. Msg. No. 243, dated April 1, 1982, was returned.

A message from the Governor (Gov. Msg. No. 335), informing the Senate of the withdrawal of the nomination of Vernon K. White to the King Kamehameha Celebration Commission, term to expire December 31, 1985, was placed on file.

In compliance with Gov. Msg. No. 335, the nomination listed under Gov. Msg. No. 136, dated February 3, 1982, was returned.

A message from the Governor (Gov. Msg. No. 336), informing the Senate of the withdrawal of the nomination of Shigeto Murayama to the 1984 Hawaii Statehood Silver Jubilee Committee, term to expire June 30, 1986, was placed on file.

In compliance with Gov. Msg.

No. 336, the nomination listed under Gov. Msg. No. 249, dated March 30, 1982, was returned.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 660 to 736) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 660), informing the Senate that the following House bills passed Final Reading in the House of Representatives on April 23, 1982:

House Bill No.

509, H.D. 1, S.D. 1, C.D. 1;
791, H.D. 1, S.D. 1, C.D. 1;
1553, H.D. 1, S.D. 1, C.D. 1;
1653, H.D. 1, S.D. 1, C.D. 1;
1948-82, H.D. 2, S.D. 1, C.D. 1;
2057-82, H.D. 1, S.D. 1, C.D. 1;
2092-82, H.D. 2, S.D. 1, C.D. 1;
2176-82, H.D. 2, S.D. 1, C.D. 1;
2177-82, H.D. 1, S.D. 1, C.D. 1;
2183-82, H.D. 1, S.D. 1, C.D. 1;
2192-82, S.D. 1, C.D. 1;
2215-82, H.D. 1, S.D. 1, C.D. 1;
2230-82, H.D. 1, S.D. 1, C.D. 1;
2295-82, H.D. 1, S.D. 1, C.D. 1;
2318-82, S.D. 1, C.D. 1;
2331-82, H.D. 1, S.D. 1, C.D. 1;
2332-82, H.D. 1, S.D. 1, C.D. 1;
2348-82, H.D. 1, S.D. 2, C.D. 1;
2377-82, H.D. 1, S.D. 1, C.D. 1;
2407-82, H.D. 1, S.D. 1, C.D. 1;
2408-82, H.D. 1, S.D. 1, C.D. 1;
2444-82, S.D. 1, C.D. 1;
2477-82, H.D. 1, S.D. 1, C.D. 1;
2585-82, H.D. 1, S.D. 1, C.D. 1;
2606-82, H.D. 2, S.D. 1, C.D. 1;
2778-82, H.D. 2, S.D. 1, C.D. 1;
2813-82, H.D. 1, S.D. 1, C.D. 1;
2815-82, H.D. 1, S.D. 1, C.D. 1;
2817-82, H.D. 2, S.D. 1, C.D. 1;
2826-82, H.D. 1, S.D. 1, C.D. 1;
2836-82, H.D. 1, S.D. 1, C.D. 1;
2870-82, H.D. 1, S.D. 1, C.D. 1;
2888-82, H.D. 1, S.D. 1, C.D. 1;
2890-82, S.D. 1, C.D. 1;
2936-82, H.D. 1, S.D. 1, C.D. 1; and
3119-82, H.D. 1, S.D. 1, C.D. 1,

was placed on file.

A communication from the House (Hse. Com. No. 661), informing the Senate that the following Senate bills passed Final Reading in the House of Representatives on April 23, 1982:

Senate Bill No.

65, S.D. 1, H.D. 1, C.D. 1;
400, S.D. 1, H.D. 1, C.D. 1;
2145-82, S.D. 1, H.D. 1, C.D. 1;
2147-82, S.D. 2, H.D. 1, C.D. 1;

2379-82, H.D. 1, C.D. 1;
2388-82, S.D. 1, H.D. 1, C.D. 1;
2467-82, S.D. 1, H.D. 1, C.D. 1;
2531-82, S.D. 1, H.D. 1, C.D. 1;
2550-82, S.D. 1, H.D. 1, C.D. 1;
2561-82, S.D. 1, H.D. 1, C.D. 1;
2638-82, S.D. 1, H.D. 1, C.D. 1;
2642-82, H.D. 1, C.D. 1; and
2350-82, H.D. 2, C.D. 1,

was placed on file.

A communication from the House (Hse. Com. No. 662), returning Senate Bill No. 2198-82 which passed Third Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 663), informing the Senate that the following Senate bills passed Final Reading in the House of Representatives on April 28, 1982:

Senate Bill No.

544, S.D. 2, H.D. 1, C.D. 1;
1287, S.D. 1, H.D. 1, C.D. 1;
1697, S.D. 1, H.D. 2, C.D. 1;
2269-82, S.D. 2, H.D. 2, C.D. 1;
2346-82, S.D. 2, H.D. 2, C.D. 1;
2353-82, S.D. 1, H.D. 2, C.D. 1;
2399-82, S.D. 2, H.D. 2, C.D. 1;
2513-82, S.D. 1, H.D. 2, C.D. 1;
2759-82, S.D. 1, H.D. 2, C.D. 1;
2765-82, S.D. 1, H.D. 2, C.D. 1;
2904-82, S.D. 1, H.D. 2, C.D. 1;
2926-82, S.D. 1, H.D. 2, C.D. 1;
732, S.D. 1, H.D. 1, C.D. 2;
2816-82, S.D. 2, H.D. 2, C.D. 1;
2829-82, H.D. 1, C.D. 1; and
2978-82, S.D. 1, H.D. 2, C.D. 1,

was placed on file.

A communication from the House (Hse. Com. No. 664), informing the Senate that the following House bills passed Final Reading in the House of Representatives on April 28, 1982:

House Bill No.

1988-82, H.D. 1, S.D. 1, C.D. 1;
2070-82, H.D. 1, S.D. 1, C.D. 1;
2201-82, H.D. 2, S.D. 1, C.D. 1;
2313-82, H.D. 2, S.D. 1, C.D. 1;
2359-82, H.D. 1, S.D. 2, C.D. 1;
2511-82, H.D. 2, S.D. 2, C.D. 1;
2559-82, H.D. 1, S.D. 1, C.D. 1;
2679-82, S.D. 1, C.D. 1;
2767-82, H.D. 3, S.D. 2, C.D. 1;
2838-82, H.D. 1, S.D. 1, C.D. 1;
2947-82, H.D. 2, S.D. 1, C.D. 1;
3136-82, H.D. 2, S.D. 1, C.D. 1;
2113-82, H.D. 2, S.D. 2, C.D. 1;
2312-82, H.D. 1, S.D. 1, C.D. 1;
2400-82, S.D. 1, C.D. 1;

2907-82, H.D. 2, S.D. 2, C.D. 1;
3078-82, H.D. 1, S.D. 1, C.D. 2;
3092-82, H.D. 1, S.D. 1, C.D. 2; and
3143-82, H.D. 2, S.D. 1, C.D. 1,

was placed on file.

A communication from the House (Hse. Com. No. 665), returning Senate Bill No. 2201-82, S.D. 1, which passed Third Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 666), informing the Senate that the amendments proposed by the Senate to House Bill No. 161, H.D. 1, were agreed to by the House; and H.B. No. 161, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 667), informing the Senate that the amendments proposed by the Senate to House Bill No. 1488, H.D. 1, were agreed to by the House; and H.B. No. 1488, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 668), informing the Senate that the amendments proposed by the Senate to House Bill No. 1489, H.D. 1, were agreed to by the House; and H.B. No. 1489, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 669), informing the Senate that the amendments proposed by the Senate to House Bill No. 1882, H.D. 1, were agreed to by the House; and H.B. No. 1882, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 670), informing the Senate that the amendments proposed by the Senate to House Bill No. 1963-82, H.D. 1, were agreed to by the House; and H.B. No. 1963-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 671), informing the Senate that the amendments proposed by the Senate to House Bill No. 2125-82, H.D. 1, were agreed to by the House; and H.B. No. 2125-82, H.D. 1, S.D. 1, passed Final Reading in the

House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 672), informing the Senate that the amendments proposed by the Senate to House Bill No. 2148-82 were agreed to by the House; and H.B. No. 2148-82, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 673), informing the Senate that the amendments proposed by the Senate to House Bill No. 2161-82, H.D. 1, were agreed to by the House; and H.B. No. 2161-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 674), informing the Senate that the amendments proposed by the Senate to House Bill No. 2190-82, H.D. 1, were agreed to by the House; and H.B. No. 2190-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 675), informing the Senate that the amendments proposed by the Senate to House Bill No. 2193-82 were agreed to by the House; and H.B. No. 2193-82, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 676), informing the Senate that the amendments proposed by the Senate to House Bill No. 2198-82 were agreed to by the House; and H.B. No. 2198-82, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 677), informing the Senate that the amendments proposed by the Senate to House Bill No. 2199-82, H.D. 1, were agreed to by the House; and H.B. No. 2199-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 678), informing the Senate that the amendments proposed by the Senate to House Bill No. 2243-82, H.D. 1, were agreed

to by the House; and H.B. No. 2243-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 679), informing the Senate that the amendments proposed by the Senate to House Bill No. 2270-82, H.D. 1, were agreed to by the House; and H.B. No. 2270-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 680), informing the Senate that the amendments proposed by the Senate to House Bill No. 2385-82, H.D. 1, were agreed to by the House; and H.B. No. 2385-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 681), informing the Senate that the amendments proposed by the Senate to House Bill No. 2434-82, H.D. 1, were agreed to by the House; and H.B. No. 2434-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 682), informing the Senate that the amendments proposed by the Senate to House Bill No. 2446-82 were agreed to by the House; and H.B. No. 2446-82, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 683), informing the Senate that the amendments proposed by the Senate to House Bill No. 2489-82, H.D. 1, were agreed to by the House; and H.B. No. 2489-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 684), informing the Senate that the amendments proposed by the Senate to House Bill No. 2550-82 were agreed to by the House; and H.B. No. 2550-82, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 685), informing the Senate that the amendments proposed by the Senate to House Bill No. 2560-82, H.D. 1, were agreed to by the

House; and H.B. No. 2560-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 686), informing the Senate that the amendments proposed by the Senate to House Bill No. 2565-82, were agreed to by the House; and H.B. No. 2565-82, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 687), informing the Senate that the amendments proposed by the Senate to House Bill No. 2573-82, were agreed to by the House; and H.B. No. 2573-82, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 688), informing the Senate that the amendments proposed by the Senate to House Bill No. 2624-82, H.D. 1, were agreed to by the House; and H.B. No. 2624-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 689), informing the Senate that the amendments proposed by the Senate to House Bill No. 2669-82, H.D. 1, were agreed to by the House; and H.B. No. 2669-82, H.D. 1, S.D. 2, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 690), informing the Senate that the amendments proposed by the Senate to House Bill No. 2866-82, H.D. 1, were agreed to by the House; and H.B. No. 2866-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 691), informing the Senate that the amendments proposed by the Senate to House Bill No. 2889-82, H.D. 1, were agreed to by the House; and H.B. No. 2889-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House

(Hse. Com. No. 692), informing the Senate that the amendments proposed by the Senate to House Bill No. 2933-82, H.D. 1, were agreed to by the House and H.B. No. 2933-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 693), informing the Senate that the amendments proposed by the Senate to House Bill No. 2980-82, H.D. 1, were agreed to by the House; and H.B. No. 2980-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 694), informing the Senate that the amendments proposed by the Senate to House Bill No. 3072-82, H.D. 1, were agreed to by the House; and H.B. No. 3072-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 695), informing the Senate that the amendments proposed by the Senate to House Bill No. 3091-82 were agreed to by the House; and H.B. No. 3091-82, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 696), informing the Senate that the amendments proposed by the Senate to House Bill No. 3117-82, H.D. 1, were agreed to by the House; and H.B. No. 3117-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 697), informing the Senate that the amendments proposed by the Senate to House Bill No. 3140-82, H.D. 1, were agreed to by the House; and H.B. No. 3140-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 698), informing the Senate that the amendments proposed by the Senate to House Bill No. 76, H.D. 2, were agreed to by the House; and H.B. No. 76, H.D. 2, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House

(Hse. Com. No. 699), informing the Senate that the amendments proposed by the Senate to House Bill No. 329, H.D. 1, were agreed to by the House; and H.B. No. 329, H.D. 1, S.D. 2, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 700), informing the Senate that the amendments proposed by the Senate to House Bill No. 765, H.D. 2, were agreed to by the House; and H.B. No. 765, H.D. 2, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 701), informing the Senate that the amendments proposed by the Senate to House Bill No. 804 were agreed to by the House; and H.B. No. 804, S.D. 2, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 702), informing the Senate that the amendments proposed by the Senate to House Bill No. 1515, H.D. 2, were agreed to by the House; and H.B. No. 1515, H.D. 2, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 703), informing the Senate that the amendments proposed by the Senate to House Bill No. 1642, H.D. 2, were agreed to by the House; and H.B. No. 1642, H.D. 2, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 704), informing the Senate that the amendments proposed by the Senate to House Bill No. 1949-82, H.D. 2, were agreed to by the House; and H.B. No. 1949-83, H.D. 2, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 705), informing the Senate that the amendments proposed by the Senate to House Bill No. 1970-82, H.D. 1, were agreed to by the House; and H.B. No. 1970-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 706), informing the Senate that the amendments proposed by the Senate to House Bill No. 1974-82, H.D. 2, were agreed to by the House; and H.B. No. 1974-82, H.D. 2, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 707), informing the Senate that the amendments proposed by the Senate to House Bill No. 2086-82, H.D. 1, were agreed to by the House; and H.B. No. 2086-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 708), informing the Senate that the amendments proposed by the Senate to House Bill No. 2095-82, H.D. 1, were agreed to by the House; and H.B. No. 2095-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 709), informing the Senate that the amendments proposed by the Senate to House Bill No. 2155-82, H.D. 2, were agreed to by the House; and H.B. No. 2155-82, H.D. 2, S.D. 2, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 710), informing the Senate that the amendments proposed by the Senate to House Bill No. 2165-82 were agreed to by the House; and H.B. No. 2165-82, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 711), informing the Senate that the amendments proposed by the Senate to House Bill No. 2205-82, were agreed to by the House; and H.B. No. 2205-82, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 712), informing the Senate that the amendments proposed by the Senate to House Bill No. 2206-82 were agreed to by the House; and H.B. No. 2206-82, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 713), informing the Senate that the amendments proposed by the Senate to House Bill No. 2210-82, H.D. 1, were agreed to by the House; and H.B. No. 2210-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 714), informing the Senate that the amendments proposed by the Senate to House Bill No. 2240-82, H.D. 1, were agreed to by the House; and H.B. No. 2240-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 715), informing the Senate that the amendments proposed by the Senate to House Bill No. 2241-82, H.D. 1, were agreed to by the House; and H.B. No. 2241-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 716), informing the Senate that the amendments proposed by the Senate to House Bill No. 2244-82, H.D. 2, were agreed to by the House; and H.B. No. 2244-82, H.D. 2, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 717), informing the Senate that the amendments proposed by the Senate to House Bill No. 2336-82, H.D. 2, were agreed to by the House; and H.B. No. 2336-82, H.D. 2, S.D. 2, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 718), informing the Senate that the amendments proposed by the Senate to House Bill No. 2355-82, H.D. 1, were agreed to by the House; and H.B. No. 2355-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 719), informing the Senate that the amendments

proposed by the Senate to House Bill No. 2430-82 were agreed to by the House; and H.B. No. 2430-82, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 720), informing the Senate that the amendments proposed by the Senate to House Bill No. 2438-82, H.D. 1, were agreed to by the House; and H.B. No. 2438-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 721), informing the Senate that the amendments proposed by the Senate to House Bill No. 2561-82, H.D. 1, were agreed to by the House; and H.B. No. 2561-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 722), informing the Senate that the amendments proposed by the Senate to House Bill No. 2640-82, H.D. 1, were agreed to by the House; and H.B. No. 2640-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 723), informing the Senate that the amendments proposed by the Senate to House Bill No. 2674-82, H.D. 1, were agreed to by the House; and H.B. No. 2674-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 724), informing the Senate that the amendments proposed by the Senate to House Bill No. 2742-82, H.D. 1, S.D. 1, were agreed to by the House; and H.B. No. 2742-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 725), informing the Senate that the amendments proposed by the Senate to House Bill No. 2765-82, H.D. 1, were agreed to by the House; and H.B. No. 2765-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 726), informing the Senate that the amendments proposed

by the Senate to House Bill No. 2879-82, H.D. 2, were agreed to by the House; and H.B. No. 2879-82, H.D. 2, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 727), informing the Senate that the amendments proposed by the Senate to House Bill No. 2969-82 were agreed to by the House; and H.B. No. 2969-82, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 728), informing the Senate that the amendments proposed by the Senate to House Bill No. 3178-82, H.D. 1, were agreed to by the House; and H.B. No. 3178-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 729), returning Senate Bill No. 2909-82, S.D. 1, which passed Third Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 730), returning Senate Bill No. 2607-82, S.D. 2, which passed Third Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 731), returning Senate Concurrent Resolution No. 39, which was adopted by the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 732), returning Senate Concurrent Resolution No. 60, S.D. 1, which was adopted by the House of Representatives on April 27, 1982, was placed on file.

A communication from the House (Hse. Com. No. 733), returning Senate Concurrent Resolution No. 71, S.D. 1, which was adopted by the House of Representatives on April 27, 1982, was placed on file.

A communication from the House (Hse. Com. No. 734), returning Senate Concurrent Resolution No. 74, S.D. 1, which was adopted by the House of Representatives on April 27, 1982, was placed on file.

A communication from the House (Hse. Com. No. 735), returning Senate Concurrent Resolution No. 90 which was adopted by the House of Representatives on April 27, 1982, was placed on file.

A communication from the House (Hse. Com. No. 736), dated April 28, 1982, requesting the return of Senate Bill No. 2198-82 for further consideration by the House of Representatives, was placed on file.

At 7:57 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:06 o'clock p.m.

The Chair then addressed the members of the Senate as follows:

"Members of the Senate, today marks the close of the 1982 legislative session. The last 15 weeks have been sometimes arduous and sometimes trying but I believe the time has been spent productively.

"We have passed a solid, meaningful package of legislation this year:

We passed a fiscally and socially responsible supplemental budget bill through which we have met the essential needs of the state and have done so within the state's constitutional spending ceiling. It was not an easy bill to develop; many worthwhile programs were not funded or given only limited funding because we felt it was essential for the state to be fiscally prudent in the face of the uncertain economic outlook.

We have provided assistance to Hawaii's troubled sugar industry-- assistance in the form of tax relief, funds for research, loan funds for sugar growers. We recognize that sugar's problems are tied in to national and even international issues far beyond the limit of the state's capabilities to resolve but we hope that our efforts combined with the efforts of our congressional delegation can help prolong the viability of sugar in Hawaii.

We have passed a tough new law against drunk driving, a law which I hope will help significantly in reducing the human tragedies and loss of life caused by the drunken drivers.

We have addressed a major problem confronting the Department of Education, namely, the cutback in federal impact aid funds. Legislation has been passed to enable the state to go

after the Federal Government to face up to one of its basic responsibilities, paying its fair share for the education of federally-connected students. The significance of this bill may be tremendous in terms of revenue impact to the state.

Conventional political wisdom has it that we would not pass a pay bill for top government officials in an election year because we would be too sensitive and nervous. Well, we have bitten the bullet and have passed a bill to bring top state salaries closer in line with county and private sector pay levels. The bill also provides for a blue-ribbon commission to make a comprehensive review of state and county salaries so that, hopefully, we can eventually come up with a rational total salary policy.

We have passed a comprehensive set of bills designed to assist and develop Hawaii's agricultural sector. Strong legislative focus has been placed in agriculture-- especially diversified agriculture-- and I am very hopeful of a real boost coming about in agriculture's future.

We have strengthened our laws against crime; stiffened penalties, tightened the law on child pornography, made it more difficult for abuse of the insanity defense, allowed judges to hand out consecutive sentences, established a new witness protection program. Addressing the problems of crime is a difficult proposition; there are no easy answers-- as some demagogues may suggest. Our efforts in developing crime legislation has taken place deliberately and thoughtfully, rather than shrilly or sensationalistically.

"Today also marks the close of a unique chapter in the history of the Hawaii State Senate. For the past two years, the Senate has been organized under a bipartisan coalition. There have been some strains and difficulties but I believe the coalition has worked out well. I'm proud of the fact that we've managed to survive two years despite all the periodic reports on how 'tenuous' or 'fragile' the coalition was and how it was about ready to collapse at any moment.

"The fact that the coalition survived is testimony to the sincere efforts made by all coalition members to keep the coalition going, to be flexible, to be willing to give-and-take.

"There have been accusations

that the coalition has tended to submerge consideration of difficult issues because nobody wanted to 'make waves.'

"I don't agree with that assessment.

"Just look at some of the bills the Senate has passed over the last two years: indirect initiative, capital punishment, state lottery, total ban on time-sharing, total ban on fireworks. Whether or not you agree with any of these bills, you must admit that they are hardly routine or noncontroversial. The Senate passed them; unfortunately, the House was the timid body. It was not even prepared to seriously consider these bills. So, the coalition has not been a protectionist, self-serving entity; it has been willing to move creatively and boldly.

"At this time, I would like to say to my Republican colleagues: it's been nice working with you. My respect and affection for you has been strengthened over the past two years.

"However, as a Democrat, I must say right now that if I'm still here by the grace of the three-judge federal court, it is my intent to organize the Senate for the Twelfth State Legislature with my fellow Democrats. I hope to be able to get together at least thirteen votes among the Democrats to accomplish this. So to my Democratic colleagues, let me say that I'll be calling on you.

"To all of my fellow Senators--those who are seeking re-election, those who may be seeking other political office, those who may decide to retire, let me extend to you my best wishes. It has been my privilege to have been able to serve together with you. May the Lord be with you all."

Senator Yee then responded to the Chair remarks and stated:

"Mr. President, as is customary, as Minority Leader I would like to respond to your remarks.

"We Republicans thank you and the Democrats for the service we were able to offer the past two years. I think in our history as Republicans in the House or in the Senate it was the first time that we have had the opportunity to serve as chairmen and I think the Republican chairmen have done excellent jobs.

"To the coalition Democrats, we wish you well. I ask that the voting public judge us not by our party label but judge us by our accomplishments. If you feel that we have done a lousy

job then vote against us. If you feel that we have done well for the people of this state then I ask that you support the Democrats who have joined us in the coalition because I know that they are under a greater strain in running for re-election than we as Republicans.

"Mr. President, I also want to thank Senator Anderson and Senator Saiki for the years that they have dedicated to the state as members of the House and the Senate. I served with Senator Anderson for the past sixteen years in this body. So, while they go on to higher endeavors, I've also informed my Republican colleagues that after serving twelve years as Republican leader in the Senate it's time for me to take a little break. If I'm fortunate to get re-elected again I'm choosing a seat in the back row some place and will let new leadership emerge during the next session.

"All in all, it was a good session. I want also to thank the 'seven samurai' Democrat friends who were out in the cold getting frostbitten and everything else. Don't feel so bad, I had twenty years of that, and it might make you a little bit more humble.

"Mr. President, thank you very much."

Senator Carpenter then rose on a point of personal privilege and stated:

"Mr. President, a couple of years ago, I took the helm of the Judiciary Committee and I think I said some words relating to accepting the challenge and looking forward to it with relish and I quoted a naval hero whose words went, and these are my favorite words: 'Damn the torpedoes, full speed ahead.' I want to extend at this time a hearty mahalo to all the members of the Judiciary Committee and to this entire body who helped to pass out of this Senate what I consider to be substantial pieces of legislation, and I ask your help as we go into the interim, that we proceed full speed ahead and continue to do our jobs.

"Thank you very much."

SENATE RESOLUTION

A resolution (S.R. No. 151), informing the House and the Governor that the Senate is ready to adjourn sine die, was offered by Senators Kuroda and Yee, and was read by the Clerk.

On motion by Senator Cobb, seconded by Senator Soares and carried, S.R. No. 151 was adopted.

In accordance therewith, the President appointed Senators Kuroda, Cobb and Yee as a Committee to inform the Governor and the House of Representatives that the Senate stands ready to adjourn sine die.

At 8:17 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:33 o'clock p.m.

Senator Kuroda, for the Special Committee, reported orally that it has informed the Governor and the House of Representatives that the Senate is ready to adjourn sine die.

The President then discharged the Committee with thanks.

PETITION

A petition to the President of the Senate, dated April 28, 1982, requesting that a special session of the Senate of the Eleventh Legislature of the State of Hawaii be convened on Wednesday, May 5, 1982, at 10:00 o'clock a.m., for a period of two days exclusive of Saturdays and Sundays, was offered by Senators Kuroda, Uwayne, Saiki, Carpenter, Anderson, Yee, Cayetano, Kobayashi, Soares, Cobb, Young, Ajifu, George, Yamasaki, Wong, Abercrombie, Henderson and Kawasaki, was read by the Clerk and was placed

on file.

The following proclamation was then read by the Clerk:

"PROCLAMATION

"I, RICHARD S.H. WONG, President of the Senate of the Eleventh Legislature of the State of Hawaii, pursuant to the power vested in me by Section 10, Article III of the Constitution of the State of Hawaii, and at the written request of two-thirds of the members to which the Senate is entitled, do hereby convene the Special Session of 1982, of the Eleventh Legislature of the State of Hawaii for a period of two (2) days, commencing on Wednesday, May 5, 1982.

/s/ Richard S.H. Wong

RICHARD S.H. WONG
President of the Senate"

and was placed on file.

ADJOURNMENT

Senator Cobb moved that the Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, adjourn Sine Die, seconded by Senator Yee and carried.

At 8:35 o'clock p.m., the President rapped his gavel and declared the Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, adjourned Sine Die.

GOVERNOR'S MESSAGES RECEIVED AFTER THE ADJOURNMENT
OF THE LEGISLATURE SINE DIE

Gov. Msg. No. 337 informing the Senate that on April 28, 1982, he signed the following bills into law:

Senate Bill No. 2345-82 as Act 49, entitled: "RELATING TO FAMILY COURTS";

Senate Bill No. 2475-82 as Act 50, entitled: "RELATING TO NAMES";

Senate Bill No. 2523-82 as Act 51, entitled: "RELATING TO WORKERS' COMPENSATION";

Senate Bill No. 2528-82 as Act 52, entitled: "RELATING TO WORKERS' COMPENSATION"; and

House Bill No. 3109-82 as Act 53, entitled: "RELATING TO THE ENVIRONMENT."

Gov. Msg. No. 338 informing the Senate that he signed the following bills into law on the dates indicated:

May 5, 1982:

House Bill No. 2511-82 as Act 60, entitled: "RELATING TO COMPLIANCE RESOLUTION"; and

House Bill No. 2679-82 as Act 61, entitled: "MAKING APPROPRIATIONS FOR COUNSEL AND OTHER SERVICES FOR INDIGENT DEFENDANTS IN CRIMINAL AND RELATED CASES."

May 10, 1982:

Senate Bill No. 2814-82 as Act 62, entitled: "RELATING TO PUBLIC LANDS."

May 12, 1982:

House Bill No. 1948-82 as Act 63, entitled: "RELATING TO AGRICULTURE."

May 13, 1982:

House Bill No. 2198-82 as Act 64, entitled: "RELATING TO THE BOARD OF DENTAL EXAMINERS";

House Bill No. 2407-82 as Act 65, entitled: "RELATING TO LIQUOR LICENSE";

Senate Bill No. 594 as Act 66, entitled: "RELATING TO CEMETERIES AND MORTUARIES";

Senate Bill No. 2180-82 as Act 67, entitled: "RELATING TO MEDICAL ASSISTANCE";

Senate Bill No. 2189-82 as Act 68, entitled: "RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL";

Senate Bill No. 2228-82 as Act 69, entitled: "RELATING TO PUBLIC UTILITIES"; and

Senate Bill No. 2245-82 as Act 70, entitled: "RELATING TO RECIPROCAL ENFORCEMENT OF SUPPORT."

Gov. Msg. No. 339 informing the Senate that on May 4, 1982, he signed the following bills into law:

Senate Bill No. 2213-82 as Act 58, entitled: "RELATING TO EMPLOYMENT SECURITY"; and

Senate Bill No. 2530-82 as Act 59, entitled: "RELATING TO WORKERS' COMPENSATION."

Gov. Msg. No. 340 informing the Senate that on May 1, 1982, he signed the following bills into law:

House Bill No. 3119-82 as Act 54, entitled: "RELATING TO RESIDENTIAL GROUP LIVING";

Senate Bill No. 505 as Act 55, entitled: "RELATING TO PUBLIC LANDS";

Senate Bill No. 2137-82 as Act 56, entitled: "RELATING TO MOTOR VEHICLE INSURANCE"; and

Senate Bill No. 2190-82 as Act 57, entitled: "RELATING TO THE CRIMINAL JUSTICE INFORMATION DATA CENTER."

Gov. Msg. No. 341 informing the Senate that on May 14, 1982, he signed the following bills into law:

House Bill No. 2158-82 as Act 71, entitled: "RELATING TO GENERAL OBLIGATION BONDS OF THE STATE OF HAWAII";

House Bill No. 2400-82 as Act 72, entitled: "RELATING TO THE INHERITANCE TAX";

Senate Bill No. 2288-82 as Act 73, entitled: "RELATING TO THE DEPARTMENT OF AGRICULTURE";

Senate Bill No. 2366-82 as Act 74, entitled: "RELATING TO CAMPAIGN SPENDING REPORT";

Senate Bill No. 2382-82 as Act 75, entitled: "RELATING TO DENTISTRY";

Senate Bill No. 2389-82 as Act 76,
entitled: "RELATING TO INTOXICATING
LIQUOR";

Senate Bill No. 2401-82 as Act 77,
entitled: "RELATING TO CHILD ABUSE
AND NEGLECT";

Senate Bill No. 2477-82 as Act 78,
entitled: "RELATING TO MOTOR
VEHICLE REPAIRS";

Senate Bill No. 2496-82 as Act 79,
entitled: "RELATING TO HORIZONTAL
PROPERTY REGIMES";

Senate Bill No. 2517-82 as Act 80,
entitled: "RELATING TO HEALTH";

Senate Bill No. 2566-82 as Act 81,
entitled: "RELATING TO APPEALS
BY THE STATE IN CRIMINAL CASES";

Senate Bill No. 2646-82 as Act 82,
entitled: "RELATING TO PATIENTS'
COMPENSATION FUND";

Senate Bill No. 2756-82 as Act 83,
entitled: "RELATING TO THE 1984
HAWAII STATEHOOD SILVER JUBILEE";

Senate Bill No. 2869-82 as Act 84,
entitled: "RELATING TO THE SUPPORT
OF CHILDREN"; and

Senate Bill No. 2947-82 as Act 85,
entitled: "RELATING TO THE FILIPINO
75TH ANNIVERSARY COMMISSION."

Gov. Msg. No. 342 transmitting to
the Senate on May 5, 1982, copies
of the Report of the Governor's Hawaii
White House Conference on Children
and Youth which was held on September
21, 1981.

Gov. Msg. No. 343 informing the
Senate that on May 15, 1982, he signed
the following bills into law:

Senate Bill No. 561 as Act 86, entitled:
"RELATING TO THE REMOVAL OF
SAND";

Senate Bill No. 2144-82 as Act 87,
entitled: "RELATING TO DRUGS";

Senate Bill No. 2160-82 as Act 88,
entitled: "RELATING TO DELINQUENT
MONEYS";

Senate Bill No. 2224-82 as Act 89,
entitled: "RELATING TO THE DEPART-
MENT OF PLANNING AND ECONOMIC
DEVELOPMENT";

Senate Bill No. 2261-82 as Act 90,
entitled: "RELATING TO TRANSPORTA-
TION";

Senate Bill No. 2334-82 as Act 91,

entitled: "PROVIDING PENALTIES
FOR VIOLATIONS OF CHAPTER 290
RELATING TO ABANDONED VEHICLES";

House Bill No. 2438-82 as Act 92,
entitled: "RELATING TO THE ENCOURAGE-
MENT OF FEDERALLY CERTIFIED
DEVELOPMENT COMPANIES";

Senate Bill No. 2524-82 as Act 93,
entitled: "RELATING TO WORKERS'
COMPENSATION";

Senate Bill No. 2615-82 as Act 94,
entitled: "RELATING TO THEFT
OF UTILITY SERVICES";

Senate Bill No. 2636-82 as Act 95,
entitled: "RELATING TO INFORMED
CONSENT";

Senate Bill No. 2643-82 as Act 96,
entitled: "RELATING TO THE PUBLIC
EMPLOYEES HEALTH FUND";

Senate Bill No. 2696-82 as Act 97,
entitled: "RELATING TO CONSUMER
COOPERATIVE ASSOCIATIONS"; and

Senate Bill No. 2913-82 as Act 98,
entitled: "RELATING TO WORKERS'
COMPENSATION."

Gov. Msg. No. 344 transmitting to
the Senate on May 13, 1982, copies
of a research study entitled: "Hawaii's
Income and Expenditure Accounts:
1958 - 1980," dated March 1982, funded
by the state according to Part III of Act
214, Session Laws of Hawaii 1979,
and carried out by the Department of
Planning and Economic Development
in cooperation with the Research Corporation
of the University of Hawaii.

Gov. Msg. No. 345 transmitting to
the Senate on May 17, 1982, copies
of the report "The Feasibility and Poten-
tial Impact of Manganese Nodule Processing
in the Puna and Kohala Districts of
Hawaii," dated November 1981, prepared
by the Department of Planning and
Economic Development and the National
Oceanic and Atmospheric Administration.

Gov. Msg. No. 346 informing the
Senate that on May 19, 1982, he signed
the following bills into law:

Senate Bill No. 536 as Act 99, entitled:
"RELATING TO PUBLIC ASSISTANCE";

Senate Bill No. 2600-82 as Act 100,
entitled: "RELATING TO COLLECTIVE
BARGAINING IN PUBLIC EMPLOYMENT";

Senate Bill No. 2624-82 as Act 101,
entitled: "RELATING TO THE GRAND
JURY COUNSEL"; and

Senate Bill No. 2890-82 as Act 102,

entitled: "RELATING TO COLLECTIVE BARGAINING."

Gov. Msg. No. 347 informing the Senate that on May 24, 1982, he signed the following bills into law:

Senate Bill No. 1308 as Act 103, entitled: "RELATING TO ENVIRONMENTAL PROTECTION";

Senate Bill No. 2183-82 as Act 104, entitled: "RELATING TO LONG-TERM CARE FACILITIES";

Senate Bill No. 2304-82 as Act 105, entitled: "RELATING TO LOBBYING";

Senate Bill No. 2970-82 as Act 106, entitled: "RELATING TO THE UNIVERSITY OF HAWAII";

House Bill No. 790 as Act 107, entitled: "RELATING TO HOUSING";

House Bill No. 2010-82 as Act 108, entitled: "RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR";

House Bill No. 2176-82 as Act 109, entitled: "RELATING TO PUBLIC LANDS";

House Bill No. 2295-82 as Act 110, entitled: "RELATING TO THE HAWAII REGULATORY LICENSING REFORM ACT";

House Bill No. 2318-82 as Act 111, entitled: "RELATING TO INTAKE SERVICE CENTERS";

House Bill No. 2444-82 as Act 112, entitled: "RELATING TO DEATH";

House Bill No. 2826-82 as Act 113, entitled: "RELATING TO WAIMANO TRAINING SCHOOL AND HOSPITAL"; and

House Bill No. 2890-82 as Act 114, entitled: "RELATING TO THE INDUSTRIAL LOAN COMPANY GUARANTY ACT."

Gov. Msg. No. 348 transmitting to the Senate on May 6, 1982, copies of the "Final Report, Alternative II, Work Product 10," dated April 27, 1982, of the Hawaii Community Development Authority, Consortium 2, planning process for the Kakaako Community Development District plan project.

Gov. Msg. No. 349 informing the Senate that on May 26, 1982, he signed the following bills into law:

Senate Bill No. 1447 as Act 115, entitled: "RELATING TO EMPLOYEES' RETIREMENT SYSTEM";

Senate Bill No. 2674-82 as Act 116, entitled: "RELATING TO TRAINING, EDUCATION, TRAINING AND WORK PROGRAMS FOR COMMITTED PERSONS";

House Bill No. 76 as Act 117, entitled: "RELATING TO FISHERIES DEVELOPMENT";

House Bill No. 473 as Act 118, entitled: "RELATING TO HOUSING";

House Bill No. 765 as Act 119, entitled: "RELATING TO PUBLIC OFFICERS AND EMPLOYEES";

House Bill No. 804 as Act 120, entitled: "RELATING TO INHERITANCE, ESTATE TAXES";

House Bill No. 1970-82 as Act 121, entitled: "RELATING TO PUBLIC LANDS";

House Bill No. 2057-82 as Act 122, entitled: "RELATING TO DRUGS";

House Bill No. 2215-82 as Act 123, entitled: "RELATING TO DOMESTIC ABUSE";

House Bill No. 2606-82 as Act 124, entitled: "RELATING TO COMMITTED PERSONS, FURLOUGH, EMPLOYMENT";

House Bill No. 2674-82 as Act 125, entitled: "RELATING TO CAMPAIGN SPENDING"; and

House Bill No. 2813-82 as Act 126, entitled: "RELATING TO COASTAL ZONE MANAGEMENT."

Gov. Msg. No. 350 informing the Senate that on May 27, 1982, he signed the following bills into law:

Senate Bill No. 65 as Act 127, entitled: "RELATING TO LAND TRUSTS";

Senate Bill No. 1697 as Act 128, entitled: "RELATING TO JOB-SHARING IN THE DEPARTMENT OF EDUCATION";

Senate Bill No. 2759-82 as Act 129, entitled: "RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES AND MAKING AN APPROPRIATION THEREFOR";

Senate Bill No. 2816-82 as Act 130, entitled: "RELATING TO GRANTS, SUBSIDIES, AND PURCHASES OF SERVICE";

House Bill No. 2331-82 as Act 131,

entitled: "RELATING TO PUBLIC LANDS";

House Bill No. 2430-82 as Act 132, entitled: "RELATING TO TAXATION";

House Bill No. 2446-82 as Act 133, entitled: "RELATING TO BEAUTY CULTURE";

House Bill No. 2742-82 as Act 134, entitled: "RELATING TO TAX CREDIT FOR CHILD PASSENGER RESTRAINT SYSTEMS";

House Bill No. 2815-82 as Act 135, entitled: "RELATING TO THE REGISTRATION OF VEHICLES";

House Bill No. 2933-82 as Act 136, entitled: "RELATING TO INTEREST ON CREDIT CARDS"; and

House Bill No. 2971-82 as Act 137, entitled: "RELATING TO STATE POLICY CONCERNING THE UTILIZATION OF VOLUNTEER SERVICES."

Gov. Msg. No. 351 transmitting to the Senate on May 6, 1982 copies of the report "Statewide Agricultural Park Action Plan: Phase I, Program Assessment," dated May 5, 1982, prepared by the Governor's Agriculture Coordinating Committee, in response to the authorization of the Tenth Legislature, 1980 Regular Session, Section 8(5) of Act 300.

Gov. Msg. No. 352 informing the Senate that on May 28, 1982, he signed the following bills into law:

Senate Bill No. 2350-82 as Act 138, entitled: "RELATING TO PUBLIC SCHOOLS";

Senate Bill No. 2353-82 as Act 139, entitled: "RELATING TO THE JOB SHARING PILOT PROJECT IN THE PUBLIC LIBRARY SYSTEM";

Senate Bill No. 2467-82 as Act 140, entitled: "RELATING TO FIREARMS AND AMMUNITION";

Senate Bill No. 2765-82 as Act 141, entitled: RELATING TO PUBLIC CONTRACTS";

Senate Bill No. 2909-82 as Act 142, entitled: "RELATING TO THE DEVELOPMENT OF AN INTER-ISLAND ELECTRICAL POWER CABLE";

House Bill No. 161 as Act 143, entitled: "RELATING TO WEIGHT OF BREAD";

House Bill No. 1100 as Act 144, entitled: "RELATING TO FEE FOR CIVIL IDENTIFICATION CERTIFICATE";

House Bill No. 1558 as Act 145, entitled: "RELATING TO PRECINCT OFFICIAL COMPENSATION";

House Bill No. 1642 as Act 146, entitled: "RELATING TO AERONAUTICS";

House Bill No. 2071-82 as Act 147, entitled: "RELATING TO STATUTORY REVISION; AMENDING OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES FOR THE PURPOSE OF CORRECTING ERRORS, CLARIFYING LANGUAGE, CORRECTING REFERENCES, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS";

House Bill No. 2148-82 as Act 148, entitled: "AMENDING CHAPTER 142, HAWAII REVISED STATUTES, RELATING TO ANIMALS, BRANDS, AND FINES";

House Bill No. 2149-82 as Act 149, entitled: "RELATING TO BRANDS AND AMENDING SECTION 142-41, HAWAII REVISED STATUTES"; and

House Bill No. 2870-82 as Act 150, entitled: "RELATING TO SENSITIVITY-AWARENESS GROUPS."

Gov. Msg. No. 353 informing the Senate that he signed the following bills into law on the dates indicated:

May 28, 1982:

Senate Bill No. 2198-82 as Act 151, entitled: "MAKING APPROPRIATIONS FOR COMPENSATION CLAIMS ADJUSTMENTS"; and

Senate Bill No. 2607-82 as Act 152, entitled: "RELATING TO PUBLIC OFFICERS AND EMPLOYEES."

May 29, 1982:

Senate Bill No. 2919-82 as Act 153, entitled: "RELATING TO SECURITY FOR SPECIAL PURPOSE REVENUE BONDS";

House Bill No. 2550-82 as Act 154, entitled: "RELATING TO SAVINGS AND LOAN ASSOCIATIONS"; and

House Bill No. 2561-82 as Act 155, entitled: "RELATING TO MANAGEMENT OF STATE FUNDS";

House Bill No. 2684-82 as Act 156, entitled: "RELATING TO THE HAWAII HOUSING AUTHORITY"; and

House Bill No. 2907-82 as Act 157, entitled: "RELATING TO PUBLIC ASSISTANCE."

Gov. Msg. No. 354 informing the

Senate that on June 1, 1982, he signed the following bills into law:

Senate Bill No. 2561-82 as Act 158, entitled: "RELATING TO HORIZONTAL PROPERTY REGIMES";

House Bill No. 329 as Act 159, entitled: "RELATING TO PUBLIC OFFICERS AND EMPLOYEES EXCLUDED OR EXEMPT FROM COLLECTIVE BARGAINING";

House Bill No. 1653 as Act 160, entitled: "RELATING TO THE REQUIREMENTS FOR AMENDMENT OF THE DECLARATION AND BYLAWS OF CONDOMINIUM ASSOCIATIONS UNDER THE HORIZONTAL PROPERTY ACT";

House Bill No. 2155-82 as Act 161, entitled: "RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR";

House Bill No. 2192-82 as Act 162, entitled: "RELATING TO CORPORATIONS";

House Bill No. 2220-82 as Act 163, entitled: "RELATING TO REGULATION OF EMPLOYMENT AGENCIES"; and

House Bill No. 2540-82 as Act 164, entitled: "RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS."

Gov. Msg. No. 355 informing the Senate that on June 5, 1982, he signed the following bills into law:

Senate Bill No. 1287 as Act 165, entitled: "RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM";

Senate Bill No. 2145-82 as Act 166, entitled: "RELATING TO RIDESHARING";

Senate Bill No. 2513-82 as Act 167, entitled: "RELATING TO PUBLIC UTILITIES: FRANCHISE TAX";

Senate Bill No. 2550-82 as Act 168, entitled: "RELATING TO FIREARMS";

Senate Bill No. 2642-82 as Act 169, entitled: "RELATING TO THE JUVENILE JUSTICE INTERAGENCY BOARD";

Senate Bill No. 2904-82 as Act 170, entitled: "RELATING TO A WATER COMMISSION AND FORMULATION OF A STATE WATER CODE";

House Bill No. 1944-82 as Act 171, entitled: "RELATING TO THE HAWAII CODE OF MILITARY JUSTICE";

House Bill No. 2096-82 as Act 172, entitled: "RELATING TO NONRESIDENT

VEHICLE PERMITS";

House Bill No. 2190-82 as Act 173, entitled: "RELATING TO THE HAWAII MOTOR VEHICLE ACCIDENT REPARATIONS ACT";

House Bill No. 2193-82 as Act 174, entitled: "RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS";

House Bill No. 2196-82 as Act 175, entitled: "RELATING TO THE CONTRACTORS LICENSE LAW";

House Bill No. 2210-82 as Act 176, entitled: "RELATING TO THE STATE HIGHER EDUCATION LOAN FUND";

House Bill No. 2244-82 as Act 177, entitled: "RELATING TO VETERAN'S RIGHTS AND BENEFITS";

House Bill No. 2270-82 as Act 178, entitled: "RELATING TO THE HAWAII MOTOR VEHICLE ACCIDENT REPARATIONS ACT";

House Bill No. 2571-82 as Act 179, entitled: "RELATING TO EMPLOYMENT OF ATTORNEYS";

House Bill No. 2849-82 as Act 180, entitled: "RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND";

House Bill No. 2980-82 as Act 181, entitled: "RELATING TO PROFESSIONAL CORPORATIONS";

House Bill No. 3016-82 as Act 182, entitled: "RELATING TO BIRTH CERTIFICATES"; and

House Bill No. 3072-82 as Act 183, entitled: "RELATING TO INTOXICATING LIQUOR."

Gov. Msg. No. 356 informing the Senate that on June 9, 1982, he signed the following bills into law:

Senate Bill No. 2926-82 as Act 184, entitled: "RELATING TO RELEASE OF MATCHING STATE FUNDS";

House Bill No. 1882 as Act 185, entitled: "RELATING TO PROTECTION OF INSTREAM USES OF WATER";

House Bill No. 3078-82 as Act 186, entitled: "RELATING TO TIME SHARING";

House Bill No. 2125-82 as Act 187, entitled: "RELATING TO PLAIN LANGUAGE IN CONSUMER TRANSACTIONS";

House Bill No. 2161-82 as Act 188, entitled: "RELATING TO PRIVATE TRADE, VOCATIONAL AND TECHNICAL

SCHOOLS";

House Bill No. 2206-82 as Act 189,
entitled: "RELATING TO GENERAL
EXCISE TAX";

House Bill No. 2385-82 as Act 190,
entitled: "RELATING TO CIVIL
LIABILITY IN MOTOR VEHICLE ACCIDENT
REPARATIONS"; and

House Bill No. 2888-82 as Act 191,
entitled: "RELATING TO TIME SHARING."

Gov. Msg. No. 357 transmitting his
statement of objections to House Bill
No. 2811-82 which he has returned to
the House without his approval and
which reads as follows:

"EXECUTIVE CHAMBERS
Honolulu

June 10, 1982

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2811-82

Honorable Members
Eleventh Legislature
State of Hawaii

Pursuant to Section 16 of Article III
of the Constitution of the State of Hawaii,
I am returning herewith, without
my approval, House Bill No. 2811-82,
entitled 'A BILL FOR AN ACT RELATING
TO THE COMPOSITION OF THE BOARD
OF TRUSTEES FOR THE EMPLOYEES'
RETIREMENT SYSTEM OF THE STATE
OF HAWAII.'

The purpose of House Bill No. 2811-
82 is to permit police officers and
firefighters to serve on the Board of
Trustees of the Employees' Retirement
System by including them within the
meaning of the term 'general employees'
for purposes of HRS §88-24. However,
House Bill No. 2811-82 is substantially
identical to item 2 of section 2 of S.B.
No. 1287, which was also passed by
the 1982 Legislature, and approval
of both bills would constitute approval
of duplicate measures. Since it is
my intention to approve and sign Senate
Bill No. 1287, I am returning House
Bill No. 2811-82 without my approval.

Respectfully,

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article
III of the Constitution of the State of
Hawaii, the governor is required to
give notice, by a proclamation, of

his disapproval of any bill presented
to him less than ten days before adjournment
sine die or presented to him after adjournment
sine die of the legislature; and

WHEREAS, House Bill No. 2811-82,
entitled 'A Bill for an Act Relating to
the Composition of the Board of Trustees
for the Employees' Retirement System
of the State of Hawaii,' passed by
the legislature, was presented to the
governor within the foregoing period;
and

WHEREAS, House Bill No. 2811-82
is substantially identical to item 2
of section 2 of Senate Bill No. 1287;
and

WHEREAS, my signing of Senate Bill
No. 1287 into law will render House
Bill No. 2811-82 unnecessary;

NOW, THEREFORE, I, GEORGE R.
ARIYOSHI, Governor of the State of
Hawaii, do hereby issue this proclamation
pursuant to the provisions of Section
16 of Article III of the Constitution of
the State of Hawaii, giving notice
of my intention to return House Bill
No. 2811-82 with my objections thereon
to the legislature of Hawaii as provided
for by said Section 16 of Article III of
the Constitution of the State of Hawaii.

DONE at State Capitol, Honolulu,
State of Hawaii, this 10th
day of June, 1982.

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 358 transmitting his
statement of objections to House Bill
No. 2205-82 which was returned to the
House without his approval and which
reads as follows:

"EXECUTIVE CHAMBERS
Honolulu

June 10, 1982

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2205-82

Honorable Members
Eleventh Legislature
State of Hawaii

Pursuant to Section 16, Article III
of the Constitution of the State of Hawaii,
I am returning herewith, without my
approval, House Bill No. 2205-82,
entitled 'A Bill for An Act Relating
to Inheritance Taxation.'

The purpose of the bill is to require
all persons who are required to file
an inheritance tax return to fully complete

the return, including the computation of the taxes due, and to pay the taxes due thereon at the time of filing.

An identical measure, being Senate Bill No. 2257-82, was also passed by the legislature and was approved by me on April 26, 1982, as Act 43. Accordingly, the approval of House Bill No. 2205-82 is no longer necessary, since this bill would only duplicate the provisions of Act 43.

For the foregoing reason, I am returning House Bill No. 2205-82 without my approval.

Respectfully,

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16, Article III of the Constitution of the State of Hawaii, the governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, House Bill No. 2205-82, entitled 'A Bill for an Act Relating to Inheritance Taxation,' passed by the legislature, was presented to the governor within the aforementioned period; and

WHEREAS, House Bill No. 2205-82 is unacceptable to the governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2205-82 with my objections thereon to the legislature as provided by said Section 16 of Article III of the Constitution.

DONE at State Capitol, Honolulu,
State of Hawaii, this 10th day
of June, 1982.

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 359 returning Senate Bill No. 2868-82 without his approval, together with his statement of objections relating to the measure which reads as follows:

"EXECUTIVE CHAMBERS HONOLULU

JUNE 12, 1982

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2868-82

Honorable Members
Eleventh Legislature
State of Hawaii

Pursuant to Section 16, Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2868-82, entitled 'A Bill for an Act Relating to Income Taxation.'

This bill adds a new section to HRS chapter 235, to: (1) exclude income generated by a trust having a situs in the State of Hawaii and whose trust corpus consists of intangible property; (2) allow a credit for income taxes paid to another state by a Hawaii resident on income generated by a trust having a situs in another state whose corpus consists of tangible property; and (3) restrict its application only to those states having taxing provisions corresponding with the changes proposed in this bill.

The rationale behind the proposed changes is to eliminate the inequity which may result from the exposure of non-resident trust beneficiaries to double taxation in their state of domicile and the State of Hawaii upon income generated by a trust having a situs in the State of Hawaii.

The exclusion from taxable income of non-resident trust beneficiaries of trust income generated by trusts having situs in Hawaii, whose corpus consists of intangible property, is contrary to Hawaii law (In the Matter of the Tax Appeals of Scott McCormac, Vari McKinley, aka, Vari McCormac, and Maytor H. McKinley, Jr., Supreme Court Case No. 7343, decision issued on January 15, 1982), and to the great weight of authority on this issue.

Moreover, the exclusion from taxable income of income generated by intangible property as proposed in Senate Bill 2868-82 would also have a serious impact upon the taxation of Hawaii's land trusts. Pursuant to §558-7, H.R.S., the beneficial interest in a land trust may be deemed to be personal property. Personal property is synonymous with intangible property and under the bill, income generated from the personal property in a land trust would be exempt from the assessment of net income taxes. Thus, rental income generated by real property placed

into a land trust with a situs in Hawaii would be exempt from Hawaii net income taxes, if received by non-resident lessors, while resident lessors would continue to be subject to assessment of net income taxes on receipt of identical rental income. This will create an inequitable taxing situation for resident lessors and will allow non-resident lessors an unwarranted tax windfall.

In addition, the proposal to allow a credit to Hawaii residents for taxes paid in another state on trust income generated in another state is unnecessary in view of §235-55(a), H.R.S., which already allows such tax credit. Further, the proposal to limit the application of income exclusion and tax credit to states having corresponding provisions would not accomplish the objections sought, since the problem of double taxation would not arise in a state having corresponding provisions.

Finally, the changes proposed in Senate Bill 2868-82 may greatly reduce the general fund revenues of the State by severely restricting the State's tax base.

In view of the foregoing, it is my opinion that S.B. No. 2868-82 would not serve the best interest of the State of Hawaii. Therefore, I am returning Senate Bill No. 2868-82 without my approval.

Respectfully,

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under section 16 of Article III of the Constitution of the State of Hawaii, the governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, Senate Bill No. 2868-82, entitled 'A Bill For An Act Relating To Income Taxation,' passed by the legislature, was presented to the governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2868-82 is unacceptable to the governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation

pursuant to the provisions of section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2868-82 with my objections thereon to the legislature as provided by said section 16 of Article III of the Constitution.

DONE at State Capitol, Honolulu,
State of Hawaii, this 12th day
of June, 1982.

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 360 returning Senate Bill No. 2903-82 without his approval, together with his statement of objections relating to the measure which reads as follows:

"EXECUTIVE CHAMBERS HONOLULU

JUNE 12, 1982

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2903-82

Honorable Members
Eleventh Legislature
State of Hawaii

Pursuant to Section 16, Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2903-82, entitled 'A Bill Relating To Conveyance Tax.'

This bill amends HRS §247-6 by repealing that portion of the conveyance tax law which makes it unlawful for any state officer or employee to disclose information contained in a certificate of conveyance.

It is noted that the confidentiality provision was adopted to encourage parties to the transaction to make full disclosure of the terms and the information was to be used exclusively for real property tax assessment purposes. In light of the transfer of the real property taxing functions to the counties, the assessors are prohibited from having access to the information. While it is true that the name of the parties, location of the property and description of the property may be available from other sources, the selling price, other than by way of the conveyance tax certificate, is not so readily available. Repeal of the confidentiality restriction, in toto, may hamper, rather than assist, the assessors because the parties involved may be hesitant to make full disclosure of their terms in the absence of an assurance of privacy. Rather than to repeal the confidentiality restriction, therefore, it is preferable that the section be amended

to include the assessors of real property as parties to whom the disclosure may be made but only for the purpose of assessing real property taxes. The information can then be used by the assessors to verify the selling price as determined by interpolation from the revenue stamps attached to the document filed for recordation.

For the foregoing reasons, I am returning Senate Bill No. 2903-82 without my approval.

Respectfully,

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, Senate Bill No. 2903-82, entitled 'A Bill Relating To Conveyance Tax,' passed by the legislature, was presented to the governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2903-82 is unacceptable to the governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2903-82 with my objections thereon to the legislature as provided by said Section 16 of Article III of the Constitution.

DONE at State Capitol, Honolulu,
State of Hawaii, this 12th day
of June, 1982.

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 361 returning Senate Bill No. 2309-82 without his approval, together with his statement of objections relating to the measure which reads as follows:

"EXECUTIVE CHAMBERS
Honolulu

June 14, 1982

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2309-82

Honorable Members
Eleventh Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2309-82, entitled 'A Bill for an Act Relating to Special Purpose Revenue Bonds.'

The purpose of this bill is to amend HRS chapter 39A, relating to special purpose revenue bonds, by expressly defining 'industrial enterprise' to include any enterprise engaged in selling goods or services at retail or wholesale.

Article VII, section 12, of the Hawaii State Constitution permits the issuance of special purpose revenue bonds to finance facilities of or for, or to loan the proceeds of such bonds to assist the following four basic categories of enterprises and programs: (1) manufacturing, processing and industrial enterprises, (2) utilities serving the general public, (3) health care facilities provided to the public by not-for-profit corporations, and (4) low- and moderate-income government housing programs. Part V of HRS chapter 39A contains the enabling legislation for industrial enterprise special purpose revenue bonds. Senate Bill No. 2309-82 seeks to 'clarify' that retailing and wholesaling are industrial enterprises for purpose of such Part V.

However, retailing and wholesaling are not industrial enterprises within the meaning of Article VII, section 12, of the Hawaii State Constitution. The word 'industrial' in the phrase 'manufacturing, processing and industrial enterprises' should be in conjunction with 'manufacturing' and 'processing.' A close study of the reports on the proceedings of the Constitutional Convention of Hawaii of 1978 discloses that the 'manufacturing, processing and industrial enterprises' category was referred to by several delegates generally as manufacturing. Moreover, the constitutional history of the special purpose revenue bond provision clearly indicates that it was the Constitutional Convention's intent that special purpose revenue bonds for manufacturing, processing and industrial purposes be used for very limited purposes. 'Retailing' is the selling of goods to ultimate consumers in small quantities. 'Wholesaling' is the selling of goods or commodities in quantity for resale. Based upon the

foregoing, it is my opinion that retailing and wholesaling activities do not fall within the scope of 'manufacturing, processing and industrial enterprises.'

Because S.B. No. 2309-82 would expand the scope of Article VII, section 12, of the Hawaii State Constitution, and would broaden the use of special purpose revenue bonds for purposes other than those intended by the Constitution, it appears that the bill is unconstitutional.

For the foregoing reasons, I am returning Senate Bill No. 2309-82 without my approval.

Respectfully,

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under section 16 of Article III of the Constitution of the State of Hawaii, the governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, Senate Bill No. 2309-82, entitled 'A Bill for an Act Relating to Special Purpose Revenue Bonds,' passed by the legislature, was presented to the governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2309-82 is unacceptable to the governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2309-82 with my objections thereon to the legislature as provided by said section 16 of Article III of the Constitution.

Done at State Capitol, Honolulu,
State of Hawaii, this 14th
day of June, 1982.

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 362 informing the Senate that on June 10, 1982, he signed the following bills into law:

Senate Bill No. 1925 as Act 192,

entitled: "RELATING TO EMPLOYER-EMPLOYEE RELATIONSHIPS";

Senate Bill No. 2527-82 as Act 193, entitled: "RELATING TO WORKERS' COMPENSATION";

Senate Bill No. 2531-82 as Act 194, entitled: "RELATING TO EMPLOYER-EMPLOYEE RELATIONSHIPS";

House Bill No. 1971-82 as Act 195, entitled: "RELATING TO HAWAIIAN AFFAIRS";

House Bill No. 2166-82 as Act 196, entitled: "RELATING TO COUNTY/STATE HOSPITAL SYSTEM";

House Bill No. 2177-82 as Act 197, entitled: "RELATING TO FOREST AND WATER RESERVE ZONES";

House Bill No. 2332-82 as Act 198, entitled: "RELATING TO PUBLIC LAND LEASES FOR AGRICULTURAL USE";

House Bill No. 2241-82 as Act 199, entitled: "RELATING TO RECOVERY OF MONEY OWED TO THE STATE";

Senate Bill No. 2682-82 as Act 200, entitled: "RELATING TO MENTAL HEALTH";

Senate Bill No. 2470-82 as Act 201, entitled: "RELATING TO THE DEPARTMENT OF HEALTH";

House Bill No. 2271-82 as Act 202, entitled: "RELATING TO LEASES OF PUBLIC LANDS";

Senate Bill No. 2399-82 as Act 203, entitled: "RELATING TO THE DEPARTMENT OF REGULATORY AGENCIES";

House Bill No. 2669-82 as Act 204, entitled: "RELATING TO EXECUTIVE DEPARTMENTS"; and

House Bill No. 2489-82 as Act 205, entitled: "RELATING TO ELECTRICIANS."

Gov. Msg. No. 363 informing the Senate that he signed the following bills into law on the dates indicated:

June 12, 1982:

Senate Bill No. 2379-82 as Act 206, entitled: "RELATING TO SENTENCING";

House Bill No. 2017-82 as Act 207, entitled: "RELATING TO REGULATION OF EMPLOYMENT AGENCIES";

House Bill No. 2026-82 as Act 208, entitled: "RELATING TO PUBLIC SHOWS";

House Bill No. 2027-82 as Act 209,
entitled: "RELATING TO PEDDLING
CAKE";

House Bill No. 2092-82 as Act 210,
entitled: "RELATING TO MOTOR
VEHICLE SAFETY RESPONSIBILITY
ACT";

House Bill No. 2199-82 as Act 211,
entitled: "RELATING TO THE LANDLORD-
TENANT CODE";

House Bill No. 2240-82 as Act 212,
entitled: "RELATING TO CHILDREN
IN FOSTER CARE";

House Bill No. 2313-82 as Act 213,
entitled: "RELATING TO THE DRIVER
EDUCATION AND TRAINING FUND";

House Bill No. 2316-82 as Act 214,
entitled: "RELATING TO THE JUDICIARY";

House Bill No. 2447-82 as Act 215,
entitled: "RELATING TO THE BOARDS
OF DISPENSING OPTICIANS";

House Bill No. 2451-82 as Act 216,
entitled: "RELATING TO THE DEPART-
MENT OF SOCIAL SERVICES AND
HOUSING";

House Bill No. 2573-82 as Act 217,
entitled: "RELATING TO LAND USE
WITHIN AGRICULTURAL DISTRICTS";

House Bill No. 2585-82 as Act 218,
entitled: "RELATING TO CHILD ABUSE";

House Bill No. 2624-82 as Act 219,
entitled: "RELATING TO FOREST
AND WATER RESERVE ZONES";

House Bill No. 2733-82 as Act 220,
entitled: "RELATING TO REAL PROPERTY
LEASES";

House Bill No. 2751-82 as Act 221,
entitled: "RELATING TO ARRESTS
GENERALLY";

House Bill No. 2889-82 as Act 222,
entitled: "RELATING TO PUBLIC
UTILITIES";

House Bill No. 2947-82 as Act 223,
entitled: "MAKING AN APPROPRIATION
FOR AN AQUACULTURE AND LIVE-
STOCK FEEDS PRODUCTION PROGRAM";

House Bill No. 2969-82 as Act 224,
entitled: "RELATING TO THE OFFICE
OF HAWAIIAN AFFAIRS";

House Bill No. 3053-82 as Act 225,
entitled: "RELATING TO INDUSTRIAL
LOAN COMPANIES";

House Bill No. 3091-82 as Act 226,
entitled: "RELATING TO ELECTION

REGISTRATION FOR THE OFFICE
OF HAWAIIAN AFFAIRS";

House Bill No. 3140-82 as Act 227,
entitled: "RELATING TO MEDICINE
AND SURGERY";

House Bill No. 3143-82 as Act 228,
entitled: "RELATING TO THE HAWAII
COMMUNITY DEVELOPMENT AUTHORITY."

June 14, 1982:

Senate Bill No. 2271-82 as Act 229,
entitled: "RELATING TO THE PENAL
CODE";

Senate Bill No. 2269-82 as Act 230,
entitled: "RELATING TO THE ESTABLISH-
MENT OF A CRIMINAL JUSTICE
TRAINING FUND";

House Bill No. 2359-82 as Act 231,
entitled: "RELATING TO WITNESS
SECURITY AND PROTECTION";

House Bill No. 2355-82 as Act 232,
entitled: "RELATING TO THE PENAL
CODE";

House Bill No. 2598-82 as Act 233,
entitled: "TO AMEND SECTION
708-833.5, HAWAII REVISED STATUTES,
RELATING TO SHOPLIFTING";

House Bill No. 2165-82 as Act 234,
entitled: "RELATING TO LOW-LEVEL
RADIOACTIVE WASTE MANAGEMENT";

House Bill No. 2640-82 as Act 235,
entitled: "RELATING TO ALOHA
STADIUM";

House Bill No. 2031-82 as Act 236,
entitled: "RELATING TO COUNTY
LICENSES";

House Bill No. 2095-82 as Act 237,
entitled: "RELATING TO VEHICLE
NUMBER PLATES";

House Bill No. 2154-82 as Act 238,
entitled: "RELATING TO COMPULSORY
SCHOOL ATTENDANCE";

House Bill No. 2194-82 as Act 239,
entitled: "RELATING TO BOARDS
AND COMMISSIONS";

House Bill No. 2197-82 as Act 240,
entitled: "RELATING TO THE BOARD
OF DENTAL EXAMINERS";

House Bill No. 2243-82 as Act 241,
entitled: "RELATING TO ELDERLY
ABUSE OR NEGLECT";

House Bill No. 2445-82 as Act 242,
entitled: "RELATING TO THE UNIFORM
SECURITIES ACT (MODIFIED)";

House Bill No. 2477-82 as Act 243,
entitled: "RELATING TO SOLID
WASTE DISPOSAL";

House Bill No. 2564-82 as Act 244,
entitled: "RELATING TO CREATION
OF SPECIAL HANDLING FEES FOR
REVIEW OF CORPORATION AND
PARTNERSHIP DOCUMENTS";

House Bill No. 2682-82 as Act 245,
entitled: "RELATING TO HEALTH
PLANNING";

House Bill No. 2750-82 as Act 246,
entitled: "RELATING TO THE PENAL
CODE";

House Bill No. 2936-82 as Act 247,
entitled: "RELATING TO INDUSTRIAL
LOAN COMPANIES";

House Bill No. 2975-82 as Act 248,
entitled: "RELATING TO THE DRIVER
IMPROVEMENT PROGRAM";

House Bill No. 3092-82 as Act 249,
entitled: "RELATING TO ELECTIONS";
and

House Bill No. 3136-82 as Act 250,
entitled: "RELATING TO THE ALOHA
TOWER DEVELOPMENT CORPORATION."

Gov. Msg. No. 364 informing the
Senate that on June 15, 1982, he signed
the following bills into law:

Senate Bill No. 2147-82 as Act 251,
entitled: "RELATING TO TRAFFIC
VIOLATIONS"; and

Senate Bill No. 2978-82 as Act 252,
entitled: "RELATING TO THE HAWAII
CANCER COMMISSION."

Gov. Msg. No. 365 informing the
Senate that on June 16, 1982, he signed
the following bills into law:

Senate Bill No. 544 as Act 253, entitled:
"RELATING TO TAXATION";

House Bill No. 1949-82 as Act 254,
entitled: "RELATING TO LOANS";

House Bill No. 2336-82 as Act 255,
entitled: "MAKING AN APPROPRIATION
FOR SUGAR RESEARCH AND DEVELOP-
MENT";

House Bill No. 2377-82 as Act 256,
entitled: "RELATING TO HAWAII
RIGHT TO FARM ACT";

House Bill No. 2565-82 as Act 257,
entitled: "RELATING TO AGRICULTURAL
COOP ASSOCIATION";

House Bill No. 2408-82 as Act 258,
entitled: "RELATING TO CREDIT

UNIONS";

House Bill No. 3117-82 as Act 259,
entitled: "RELATING TO HOUSING
COOPERATIVES";

House Bill No. 1963-82 as Act 260,
entitled: "RELATING TO THE DONATION
OF FOOD"; and

House Bill No. 2767-82 as Act 261,
entitled: "RELATING TO EDUCATION."

Gov. Msg. No. 366 returning Senate
Bill No. 2297-82 without his approval,
together with his statement of objections
relating to the measure which reads
as follows:

"EXECUTIVE CHAMBERS
HONOLULU

June 17, 1982

STATEMENT OF OBJECTIONS TO
SENATE BILL NO. 2297-82

Honorable Members
Eleventh Legislature
State of Hawaii

Pursuant to Section 16 of Article III
of the Constitution of the State of Hawaii,
I am returning herewith, without my
approval, Senate Bill No. 2297-82, entitled
'A Bill for an Act Relating to the Judiciary.'

The purpose of Senate Bill No. 2297-
82 is to provide a second law clerk for
each judge of the intermediate court
of appeals to increase the productivity
of the court and thereby reduce the
appellate case backlog.

Section 2 of the bill appropriates
\$67,674 for the purpose of the Act
and thereby makes S.B. No. 2297-82
an appropriation bill subject to Article
VII, section 9 of the State Constitution.
Article VII, section 9 provides in pertinent
part that:

"In any such session in which the legislature
submits to the governor a supplemental
appropriations bill, no other appropriation
bill, except bills recommended by the
governor for immediate passage, or
to cover the expenses of the legislature,
shall be passed on final reading until
such supplemental appropriations bill
shall have been transmitted to the governor."

The supplemental appropriations bill,
H.B. No. 2070-82, was passed on final
reading on April 28, 1982, whereas
S.B. No. 2297-82 was passed on final
reading by the legislature earlier on
April 14, 1982. Therefore, it appears
that the passage of S.B. No. 2297-82
was in violation of Article VII, section
9 of the State Constitution.

Although I have no objection to the provisions of S.B. No. 2297-82, because the passage of S.B. No. 2297-82 prior to submission of the supplemental appropriations bill to the governor violates Article VII, section 9 of the State Constitution and renders the bill invalid, I am returning S.B. No. 2297-82 without my approval.

Respectfully,

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii the governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, Senate Bill No. 2297-82, entitled 'A Bill for an Act Relating to the Judiciary,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2297-82 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2297-82 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at State Capitol, Honolulu,
State of Hawaii, this 17th day
of June, 1982.

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 367 returning Senate Bill No. 2866-82 without his approval, together with his statement of objections relating to the measure which reads as follows:

"EXECUTIVE CHAMBERS
Honolulu

June 17, 1982

STATEMENT OF OBJECTIONS TO
SENATE BILL NO. 2866-82

Honorable Members
Eleventh Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2866-82, entitled 'A Bill for an Act Relating to the Hawaii Housing Authority.'

The purpose of this bill is to amend Chapter 516, Hawaii Revised Statutes, to allow the Hawaii Housing Authority (HHA) to issue \$75 million in taxable revenue bonds to finance the acquisition of the fee title to leasehold properties converted under the Land Reform Act.

It is my opinion that S.B. No. 2866-82 is unconstitutional.

Article VII, Section 9 of the Hawaii State Constitution provides, in part:

In each regular session in an even-numbered year, at such time as may be provided by law, the governor may submit to the legislature a bill to amend any appropriation for operating expenditures of the current fiscal biennium, to be known as the supplemental appropriations bill, and bills to amend any appropriations for capital expenditures of the current fiscal biennium, and at the same time the governor shall submit a bill or bills to provide for any added revenues or borrowings that such amendments may require. In each regular session in an even-numbered year, bills may be introduced in the legislature to amend any appropriation act or bond authorization act of the current fiscal biennium or prior fiscal periods. In any such session in which the legislature submits to the governor a supplemental appropriations bill, no other appropriation bill, except bills recommended by the governor for immediate passage, or to cover the expenses of the legislature, shall be passed on final reading until such supplemental appropriations bill shall have been transmitted to the governor. (Emphasis added)

An 'appropriation bill' has been defined as a bill stipulating an amount, manner and purpose of various items of expenditure. A.G. Op. Nos. 73-3 and 72-6.

Although no express words of appropriation are found in S.B. No. 2866-82, Section 2 thereof expressly states that the \$75 million revenue bonds are authorized for the purpose of undertaking and maintaining the fee acquisition loan program established by Section 1. As a matter of practice, language substantially similar to Section

2 found in other legislation relative to revenue bonds (e.g. Acts 13, 14, 15, and 16, S.S.L.H. 1981) has been interpreted by the Department of Budget and Finance and the State's bond counsel to contain an 'implied appropriation.'

At the 1981 legislative session, four revenue bond bills passed final reading before the passage of the appropriation bill. Such bills contained bond authorization language similar to Section 2 and lacked express appropriation language. Fearing a violation of the above-noted constitutional provision, the Legislature re-enacted all four revenue bond bills at the 1981 special session.

In light of the foregoing and in the interest of consistency, I am constrained by past practice to state that the subject bill should be deemed to be an 'appropriation bill' within the meaning of Article VII, Section 9 of the Hawaii State Constitution.

The subject bill passed final reading on April 5, 1982, and the supplemental appropriations bill (H.B. No. 2070-82) passed final reading on April 28, 1982. Since the subject bill is deemed to be an 'appropriation bill' within the meaning of the constitutional provision noted hereinabove, the bill is unconstitutional, not having been recommended by me as Governor for immediate passage.

For the foregoing reasons, I am returning Senate Bill No. 2866-82 without my approval.

Respectfully,

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, Senate Bill No. 2866-82, entitled 'A Bill for an Act Relating to the Hawaii Housing Authority,' passed by the legislature, was presented to the governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2866-82 is unacceptable to the governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2866-82 with my objections to the legislature as provided by said Section 16 of Article III of the Constitution.

DONE at State Capitol, Honolulu,
State of Hawaii, this 17th
day of June, 1982.

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 368 returning Senate Bill No. 2638-82 without his approval, together with his statement of objections relating to the measure which reads as follows:

"EXECUTIVE CHAMBERS HONOLULU

June 17, 1982

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2638-82

Honorable Members
Eleventh Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith Senate Bill No. 2638-82, 'A Bill for an Act Relating to Sales and Transfer of Real Property Situated in Hazardous Areas.'

The purpose of this bill is to require seller, lessor, broker or agent of real property located in special flood hazard areas to timely notify prospective buyers, lessees or tenants that the property lies within the boundaries of a designated flood hazard area. Exempted from the notice requirement are lease and rental agreements which have a term of less than one year.

This Administration is not opposed to the requirement of notifying prospective buyers, lessees and tenants that the property in question lies within the boundaries of designated flood hazard area before such person occupies or acquires interest in the property. However, this bill fails to designate the agency that will be responsible for enforcing this provision and the bill also fails to provide what recourse that agency has if the seller, lessor, broker, and/or agency fails to pay the fine.

Because of these objections, I am

returning Senate Bill No. 2638-82 without my approval as provided by Section 16 of Article III of the State Constitution.

Respectfully submitted,

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii"

PROCLAMATION

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2638-82, entitled 'A Bill for an Act Relating to Sales and Transfer of Real Property Situated in Hazardous Areas,' passed by the Legislature was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2638-82 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2638-82 with my objections thereon to the legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, Hawaii, this
17th day of June, 1982.

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 369 informing the Senate that on June 17, 1982, he signed the following bills into law:

Senate Bill No. 732 as Act 262, entitled: "RELATING TO STATE BONDS";

Senate Bill No. 2829-82 as Act 263, entitled: "RELATING TO CAPITAL IMPROVEMENT PROJECTS";

House Bill No. 2070-82 as Act 264, entitled: "MAKING APPROPRIATIONS FOR THE FISCAL BIENNIUM JULY 1, 1981 TO JUNE 30, 1983";

House Bill No. 2086-82 as Act 265, entitled: "RELATING TO THE INCOME

TAX";

House Bill No. 2230-82 as Act 266, entitled: "RELATING TO ELECTRICITY GENERATED FROM NON-FOSSIL FUELS";

House Bill No. 2312-82 as Act 267, entitled: "RELATING TO THE JUDICIARY BUDGET";

House Bill No. 2559-82 as Act 268, entitled: "MAKING AN APPROPRIATION FOR PAYMENT OF SETTLEMENT BETWEEN THE STATE OF HAWAII AND DILLINGHAM CORPORATION DBA HAWAIIAN DREDGING AND CONSTRUCTION COMPANY";

House Bill No. 2778-82 as Act 269, entitled: "RELATING TO EXCEPTIONAL CHILDREN";

House Bill No. 2866-82 as Act 270, entitled: "RELATING TO REAL ESTATE BROKERS AND SALESMEN"; and

House Bill No. 2879-82 as Act 271, entitled: "RELATING TO FEES AND CHARGES COLLECTED FROM THE USERS OF SCHOOL FACILITIES."

Gov. Msg. No. 370 transmitting his statement of objections to House Bill No. 2869-82 which he has returned to the House without his approval and which reads as follows:

"EXECUTIVE CHAMBERS
Honolulu

June 18, 1982

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2869-82

Honorable Members
Eleventh Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2869-82, entitled 'A Bill for an Act Relating to Housing.'

The purpose of this bill is to clarify Act 229, Session Laws of Hawaii, 1981, the 'ohana zoning' statute. The bill initially requires that the ohana zoning program comply with the zoning provisions of the counties, applicable to residential use. The bill is not applicable to lots or parcels of land which are restricted by duly recorded covenants or lease provisions in leases with terms of fifteen years or more prohibiting such additional dwelling units. It also requires the counties to establish by ordinance the procedures for the designation of residential districts or

areas which are found to be conforming. Further, the designation process must include prior public notice and a public hearing for property owners within the proposed designated district or area.

Although the intent of this bill is to allow the counties flexibility in implementing ohana zoning, I feel that the present bill fails to accomplish this objective and would, instead, make the implementation of ohana zoning unworkable.

For example, the bill is ambiguous in defining the counties' responsibilities. The bill fails to specify who is to determine that no prohibitive covenants or lease provisions exist and, therefore, could be interpreted to impose an affirmative duty upon the counties to warrant against the existence of such restrictions. Under such circumstances, in addition to the time and expense involved in making such determinations, the possible liability for errors would be unduly burdensome to the counties.

Further, the requirements of prior public notice and public hearing to property owners residing in the designated district or area appear superfluous in that no discretion is conferred upon the counties with reference to the designation process, where zoning provisions are met, public facilities are adequate and private covenants are non-existent.

For the foregoing reasons, I am returning House Bill No. 2869-82 without my approval as provided by Section 16 of Article III of the State Constitution.

Respectfully,

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, House Bill No. 2869-82, entitled 'A Bill for an Act Relating to Housing' passed by the legislature, was presented to the governor within the aforementioned period; and

WHEREAS, House Bill No. 2869-82

is unacceptable to the governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2869-82 with my objections thereon to the legislature as provided by said Section 16 of Article III of the Constitution.

DONE at State Capitol, Honolulu,
State of Hawaii, this 18th
day of June, 1982.

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 371 returning Senate Bill No. 2346-82 without his approval, together with his statement of objections relating to the measure which reads as follows:

"EXECUTIVE CHAMBERS
Honolulu

June 18, 1982

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2346-82

Honorable Members
Eleventh Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, Senate Bill No. 2346-82, entitled 'A Bill for an Act Relating to Educational Fees,' is herewith returned without my approval.

This bill is intended to compel the federal government to assume a larger share of the costs of educating the children of non-resident, federal civilian and active duty military personnel in our public schools. The measure requires the federal government to choose between increasing present levels of federal funds so as to meet one-half the costs of providing for these children's education, or assuming, pursuant to existing federal mandate, the responsibility of educating these youngsters itself. If the federal government were to refuse or fail to effect either of these options, under the proposed measure, the State is precluded from using any of its tax revenues to fund the education of these children. Effectively, these children will be denied access to our public schools, and a basic education.

It is because this bill contemplates and countenances such a drastic consequence

that I am returning the measure, unsigned.

While I wholeheartedly agree that every effort must be made and every avenue explored to restore our impact aid funding to more realistic levels than are presently provided, I cannot endorse any means aimed at effecting such a goal which might even suggest jeopardizing the education of any child who lives in Hawaii.

The legislature's attempt to isolate and pursue the pertinent issues and concerns, as well as the federal government's responsibilities under existing federal laws, are to be commended. Clearly the federal government itself has already recognized the fiscal burdens which increased federal activity in a strategically placed state such as ours imposes upon the local education system. Moreover, the federal government has acknowledged its financial responsibility for the education of the affected children by adopting the Impact Aid law with its provisions for federal funding and the establishment of federally operated schools. Yet, there is no avoiding the very real possibility that, while we debated who should be responsible for providing funds for the education of these children, the affected children may well be without a basic education.

I am unwilling to risk this possibility.

For the foregoing reasons, therefore, I am returning this bill without my approval.

Respectfully,

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii"

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, Senate Bill No. 2346-82, entitled 'A Bill for an Act Relating to Educational Fees,' passed by the legislature, was presented to the governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2346-82 is unacceptable to the governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2346-82 with my objections thereon to the legislature as provided by said Section 16 of Article III of the Constitution.

Done at State Capitol, Honolulu,
State of Hawaii, this 18th
Day of June, 1982.

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 372 transmitting his statement of objections to House Bill No. 2817-82 which he has returned to the House without his approval and which reads as follows:

"EXECUTIVE CHAMBERS HONOLULU

June 18, 1982

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2817-82

Honorable Members
Eleventh Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2817-82, entitled 'A Bill for an Act Relating to Off-Road Vehicles.'

This bill requires the various county departments of finance to register all off-road vehicles which do not operate on public highways. It also requires the director of finance to set an annual 'tax fee' for the registration of off-road vehicles.

It appears that the underlying purpose for this bill is to aid in the identification of off-road vehicles which have been lost or stolen. Since off-road vehicles are not now required to be registered, it is often very difficult to identify these vehicles and to effectuate the return of such vehicles to their owners when the vehicles are found or recovered. Although the intent of the bill is meritorious, there are several problems with the bill, the more prominent ones being the lack of a definition for the term 'off-road motorized vehicle,' the apparent unintentional applicability to 'off-road motorized vehicles' of the state vehicle weight tax, and a conflict in the powers granted to the county councils and

the county directors of finance.

The term 'motorized vehicle' is used throughout the bill to describe off-road and other types of vehicles. Since there is no definition of the term 'motorized vehicle,' there is vagueness as to the applicability of the bill.

Section 249-33, HRS, provides that all vehicles defined in section 249-1, except as otherwise provided in sections 249-3 through 249-6, are subject to an annual state vehicle weight tax. Under this bill, 'off-road motorized vehicles' is defined in section 249-1 but not excepted in sections 249-3 through 249-6, and thus would be subject to the weight tax, yet the intent of the bill apparently is to provide only for the registration of 'off-road motorized vehicles' and not to provide for the imposition of a weight tax.

The provision in the bill for a 'tax fee' to be determined by the various county directors of finance poses another problem in view of section 249-13, HRS, which provides that the county council determines the rates upon which motor vehicles will be taxed. Thus, a conflict would be created with respect to the power to determine the rate of motor vehicle tax, insofar as off-road vehicles are concerned. Additionally, if the 'tax fee' is considered a 'fee,' this bill would conflict with sections 62-34 and 70-87, HRS, which presently authorize the county councils to fix fees and charges for official services.

For the foregoing reasons, I am returning House Bill No. 2817-82 without my approval, as provided by Section 16 of Article III of the State Constitution.

Respectfully,

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2817-82, entitled 'A Bill for an Act Relating to Off-Road Vehicles' passed by the Legislature was presented to the Governor within the aforementioned period;

and

WHEREAS, House Bill No. 2817-82 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2817-82 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at State Capitol, Honolulu,
State of Hawaii, this 18th
day of June, 1982.

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 373 returning Senate Bill No. 2388-82 without his approval, together with his statement of objections relating to the measure which reads as follows:

"EXECUTIVE CHAMBERS
Honolulu

June 18, 1982

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2388-82

Honorable Members
Eleventh Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2388-82, 'A Bill for an Act Relating to Horizontal Property Regimes.'

The purposes of Senate Bill No. 2388-82 are to amend: Section 514A-3, to redefine 'apartment' as used in the chapter and to amend the definition of 'apartment owner'; Section 514A-14, pertaining to change in the designation of parking stalls; Section 514A-82, to provide for staggered terms for members of the board and by adding a new subsection to provide that bylaws shall include penalties chargeable against persons for violation of covenants, conditions, restrictions, bylaws and administrative rules and to authorize the board to adopt rules and regulations to implement this new subsection; Section 514A-89, to provide that the consent of the percentage of apartment owners necessary to amend the declaration must be obtained before certain works

prohibited by the section can be undertaken (currently, the law requires unanimous consent of all owners); Section 514A-94, pertaining to the recovery of expenses and costs for collection of delinquent assessments, foreclosure of liens, enforcement of declarations, bylaws, etc., by providing that such expenses and costs are recoverable unless deemed unreasonable by the court (the law currently provides that reasonable expenses and costs are recoverable), and the section is also amended to add tenants, employees of owners, and any other person who may in any manner use the property, as potential defendants under the section; Sections 514A-11 and 514A-81, concerning amendments to declarations and bylaws; and Section 514A-90(a), to provide that all assessments made by the association but unpaid for the share of the common expenses chargeable to any apartment and expenses recoverable under Section 514A-94 shall constitute a lien on the apartment prior to all other liens, except taxes and assessments imposed by governmental authority or mortgages recorded prior in time to the association's lien provided for in this section. Prior to this amendment, Section 514A-90(a) provided that association assessments shall constitute a lien prior to all others except taxes and assessments imposed by governmental authority and mortgages of record.

I note that under certain statutory provisions, such as section 403-98, H.R.S. (requiring commercial banks to obtain a first lien on real property when making a loan on the security of real estate) and section 407-83, H.R.S. (requiring savings and loan associations to obtain a first lien on real property, if the loan is a real estate loan), lenders are required to obtain first liens on their mortgage loans but Senate Bill No. 2388-82 does not adequately provide a procedure by which the lender can determine the priority of liens to insure that its mortgage constitutes a first lien.

Senate Bill No. 2388-82 would require a lender to take precautionary steps to insure that its loan is secured by a first lien on the real property. In order to do this, the lender may be forced to obtain certifications through the moment of mortgage recording from each condominium association. The lender would have to be assured that the certification is furnished by an authorized party. If the certification does not contain the most current charges, the lender's mortgage lien would be subordinated to the assessment lien because the statute does not give the association the authority to subordinate

its lien. In short, it may not be possible for the lender to assure the paramount status of its lien. Also, the cost incurred by the lending institutions will undoubtedly be passed on to the borrower, thus increasing the cost of purchasing condominiums in this State.

Finally, Senate Bill No. 2388-82 does not amend Section 514A-90(b) which provides that upon foreclosure of the mortgage the acquirer of title or his successors and assignees are not liable for the share of the common expenses or assessments which became due prior to the acquisition of title to the apartment. Amendment to Section 514A-90(a) without a corresponding amendment to Section 514A-90(b) creates an ambiguity regarding the priority of liens in the case of condominiums subject to foreclosure proceedings.

For the foregoing reasons, I am returning Senate Bill No. 2388-82 without my approval as provided by Section 16 of Article III of the State Constitution.

Respectfully submitted,

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2388-82, entitled 'A Bill for an Act Relating to Horizontal Property Regimes' passed by the Legislature was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2388-82 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2388-82 with my objections thereon to the legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, Hawaii, this

18th Day of June, 1982.

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 374 informing the Senate that on June 18, 1982, he signed the following bills into law:

House Bill No. 725 as Act 272, entitled: "RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED";

House Bill No. 2163-82 as Act 273, entitled: "RELATING TO THE EXECUTIVE DEPARTMENTS";

House Bill No. 2560-82 as Act 274, entitled: "RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED";

Senate Bill No. 2201-82 as Act 275, entitled: "RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED";

House Bill No. 791 as Act 276, entitled: "RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM";

House Bill No. 2113-82 as Act 277, entitled: "RELATING TO HOUSING";

House Bill No. 2201-82 as Act 278, entitled: "RELATING TO HOUSING";

House Bill No. 3121-82 as Act 279, entitled: "RELATING TO STATE AND COUNTY HOUSING LOAN PROGRAMS";

House Bill No. 1974-82 as Act 280, entitled: "RELATING TO PUBLIC PURCHASING";

House Bill No. 2183-82 as Act 281, entitled: "RELATING TO MARINE AFFAIRS COORDINATION";

House Bill No. 2348-82 as Act 282, entitled: "RELATING TO METAL AND GEM DEALERS";

House Bill No. 2838-82 as Act 283, entitled: "RELATING TO THE HAWAII HOUSING AUTHORITY";

House Bill No. 3178-82 as Act 284, entitled: "RELATING TO HOUSING BY COUNTIES";

House Bill No. 1988-82 as Act 285, entitled: "RELATING TO INDIVIDUAL HOUSING ACCOUNTS";

House Bill No. 2765-82 as Act 286, entitled: "RELATING TO PUBLIC SCHOOLS SPECIAL FEES AND CHARGES";

House Bill No. 2836-82 as Act 287, entitled: "RELATING TO MORTGAGE SERVICING"; and

Senate Bill No. 400 as Act 288, entitled: "RELATING TO INTEREST."

Gov. Msg. No. 375 informing the Senate that on June 22, 1982, he signed the following bills into law:

House Bill No. 1515 as Act 289, entitled: "RELATING TO DUTIES OF SAFE DEPOSIT COMPANIES, TRUST COMPANIES, BANKS, ETC.";

House Bill No. 1521 as Act 290, entitled: "RELATING TO TAKE-OVER BIDS";

House Bill No. 1553 as Act 291, entitled: "RELATING TO MERGERS OR CONSOLIDATIONS";

House Bill No. 509 as Act 292, entitled: "RELATING TO INSURANCE";

House Bill No. 1488 as Act 293, entitled: "RELATING TO INSURANCE"; and

House Bill No. 1489 as Act 294, entitled: "RELATING TO INSURANCE."

Gov. Msg. No. 376 informing the Senate that on July 2, 1982, he signed the following bills into law:

Senate Bill No. 262 as Act 295, entitled: "RELATING TO DELINQUENT PENALTIES FOR LATE RENEWAL OF MOTOR VEHICLE REGISTRATIONS"; and

House Bill No. 2434-82 as Act 296, entitled: "RELATING TO INTOXICATING LIQUOR."

DEPARTMENTAL COMMUNICATIONS RECEIVED AFTER ADJOURNMENT
OF THE LEGISLATURE SINE DIE

Dept. Com. No. 17 from the Hawaii Crime Commission, transmitting copies of a report, "The Mentally Ill and the Criminal Justice System," dated April 1982, prepared pursuant to Act 16, First Special Session, Ninth Legislature, State of Hawaii, 1977, as amended.

Dept. Com. No. 18 from Lester E. Cingcade, Administrative Director of the Courts, The Judiciary, State of Hawaii, dated May 6, 1982, transmitting copies of a report concerning intercepted wire communications for the calendar years 1980 and 1981, pursuant to Section 803-47, Hawaii Revised Statutes.

Dept. Com. No. 19 from Eric J. Inouye, Chairperson, State Student Conference (Planning Committee), Department of Education, dated May 7, 1982, transmitting copies of the "1982 State Student Conference Proceedings," held on March 9-11, 1982.

Dept. Com. No. 20 from Clinton T. Tanimura, Legislative Auditor, dated May 18, 1982, transmitting copies of the report entitled: "Financial Audit of the Department of Regulatory Agencies," (Report No. 82-6), dated May 1982, pursuant to Section 23-4, Hawaii Revised Statutes.

MISCELLANEOUS COMMUNICATIONS RECEIVED AFTER ADJOURNMENT
OF THE LEGISLATURE SINE DIE

Misc. Com. No. 7 from D.P. Wightman, Senior Officer, Foreign and Defense Policy Secretariat, Government of Canada, dated April 15, 1982, acknowledging receipt of Senate Resolution No. 38 regarding the use of the weapons practice range at Kahoolawe by naval vessels of various countries.

Misc. Com. No. 8 from the Office of the Honorable Spark M. Matsunaga, United States Senate, dated April 19, 1982, acknowledging receipt of Senate Resolution No. 81 regarding deep-draft harbors and channels.

Misc. Com. No. 9 from the Office of the Honorable Spark M. Matsunaga, United States Senate, dated April 19, 1982, acknowledging receipt of Senate Resolution No. 75 regarding nuclear weapons.

Misc. Com. No. 10 from the Honorable Daniel K. Inouye, United States Senator, dated April 20, 1982, acknowledging receipt of Senate Resolution No. 81 regarding deep-draft harbors and channels.

Misc. Com. No. 11 from the Office of the Honorable Spark M. Matsunaga, United States Senate, dated April 30, 1982, acknowledging receipt of Senate Resolution No. 58 regarding wetland agriculture, Senate Resolution No. 94 regarding Fort DeRussy, and Senate Resolution No. 117 regarding the release of the Kapalama Military Reservation.

Misc. Com. No. 12 from the Honorable Daniel K. Inouye, United States Senator, dated April 30, 1982, acknowledging receipt of Senate Resolution Nos. 94 and 129 pertaining to Fort DeRussy.

Misc. Com. No. 13 from Anne Higgins, Special Assistant to the President and Director of Correspondence, The White House, dated May 3, 1982, acknowledging receipt of Senate Resolution No. 38 regarding the use of the weapons practice range at Kahoolawe by naval vessels of various countries.

Misc. Com. No. 14 from the Office of the Honorable Daniel K. Inouye, United States Senate, dated May 4, 1982, acknowledging receipt of Senate Resolution No. 58 urging landowners of the Pearl Harbor area to support wetland agriculture.

Misc. Com. No. 15 from the Honorable Clement J. Zablocki, Chairman, Committee on Foreign Affairs, Congress of the

United States, dated May 4, 1982, acknowledging receipt of Senate Resolution No. 115 regarding the U.S. - Caribbean aid package.

Misc. Com. No. 16 from the Office of the Honorable Spark M. Matsunaga, United States Senate, dated May 4, 1982, acknowledging receipt of Senate Resolution No. 115 regarding the U.S. - Caribbean aid package, and Senate Resolution No. 42 expressing support for the establishment of a U.S. Agricultural Cooperative Service field office in Hawaii.

Misc. Com. No. 17 from the Honorable Daniel K. Inouye, United States Senator, dated May 4, 1982, acknowledging receipt of Senate Resolution No. 117 dealing with the release of the existing Kapalama Military Reservation by the United States Government and its use as a central marshalling facility for an agricultural cooperative and Senate Resolution No. 42 expressing support for the establishment of a U.S. Agricultural Cooperative Service field office in Hawaii.

Misc. Com. No. 18 from the Honorable Philip J. Rock, President, General Assembly, Illinois State Senate, dated May 6, 1982, acknowledging receipt of Senate Resolution No. 103 urging Congress to propose an amendment to the Clean Water Act.

Misc. Com. No. 19 from the Office of the Honorable Daniel K. Inouye, United States Senate, dated May 6, 1982, acknowledging receipt of Senate Concurrent Resolution No. 42 requesting President Reagan and the Congress of the United States to establish a national Academy of Peace.

Misc. Com. No. 20 from the Honorable John A. Cherberg, Lieutenant Governor and President of the Senate, State of Washington, dated May 6, 1982, acknowledging receipt of Senate Resolution No. 103 urging Congress to propose an amendment to the Clean Water Act.

Misc. Com. No. 21 from the Honorable Daniel K. Inouye, United States Senator, dated May 6, 1982, acknowledging receipt of Senate Resolution No. 115 regarding the U.S. - Caribbean aid package.

Misc. Com. No. 22 from the Honorable William M. Polk, Speaker of the House, State of Washington, dated May 6, 1982, acknowledging receipt of Senate Resolution No. 103 urging Congress to propose an amendment to the Clean Water Act.

Misc. Com. No. 23 from the Honorable Ned R. McWherter, Speaker of the House, State of Tennessee, dated May 7, 1982, acknowledging receipt of a letter and resolution dated April 21, 1982.

Misc. Com. No. 24 from the Office of the Honorable Spark M. Matsunaga, United States Senate, dated May 7, 1982, acknowledging receipt of Senate Resolution No. 103 regarding the Clean Water Act, Senate Resolution No. 80 regarding the New Federalism Program, and Senate Concurrent Resolution No. 42 regarding the establishment of a national Academy of Peace.

Misc. Com. No. 25 from the Office of the Honorable Daniel K. Inouye, United States Senate, dated May 7, 1982, acknowledging receipt of Senate Resolution No. 103 which deals with the Clean Water Act.

Misc. Com. No. 26 from Randall E. Torgerson, Administrator, Agricultural Cooperative Service, United States Department of Agriculture, dated May 7, 1982, acknowledging receipt of Senate Resolution 42 regarding an Agricultural Cooperative Service field office in Hawaii.

Misc. Com. No. 27 from the Office of the Committee on Agriculture, U.S. House of Representatives, dated May 10, 1982, acknowledging receipt of Senate Resolution No. 42 regarding the Agriculture Cooperative Service field office in Hawaii, which was transmitted to the Speaker of the House.

Misc. Com. No. 28 from the Office of the Honorable Miguel A. Hernandez Agosto, President of the Senate, Commonwealth of Puerto Rico, dated May 10, 1982, acknowledging receipt of Senate Resolution No. 13 (No. 103 regarding an amendment to the Clean Water Act).

Misc. Com. No. 29 from Stephen F. Sloan, Acting Secretary of the Senate, State of New York, dated May 10, 1982, acknowledging receipt of Senate Resolution No. 103 urging Congress to propose an amendment to the Clean Water Act.

Misc. Com. No. 30 from Robert B. Robinson, President, The Chamber of Commerce of Hawaii, dated May 11, 1982, acknowledging receipt of Senate Resolution No. 125 recommending creation of a task force to study feasibility and use by the state of the Armed Services YMCA building.

Misc. Com. No. 31 from the Honorable George H. Ryan, Speaker of the House,

Illinois House of Representatives, dated May 11, 1982, acknowledging receipt of Senate Resolution No. 65 regarding the Equal Rights Amendment.

Misc. Com. No. 32 from the Office of the Honorable Spark M. Matsunaga, United States Senate, dated May 11, 1982, acknowledging receipt of Senate Resolution No. 100 regarding the extension of the Pacific Fisheries Development Act, and Senate Resolution No. 65 regarding the Equal Rights Amendment.

Misc. Com. No. 33 from the Honorable Frank White, Governor, State of Arkansas, dated May 12, 1982, acknowledging receipt of Senate Resolution No. 65 regarding the Equal Rights Amendment.

Misc. Com. No. 34 from Robert J. Morgado, Secretary to the Governor, State of New York, dated May 14, 1982, acknowledging receipt of Senate Resolution No. 65 regarding the Equal Rights Amendment.

Misc. Com. No. 35 from Ethel James Williams, Executive Director, D.C. Commission for Women, Government of the District of Columbia, dated May 12, 1982, acknowledging receipt of Senate Resolution No. 65 regarding the Equal Rights Amendment.

Misc. Com. No. 36 from the Honorable Daniel K. Inouye, United States Senator, dated May 12, 1982, acknowledging receipt of Senate Resolution No. 100 regarding the Central, Western and South Pacific Fisheries Development Act, and forwarding a copy of bill, S. 2401 (reauthorizing the "Fong Act," P.L. 92-444, through fiscal year 1985) and his introductory remarks.

Misc. Com. No. 37 from the Office of the Speaker, House of Representatives, State of Tennessee, dated May 13, 1982, acknowledging receipt of Senate Resolution No. 65 regarding the Equal Rights Amendment.

Misc. Com. No. 38 from the Honorable Spark M. Matsunaga, United States Senator, dated May 14, 1982, acknowledging receipt of Senate Resolution No. 38 concerning the inclusion of the Island of Kahoolawe in the RIMPAC '82 naval exercises.

Misc. Com. No. 39 from the Office of the Honorable Daniel K. Inouye, United States Senator, dated May 17, 1982, acknowledging receipt of Senate Resolution No. 65 regarding the Equal Rights Amendment.

Misc. Com. No. 40 from the Honorable James B. Hunt, Jr., Governor, State of North Carolina, dated May 17, 1982, acknowledging receipt of Senate Resolution

No. 65 regarding the Equal Rights Amendment.

Misc. Com. No. 41 from the Honorable John C. Cherberg, Lieutenant Governor and President of the Senate, State of Washington, dated May 18, 1982, acknowledging receipt of Senate Resolution No. 65, regarding the Equal Rights Amendment.

Misc. Com. No. 42 from Robert J. Ryan, Jr., Coordinator, Caribbean Basin Initiative, Department of State, Washington, D.C., dated May 20, 1982, acknowledging receipt and responding to Senate Resolution No. 115 regarding the U.S. - Caribbean aid package, and forwarding a copy of President Reagan's speech and a copy of a Fact Sheet (Special Report No. 97).

Misc. Com. No. 43 from Nivea H. McClintock, Federal Programs Officer, Office of the Governor, Commonwealth of Puerto Rico, dated May 19, 1982, acknowledging receipt of Senate Resolution No. 65 regarding the Equal Rights Amendment.

Misc. Com. No. 44 from Sonia F. Crow, Regional Administrator, United States Environmental Protection Agency, Region 9, dated May 19, 1982, acknowledging receipt by Administrator Anne M. Gorsuch and responding to Senate Resolution No. 93 urging the Environmental Protection Agency and the Hawaii State Department of Health to consider reducing water quality standards for sugar producers on Hawaii's Hilo Coast.

Misc. Com. No. 45 from the Honorable Walter B. Jones, Chairman, Committee on Merchant Marine and Fisheries, United States House of Representatives, dated May 18, 1982, acknowledging receipt of Senate Resolution No. 100 regarding the Central Western and South Pacific Fisheries Development Act, and responding thereto.

Misc. Com. No. 46 from Donald P. Black, Acting Deputy Assistant Secretary for Environment, Health and Natural Resources, Bureau of Oceans and International Environmental and Scientific Affairs, Department of State, dated May 18, 1982, acknowledging Senate Resolution No. 103 which deals with the Clean Water Act.

Misc. Com. Nos. 47 and 48 from Brigadier General N.G. Delbridge, Jr., United States Army, Assistant Chief of Engineers, Department of the Army, dated May 17, 1982, acknowledging receipt of Senate Resolution No. 129 regarding Fort DeRussy.

Misc. Com. No. 49 from the Honorable Juan Luis, Governor, the Virgin Islands of the United States, dated May 14,

1982, acknowledging receipt of Senate Resolution No. 65 regarding the Equal Rights Amendment.

Misc. Com. No. 50 from Randall E. Torgerson, Administrator, Agricultural Cooperative Service, United States Department of Agriculture, dated May 14, 1982, acknowledging receipt of Senate Resolution No. 117 requesting release of the Kapalama Military Reservation to the State of Hawaii and its use as a central marshalling facility for an agricultural cooperative, and responding thereto.

Misc. Com. No. 51 from the Honorable Charles Thone, Governor, State of Nebraska, dated May 14, 1982, acknowledging receipt of Senate Resolution No. 65 regarding the Equal Rights Amendment.

Misc. Com. No. 52 from the Honorable Roberto Mondragon, Lieutenant Governor, State of New Mexico, dated May 12, 1982, acknowledging receipt of Senate Resolution No. 65 regarding the Equal Rights Amendment.

Misc. Com. No. 53 from the Office of the Governor, Commonwealth of Virginia, dated May 12, 1982, acknowledging receipt of Senate Resolution No. 65 regarding the Equal Rights Amendment.

Misc. Com. No. 54 from the Honorable Vern Riffe, Speaker of the House of Representatives, State of Ohio, dated May 18, 1982, acknowledging receipt of Senate Resolution No. 65 regarding the Equal Rights Amendment.

Misc. Com. No. 55 from the Office of the Governor's Commission on the Status of Women, Commonwealth of Massachusetts, dated May 15, 1982, acknowledging receipt of Senate Resolution No. 65 regarding the Equal Rights Amendment.

Misc. Com. No. 56 from the Office of the Senate President, Commonwealth of Puerto Rico, dated May 24, 1982, acknowledging receipt of Senate Resolution No. 65 regarding the Equal Rights Amendment.

Misc. Com. No. 57 from the Honorable Vern Riffe, Speaker of the House of Representatives, State of Ohio, dated May 17, 1982, acknowledging receipt of Senate Resolution No. 103 requesting appropriate action by Congress regarding the Clean Water Act.

Misc. Com. No. 58 from Anne Higgins, Special Assistant to the President and Director of Correspondence, The White House, dated May 26, 1982, acknowledging receipt of Senate Concurrent Resolution No. 42 expressing support for the establishment of a U.S. Agricultural Cooperative Service Branch Office in Hawaii.

Misc. Com. No. 59 from Anne Higgins, Special Assistant to the President and Director of Correspondence, The White House, dated May 26, 1982, acknowledging receipt of Senate Resolution Nos. 58 (regarding wetland agriculture), 81 (regarding deep-draft harbors and channels), and 117 (regarding release of the Kapalama Military Reservation).

Misc. Com. No. 60 from Anne Higgins, Special Assistant to the President and Director of Correspondence, The White House, dated May 26, 1982, acknowledging receipt of a Senate resolution.

Misc. Com. No. 61 from the Office of the Governor, State of Illinois, dated June 1, 1982, acknowledging receipt of Senate Resolution No. 65 regarding the Equal Rights Amendment.

Misc. Com. No. 62 from Douglas E. Gross, Administrative Assistant, Office of the Governor, State of Iowa, dated June 4, 1982, acknowledging receipt of Senate Resolution No. 65 regarding the Equal Rights Amendment.

Misc. Com. No. 63 from Barbara C. Washington, Office of the City Administrator, Government of the District of Columbia, dated June 8, 1982, acknowledging receipt of Senate Resolution No. 65 regarding the Equal Rights Amendment.

Misc. Com. No. 64 from Jakob Th. Moller, Chief, Communications Unit, Division of Human Rights, United Nations Office at Geneva, dated June 9, 1982, acknowledging receipt of Senate Resolution No. 86 urging an end to the campaign of genocide against the Baha'i faith in Iran.

Misc. Com. No. 65 from the Honorable William P. Clements, Jr., Governor, State of Texas, dated May 12, 1982, acknowledging receipt of Senate Resolution No. 65 regarding the Equal Rights Amendment, and informing the Senate that Texas ratified the ERA, as well as adopting an ERA for the State of Texas Constitution.

Misc. Com. No. 66 from the Honorable Bruce Babbitt, Governor, State of Arizona, dated June 11, 1982, acknowledging receipt of Senate Resolution No. 65 regarding the Equal Rights Amendment.

Misc. Com. No. 67 from the Honorable Peter W. Rodino, Jr., Chairman, Committee on the Judiciary, Congress of the United States, dated June 24, 1982, acknowledging receipt of Senate Resolution No. 65 regarding the Equal Rights Amendment.

Misc. Com. No. 68 from R.G.H. Seitz, Acting Assistant Secretary for Public Affairs, United States Department of State, dated June 19, 1982, acknowledging receipt of Senate Resolution No. 86 urging an end to the campaign of genocide against the Baha'i faith in Iran, with comments of the State Department's efforts on the matter.

Misc. Com. No. 69 from the Honorable Charles H. Percy, Chairman, Committee on Foreign Relations, United States Senate, dated June 25, 1982, acknowledging receipt of Senate Resolution No. 115 regarding the Caribbean Basin Initiative.

Misc. Com. No. 70 from the Honorable Philip J. Rock, President, Illinois State Senate, dated June 25, 1982, acknowledging receipt of Senate Resolution 65 regarding the Equal Rights Amendment.

Misc. Com. No. 71 from the Honorable Spark Matsunaga, United States Senator, dated June 16, 1982, acknowledging receipt of Senate Concurrent Resolution No. 67 regarding the nuclear arms race, and expressing his comments and efforts regarding the matter.

Misc. Com. No. 72 from Gerald Knight, Baha'i International Community, New York, New York, dated June 29, 1982, acknowledging receipt of Senate Resolution No. 86 urging an end to the campaign of genocide against the Baha'i faith in Iran, and forwarding a copy of United Nations Resolution 1982/27 relating to the matter.

Misc. Com. No. 73 from Dante B. Fascell, Chairman, Subcommittee on International Operations, Committee on Foreign Affairs, Congress of the United States, dated June 28, 1982, acknowledging receipt of a Senate resolution (SCR No. 42) concerning the establishment of a United States Academy of Peace and expressing comments thereto.

RULES OF THE SENATE

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RULES OF THE SENATE
of the
ELEVENTH LEGISLATURE OF THE STATE OF HAWAII

The following Rules shall be the Rules of the Senate of the Eleventh Legislature of the State of Hawaii.

PART I. ORGANIZATION, OFFICERS AND EMPLOYEES

Rule 1. Organization

When the Senate convenes, the President or the Vice-President, in the absence of the President, shall call the Senate to order and appoint a Committee of three whose duty it shall be to immediately examine the credentials of the members-elect of the Senate. If from the Committee report, it shall appear that a majority of the credentials are in order, the Senate shall proceed to organize and shall appoint a Committee of three to wait upon a justice of the Supreme Court, an Intermediate Appellate Court judge or a Circuit Court judge to administer the oath of office required by the Constitution. Such proceedings need not be on the day of convening in the Senate. In the absence of the President or Vice-President the Senate may elect a temporary Presiding Officer by a majority vote of the members of the Senate.

Rule 2. Officers and Employees

(1) The officers of the Senate shall consist of a: President, Vice-President Clerk, Assistant Clerk and Sergeant-at-Arms, each of whom shall be elected by a majority vote of the members of the Senate.

(2) The President and Vice-President shall hold their respective offices in accordance with Title 3, Hawaii Revised Statutes. Other officers and employees shall hold their respective offices and positions at the pleasure of the Senate, but a majority vote of the members of the Senate shall be required to terminate the office held by any officer of the Senate.

(3) The Senate may, by a majority vote, authorize positions from time to time as may be deemed necessary.

Rule 3. The President

It shall be the duty of the President:

(1) To open the meetings of the Senate by taking the Chair and calling upon the Chaplain to give the invocation.

(2) When a quorum is present, to call for the reading of the Journal of the preceding day.

(3) To maintain order in the Senate Chamber and to require proper decorum on the part of the members.

(4) To announce the business before the Senate in the order prescribed by the Rules.

(5) To receive and submit all matters properly brought before the Senate by the members, to call for votes upon the same and announce the results.

(6) To receive all communications and present them to the Senate.

(7) To appoint all committees unless otherwise determined by the Senate.

(8) To authenticate by signature, all acts and doings of the Senate which require authentication.

(9) To make known rules of order when so requested and, subject to an appeal to the Senate, to decide all questions of order.

(10) To issue warrants, when so directed by the Senate, to carry into effect its orders in the arrest of offenders, the summoning of witnesses, or other orders of the Senate.

(11) To decide and announce the result of any vote taken.

(12) To do and perform such other duties as are required by law or by these rules or such as may properly pertain to such office.

(13) To clear the Senate Chamber of all persons, except its members and designated persons if there is a disturbance or disorderly conduct, or on motion duly adopted.

(14) To control and have direction of the rooms, desks, passages, stairways, corridors, balconies, in and about the building set apart for the use of the Senate and all public property of the Senate. The President shall see that all officers of the Senate perform their respective duties, and may assign places to visitors and reporters. The President may admit stenographers or other reporters, wishing to take down the debates, and assign them such places to effect their object as shall not interfere with the convenience of the Senate.

(15) To establish final dates for action on legislation, including, though not limited to the final date for introducing bills after the nineteenth legislative day and prior to the mandatory recess pursuant to Article III, Section 12, of the Constitution, the final date for third reading of Senate bills, the final date for third reading of House bills, the final date for approving conference committee agreements and drafts of bills, the final date for final reading of the General Appropriations Bill, and the final date for final reading of the Supplemental Appropriations Bill. The President shall coordinate the date for introducing bills and may coordinate with the Speaker of the House to establish the other final dates.

Rule 4. The Vice-President

In the absence of the President, the Vice-President shall exercise all the duties and powers of the President.

Rule 5. President Pro Tempore

(1) In case the President and Vice-President shall be absent at the hour to which the Senate had adjourned, the eldest member present shall preside until a President pro tempore be chosen.

(2) The President pro tempore shall be invested with all of the powers and shall perform all the duties of the President. Whenever the President pro tempore is required to sign a bill or other instrument, the Clerk shall attach to such bill or other instrument a certificate stating that such President pro tempore was duly elected and is authorized to so sign.

Rule 6. The Clerk

It shall be the duty of the Clerk:

(1) To have charge of all records of the Senate and be responsible for the same. At no time shall the Clerk permit original documents to be withdrawn from the Clerk's keeping unless ordered by the Senate.

(2) To make a concise and complete memorandum of all petitions, motions, resolutions, amendments and other matters brought before the Senate. Such memoranda shall state the nature of the matter and the name of the introducer, and the date and day of the session on which the Senate considered the matter. The memoranda, together with other matters ordered to be placed therein, shall constitute the Journal, a copy of which shall be placed on the desk of each member on the following session day. The Journal of each day shall be read the following day, immediately after the Chaplain retires. When such Journal is approved by vote of the Senate, it shall be entered by the Clerk in a book entitled "Journal of the Senate. Session of . ." (Giving the Year).

(3) Unless otherwise directed by the Senate, to read all bills, resolutions and other matters (if so required) to the Senate.

(4) To forward at once all letters, messages, communications and other matters to the proper parties.

(5) To immediately deliver to the Chairman of the appropriate committee all petitions, resolutions, bills or other matters duly referred to such committee.

(6) To see that all bills and resolutions are properly engrossed and are correct and true as finally acted upon by the Senate.

(7) To draw such drafts on the state general fund for expenses of the session as shall be authorized by the Senate and approved by the Committee on Legislative Management.

(8) To pay all bills and accounts as shall be approved by the Committee on Legislative Management, or ordered by the Senate, and no others.

(9) To be responsible for the acquisition and distribution of all of the property of the Senate.

(10) To note all questions of order with the decision thereon and collect the same and append them to the Senate Journal at the close of the session.

(11) To perform all other clerical duties and functions pertaining to the Office of the Clerk and as the Senate shall from time to time direct. The Clerk shall post the order of business in writing in a conspicuous place each day.

Rule 7. Assistant Clerk

The Assistant Clerk shall assist the Clerk in the performance of all duties and attend to such other duties as may be required when so directed by the President. In the absence of the Clerk, the Assistant Clerk shall perform all duties of the Clerk.

Rule 8. Chaplain

A Chaplain shall attend each day's sitting of the Senate and open the same with an invocation.

Rule 9. Sergeant-at-Arms

It shall be the duty of the Sergeant-at-Arms to attend the Senate on every day of meeting; to maintain order among those present as spectators; to give notice to the Presiding Officer of the attendance of any person with communications or otherwise; to supervise the distribution of incidentals which require distribution among the members; to supervise, subject to the control of the President, the Senate Messengers; to attend upon committees if so requested; to serve all orders to process directed by the President or Senate; to make all required arrests of members or other persons, and to retain the same in custody; to have the charge and responsibility for the postal requirements of the Senate; and generally to execute all of the requirements of the President of the Senate.

Rule 10. Responsibility of Officers and Employees

The employees shall perform such duties as may be assigned by the President or prescribed by the Senate.

All officers and employees of the Senate shall be directly answerable to the President, and shall obey and perform all the President's orders and directions, subject to revision by the Senate. If required by the President, any officer or employee shall give a bond for the faithful performance of duties.

An oath of office shall be administered to each officer.

Rule 11. Pay of Members, Officers and Employees

(1) Each member of the Senate, upon being elected or appointed to office, shall receive as compensation \$13,650 a year. Of this sum, amounts of \$3,500 will be payable on the

fifteenth day of February, March and April. The sum of \$350 will be paid in each of the other nine months.

(2) The officers, except the President and Vice-President, and the employees shall receive compensation as the Senate shall fix by resolution.

PART II. COMMITTEES

Rule 12. Committees: Types and Composition

(1) Standing Committees: The membership of each Standing Committee and the respective Chairman and Vice-Chairman thereof shall be appointed by the President, subject to action by the Senate. The majority and minority parties shall be represented on all standing committees on such basis as prescribed by the Senate; provided that such basis be at least that of proportional representation. The nomination of the minority party members to all standing committees shall be made by the minority party.

(2) Special Committees shall consist of not less than three members each, unless otherwise ordered by the Senate, and shall be appointed by the President from time to time as occasion requires, to serve until discharged or finally reporting the specific matter referred.

(3) Conference Committees shall consist of not less than three members each, unless otherwise ordered by the Senate, and shall be appointed by the President from time to time as occasion requires, to serve until discharged or finally reporting the matter referred.

(4) The Committee of the Whole Senate.

Rule 13. Committee Chairman and Vice-Chairman

The first person named on the Committee shall be Chairman; the second member named shall be Vice-Chairman. The Chairman shall call meetings and preside.

Rule 14. Committees: Control and Excuse from Membership

Committees shall be under the control of and subject to the orders of the Senate, and shall faithfully carry out such orders. Any member may be excused from serving on any committee at the time of appointment, if such member is a member of four other committees.

Rule 15. Standing Committees

Standing Committees shall be appointed for each major subject matter area at the opening of the session, or as soon thereafter as possible, to serve during the Eleventh legislative session. The major subject matter areas and the Standing Committees therefor shall be as follows:

EDUCATION AND CULTURE

This major subject matter area covers those programs which are intended to promote intellectual development and cultural enrichment of the community. The Standing Committees for this major subject matter area shall be:

- (1) Committee on Education, whose scope shall be those programs relating to lower education, continuing education, public libraries, culture and the arts.
- (2) Committee on Higher Education, whose scope shall be those programs relating to the University of Hawaii and the community colleges.

HEALTH

This major subject matter area covers those programs which are intended to improve the physical and mental health of the people. The Standing Committee for this major subject matter area shall be:

- (3) Committee on Health, whose scope shall be those programs relating to general health, maternal and child care, communicable diseases, dental health, medical and hospital services, mental health, mental retardation and hospitals.

HUMAN AND ECONOMIC DEVELOPMENT

This major subject matter area covers those programs which are intended to insure adequate income, housing and employment for individuals and families, to encourage the development and growth of industry, to promote improved employment conditions for government employees and to promote, enhance, and conserve energy and energy-related natural resources. The Standing Committees for this major subject matter area shall be:

- (4) Committee on Human Resources, whose scope shall be those programs relating to employment opportunities, financial assistance, vocational rehabilitation, labor-management relations, social welfare services; and, to those programs relating to public employment concerning employee pay and benefits, employee recruitment, classification and training, career development, employee performance, employment conditions, standards of conduct for public employees, and collective bargaining.
- (5) Committee on Economic Development, whose scope shall be those programs relating to land resources, nonagricultural use water resources, the promotion, enhancement, and conservation of nonagricultural energy-related natural resources, marine resource development, industrial and product promotion, new industry development, and financial and technical assistance to business.
- (6) Committee on Agriculture, whose scope shall be those programs relating to agriculture, water resources for agricultural use and the promotion, enhancement and conservation of energy-related agricultural resources.
- (7) Committee on Tourism, whose scope shall be those programs relating to tourism.
- (8) Committee on Housing and Hawaiian Homes, whose scope shall be those programs relating to housing and Hawaiian Homes.

HUMAN RIGHTS AND JUSTICE

This major subject matter area covers those programs which are intended to safeguard individual and property rights, protect consumers from fraudulent and deceptive practices, promote public safety, and improve the conduct of business affairs. The Standing Committees for this major subject matter area shall be:

- (9) Committee on Judiciary, whose scope shall be those programs relating to courts, crime prevention and control, criminal code revisions, correction and rehabilitation, the rules of the Senate, judicial and legal questions, constitutional matters, programs of the Attorney General and of the Judiciary, individual rights and civil liberties, public defense and other pertinent matters referred to it by the Senate. In the event of a contest, it shall investigate and report upon the certificates of election of members. The committee shall consider all petitions and other matters relating to elections and returns referred to it by the Senate and report thereon.
- (10) Committee on Consumer Protection and Commerce, whose scope shall be those programs relating to the protection of the consuming public, business and trade regulation, regulation of financial institutions, insurance regulation, and professional and occupational regulation.
- (11) Committee on Public Utilities, whose scope shall be those programs relating to the regulation of public utilities.

ECOLOGY, ENVIRONMENT AND RECREATION

This major subject matter area covers those programs which are intended to promote conditions which enhance ecological balance, safeguard the environment, conserve natural

resources and to provide recreational opportunities. The Standing Committee for this major subject matter area shall be:

- (12) Committee on Ecology, Environment and Recreation, whose scope shall be those programs relating to environment quality control, environmental health, outdoor recreation, State parks and historic sites development and protection.

GOVERNMENT OPERATIONS AND INTERGOVERNMENTAL RELATIONS

This major subject matter area covers those programs which are intended to promote government efficiency and effective cooperation and coordination among the various levels of government. The Standing Committee for this major subject matter area shall be:

- (13) Committee on Government Operations and Intergovernmental Relations, whose scope shall be those programs relating to government personal property management, archives, government communications, military and civil defense, relations among the federal, state and county governments, matters of primary concern to particular counties and the promotion of efficiency and economy in government.

TRANSPORTATION

This major subject matter area covers those programs which are intended to facilitate the physical movement of people and goods into and from the State and from place to place within the State. The Standing Committee for this major subject matter area shall be:

- (14) Committee on Transportation, whose scope shall be those programs relating to air, water and surface transportation.

FINANCIAL PLANNING AND MANAGEMENT

This major subject matter area covers those programs which are intended to produce the efficient, effective, economical and equitable acquisition and utilization of financial resources. The Standing Committee for this major subject matter area shall be:

- (15) Committee on Ways and Means, whose scope shall be those programs relating to overall State financing policies, including taxation and other revenues and cash and debt management, and statewide implementation of planning, programming, budgeting and evaluation.

LEGISLATIVE SUPPORT

This major subject matter area covers those programs which are intended to provide to the legislature effective support for the accomplishment of legislative objectives and to promote understanding of the legislative process. The Standing Committee for this major subject matter area shall be:

- (16) Committee on Legislative Management, whose scope shall be those programs relating to the establishment and operations of legislative support agencies, such as the Office of the Legislative Auditor, the Ombudsman and the Legislative Reference Bureau.

Rule 16. Standing Committees: General Responsibility

It shall be the duty of each standing committee to conduct systematic review of those portions of the State budget, program and financial plans, and variance reports dealing with, and to consider all laws, bills, resolutions, petitions, reports and other matters relating to, those programs over which the committee has responsibility.

It shall examine such portions of the executive budget, the General Appropriations Bill and the Supplemental Appropriations Bill relating to the programs over which it has responsibility, and it shall recommend the programs and the levels of program

expenditure to be included in the General Appropriations Bill or Supplemental Appropriations Bill. The level of expenditure, in the aggregate, for any program area shall be consistent with the expenditure allocation established for that program area by the Standing Committee on Ways and Means, which shall make the final recommendation to the Senate.

On other bills referred to it by the President, the committee shall determine objectives, make program recommendations and, where appropriate, make expenditure recommendations. On bills that have been referred by the President to more than one committee, subsequent referral committees shall make no substantive change without prior written notice of such change to the first referral committee and consultation and coordination with that committee, via its chairman, prior to the transmittal of the amended bill and committee report to the Clerk of the Senate for floor action. For those bills which require appropriations, the committee shall make expenditure recommendations consistent with the expenditure allocations established for the bills by the Standing Committee on Ways and Means, which shall make the final recommendation to the Senate, after consultation and coordination with the chairman of the subject matter committee.

It shall also be the duty of each standing committee to review the implementation of those programs over which the committee has responsibility. In its review, it shall determine the extent to which program objectives are being accomplished and legislative policies executed, recommend the study of program issues and the conduct of program analysis. It shall recommend amendments to appropriation acts and such policies as may be appropriate to improve the planning, programming, budgeting, implementation and evaluation of programs to the Standing Committee on Ways and Means, which shall make the final recommendation to the Senate.

Rule 17. Committee on Ways and Means: Special Responsibility

It shall be the duty of the Committee on Ways and Means, in considering the General Appropriations Bill or the Supplemental Appropriations Bill, to determine for each fiscal year of the biennium the appropriate level of total expenditures and the level of expenditures for program areas. The committee shall inform each standing committee of the allocations made to each program area over which the standing committee is responsible for budget and program review. The Committee on Ways and Means shall receive the program expenditure recommendations of the standing committee and shall review the recommendations to determine that, in the aggregate, the expenditure recommendations are consistent with the allocations made to the program area. In determining the allocation to be made to a program area and in reviewing the recommendations of the standing committee, the Committee on Ways and Means shall invite the participation of the chairman of the standing committee responsible for the program area. After review of the recommendations of the standing committees, the Committee on Ways and Means shall be responsible for preparing the General Appropriations Bill or the Supplemental Appropriations Bill in a form appropriate for consideration by the Senate.

In all other bills requiring appropriations, it shall be the duty of the Committee on Ways and Means to inform the standing committee responsible for the program area to which the appropriation relates of the amount and type of financial resources available, and it shall review the expenditure recommendation of the standing committee to determine that the recommendation is consistent with the resources available. In determining the amount and type of resources available for a bill requiring an appropriation and in reviewing the expenditure recommendation of the standing committee, the Committee on Ways and Means shall invite the participation of the chairman of the standing committee responsible for the program area to which the appropriation relates.

Rule 18. Committee on Legislative Management: Special Responsibility

It shall be the duty of the Committee on Legislative Management to oversee the administrative operations of the Senate, including the supervision of accounting and printing services.

The committee shall make recommendations on the expenses to be included in the appropriation bills providing for the expenses of the legislature, and it shall control the expenses of the Senate in accordance with the appropriation acts providing for such expenses. It shall audit and settle all accounts which may be charged to the expenses of the Senate, and it shall audit the accounts of the members. No bills shall be incurred without the order of the committee, and it shall not be lawful for any bill to be paid until the same

shall have been audited by the committee. It shall from time to time direct the Clerk to draw drafts on the treasury for the payment of expenses of the Senate. The committee shall report weekly to the Senate on the status of Senate funds.

It shall also be the duty of the committee to review, as may be appropriate, the organization and process of the Senate and to make recommendations to promote greater efficiency and effectiveness.

Rule 19. Meetings of Committees

Meetings, including decision-making sessions, of Standing Committees shall be public provided that meetings in executive session may be allowed in such exceptional circumstances when committee discussion could unfairly damage the reputation of individuals or where there is a legal question concerning a bill. Notice of such meetings and decision-making sessions shall be publicly posted at least 48 hours prior to such meetings provided that the notice may be waived with the approval of the President upon good cause shown.

No committee shall sit during the time when the Senate is actually in session without first securing the approval of the President, except Conference Committees which may sit at any time.

As practicable, committees shall schedule their meetings at times and at places as are convenient for attendance by the general public, and shall in coordination with other committees of the House or Senate, endeavor to hold joint meetings and public hearings on matters of mutual interest.

The meetings of the conference committee shall be conducted as agreed upon by the members of the conference committee. Conference committee meetings and decision-making sessions shall be public. Public notice of conference committee meetings shall be given to the extent practicable.

Rule 20. Committee Reports

(1) The Standing Committees shall report from time to time upon all matters referred to them.

(2) Special Committees shall report upon matters referred to them within the time permitted in the appointment of the special committee unless further time is given by vote of the Senate.

(3) A Conference Committee shall not report upon the matter referred unless a majority of the members appointed by the President have concurred in the report.

Rule 21. Committees: Factfinding and Content of Reports

(1) Whenever any matter shall be referred to a committee it shall be the duty of the committee to make diligent inquiry into all of the facts and circumstances connected with the matter. If necessary, witnesses shall be summoned or subpoenaed and examined under oath; documents and records shall be searched or subpoenaed, and everything shall be done to bring all facts pertaining to the matter before the Senate. The President may exercise such powers authorized under Chapter 21 of the Hawaii Revised Statutes, relating to the issuance of subpoenas, and the President, committee chairmen and other duly delegated members of the Senate may exercise such powers authorized under Chapter 21 aforesaid, relating to the administering of oaths, and the compelling of witnesses who have been subpoenaed to testify. All committee meetings held on matters referred to it by the Senate shall be open to the public unless otherwise ordered by the Senate or otherwise provided by these Rules.

(2) The report of the Committee shall state findings of fact and conclusions based thereon, together with a distinct recommendation as to the disposal of that matter.

(3) A report upon a bill shall state clearly the amendments, if any, proposed. If a substitute bill, for one or more referred to the Committee shall be reported, such substitute bill shall agree with the subject of the bill or bills returned to the Senate.

(4) Whenever a Committee fails to agree, the majority shall report and it shall be the report of the Committee. The minority may report or simply write upon the report of

the majority the words "I (or we) do not concur," signing the same. The final vote of each member of a Committee upon any matter referred to it shall be recorded in the records of the Committee.

(5) Whenever a draft report is circulated among the Committee members for signature and fails to receive majority concurrence, such draft report shall be retained in the records of the Committee and shall be open to the public.

Rule 22. Committee of the Whole

(1) The Senate may from time to time resolve itself into a Committee of the Whole. Whenever any matter shall be referred to such Committee upon the adoption of a motion to that effect, the President shall call some member to take the Chair (unless the Senate shall nominate a chairman), which being done, the Senate shall then be in Committee.

(2) The Clerk of the Senate shall act as Clerk of the Committee of the Whole without extra compensation, and shall make a careful record of the proceedings, which shall be filed as one of the records of the Senate.

(3) The Committee may, on motion, rise and ask leave to sit at any future time.

(4) When a bill shall be referred to the Committee of the Whole, the bill shall be first read throughout by the Clerk, and then again read and debated by sections, leaving the preamble to be the last but all amendments, noting the page and line, shall be duly entered by the Clerk on a separate paper, as the same shall be agreed to by the Committee, and so reported. When a bill is ordered into Committee of the Whole, such order may dispense with the reading of the whole bill before considering it section by section.

(5) In Committee of the Whole, the rules of procedure in the Senate shall be observed except that any member may speak more than once on the same subject, but no person shall speak a second or further time until others desiring to speak shall have had an opportunity, nor shall the motion for the previous question be allowed. A time limit for debate may be fixed by vote.

PART III. SESSIONS; ATTENDANCE; NOMINATIONS

Rule 23. Meetings

(1) The Senate shall meet for the transaction of public business every day, except Saturdays, Sundays, legal holidays, and such other days as the Senate shall by motion or resolution duly adopted and entered in the Journal, designate.

(2) The regular hour of meetings of the Senate is established at ten o'clock a.m. but the hour of meeting, recess, and adjournment for any day may be such as the Senate shall, by motion, decide from time to time.

Rule 24. Attendance

No member shall be absent from the sessions of the Senate unless given leave by the President or unless the member is sick and unable to attend.

Rule 25. Extension of Session

Two-thirds of the members to which the Senate is entitled, two-thirds of the House of Representatives concurring, may petition the President of the Senate and the Speaker of the House to extend any session of the Legislature. The petition shall read:

"To the President of the Senate and the
Speaker of the House of Representatives

Your petitioners, members of the Senate and of the House of Representatives of the _____ Legislature of the State of Hawaii, respectfully request an extension of _____ days of the _____ session of _____ of the _____ Legislature of the State of Hawaii."

The petition shall be in writing, above the signatures of the members.

When the President of the Senate receives such a petition, and it is properly signed by two-thirds of the members to which each house is entitled, the President and the Speaker of the House of Representatives shall jointly issue a proclamation extending the session for the number of days sought in the petition.

Rule 26. Recessed Session

Any session of the Legislature may be recessed by concurrent resolution adopted by a majority of the members to which each house is entitled. Each regular session shall be recessed pursuant to Article III, Section 10, of the Constitution for not less than five days at some period between the twentieth and fortieth days of the regular session.

Rule 27. Special Sessions

(1) Two-thirds of the members to which the Senate is entitled, two-thirds of the House of Representatives concurring, may petition the President of the Senate and the Speaker of the House to call a special session of the Legislature. The petition shall read:

"To the President of the Senate and the
Speaker of the House of Representatives

Your petitioners, members of the Senate and of the House of Representatives of the _____ Legislature of the State of Hawaii, respectfully request that a special session of the _____ Legislature of the State of Hawaii be convened at _____."

The petition shall be in writing, above the signatures of the members.

When the President of the Senate receives such a petition, and it is properly signed by two-thirds of the members to which each house is entitled, the President of the Senate and the Speaker of the House of Representatives shall jointly issue a proclamation convening the Legislature in special session at the time and place sought in the petition.

(2) Two-thirds of the members to which the Senate is entitled may petition the President of the Senate to call a special session of the Senate for the purpose of carrying out the Senate's responsibilities established by Article VI, Section 3, of the Constitution. The petition shall read:

"To the President of the Senate

Your petitioners, members of the Senate of the _____ Legislature of the State of Hawaii, respectfully request that a special session of the Senate of the State of Hawaii be convened at _____."

The petition shall be in writing, above the signatures of the members.

When the President of the Senate receives such a petition, and it is properly signed by two-thirds of the members to which the Senate is entitled, the President of the Senate shall issue a proclamation convening the Senate in special session at the time and place sought in the petition.

Rule 28. Adjournments

Meetings may be adjourned at any time. Unless otherwise specified in the motion, every adjournment shall be considered as being to the established hour of meeting on the following business day; but no adjournment shall be for more than three days, or sine die, without the consent of the House of Representatives.

Rule 29. Motion to Adjourn

A motion to adjourn is always in order, and shall be decided without debate. One motion to adjourn shall not follow another without intervening business.

A motion to adjourn without naming any time shall always be held as an adjournment to the regular hour of meeting of the next business day.

Rule 30. Quorum

For the transaction of business, a majority of the number of members to which the Senate is entitled shall constitute a quorum, of which quorum a majority vote shall suffice, but the final passage of a bill shall require the vote of the majority of the members of the Senate. A smaller number than a quorum may adjourn from day to day and compel the attendance of absent members. For the purpose of compelling the attendance of absent members, a majority of the members present may, by resolution, direct the Sergeant-at-Arms to place the members who are absent under arrest and to return them to the Senate. Any warrant pursuant to such a resolution shall be issued in the name of the Senate and shall be signed by the member then presiding. For the purpose of ascertaining whether there is a quorum present, the President shall count the members present.

Rule 31. Executive Session

(1) If the Senate considers it necessary to act confidentially upon any communication from the Governor or upon any nomination or other matter, it may go into executive session.

(2) When any member desires to make known any matter to the Senate which the member deems should be confidential and private, the member shall communicate that desire to the President who shall decide whether the Senate shall go into executive session. The Senate may decide whether the matter communicated shall be kept secret.

Rule 32. Clearing of the Senate

(1) When acting upon confidential business in executive session, the Senate Chambers shall be cleared of all persons except the members of the Senate and such other persons as the presiding officer with the consent of the Senate shall deem necessary.

(2) The members, officers and employees shall keep the secrets of the Senate and any other person whose presence is permitted in executive session shall be sworn to secrecy.

(3) All confidential communications made to the Senate, and remarks, votes and proceedings thereon, shall be kept strictly secret by the members, officers and employees, as well as by such other persons as have been detained or permitted to attend upon the consideration of such matters, until the Senate, by resolution, takes off such seal of secrecy, or unless such matter be later considered in open session.

Rule 33. Nominations

(1) When nominations, except those of justices and judges, shall be made by the Governor to the Senate, they shall, unless otherwise ordered, be referred to appropriate standing committees; and the final question on every nomination shall be "Will the Senate advise and consent to this nomination?" which question shall not be put sooner than twenty-four hours from the time when the nomination is received, nor on the day in which it may be reported by a committee, unless by unanimous consent. Public hearings shall be held for all nominees prior to confirmation.

(2) The fact of a nomination, or its rejection or confirmation, need not be kept secret, but when the Senate or any committee thereof shall deem it necessary for good cause, all remarks, proceedings and votes thereon shall be kept secret.

(3) Nominations of justices and judges shall be pursuant to Article VI, Section 3, of the State Constitution.

Rule 34. Meeting at Place Other than Capitol

Whenever, for any reason, the Governor shall convene the Senate at any place other than the Capitol, it shall attend together with all of its officers at the time and place ordered.

PART IV. ORDER OF BUSINESS

Rule 35. Order of Business: General

After invocation, roll call and the reading of the Journal, the President shall call for business in the following order:

- (1) Messages from the Governor.
- (2) Reports and Communications from the state officers.
- (3) Communications, bills, resolutions and other matters from the House of Representatives.
- (4) Concurrent and Senate Resolutions and introduction of Bills.
- (5) Reports of Conference and Joint Committees.
- (6) Reports of Committee on Legislative Management.
- (7) Reports of other Standing Committees.
- (8) Unfinished business, upon which the Senate was engaged at the time of its last adjournment.
- (9) The Order of the Day.
- (10) Petitions, Memorials and Miscellaneous Communications.
- (11) Any miscellaneous business on the President's table.

Rule 36. Order of Business: Special

The Senate may, by previous motion, direct that any matter named shall be made a special order of business and that such special order shall take precedence of all business after the fourth order, or that it shall take any other position lower down on the calendar.

Rule 37. Order of Business: Committee Reports and Gubernatorial Messages

Reports from Conference or Joint Committees, and from the Committee on Legislative Management, shall be in order at all times after the second order of business, and, upon motion, messages from the Governor or from the House of Representatives may be received at any time. Without unanimous consent such messages or reports shall not however be in order for discussion when received, but shall be placed on the calendar as unfinished business.

Rule 38. Order of Business: Order of the Day

After the first seven orders of business (set forth in Rule 35), it shall be in order, pending consideration thereof, to move that the Senate proceed to dispose of the unfinished business or to the Order of the Day. If such motion be decided in the affirmative, such consideration shall immediately be taken up.

Rule 39. Order of Business: Unfinished Business

The unfinished business in which the Senate was engaged at the time of the last adjournment shall have the preference in the Order of the Day. Until the former is disposed of, no motion for any other business shall be received without special leave of the Senate.

Rule 40. Order of Business: Questions on Priority

All questions relating to the priority of business to be acted upon shall be decided without debate.

PART V. BILLS; RESOLUTIONS

Rule 41. Bills: Introduction

Any bill may be introduced on the report of a committee or by any member, except bills subject to the next paragraph and except short form bills which may only be introduced by the President of the Senate or the minority party leader after appropriate consultation with committee chairmen and other members of the Senate.

Bills appropriating money for the executive, legislative, and judicial branches of government, for claims against the State, for criminal injuries compensation, and for the Office of Hawaiian Affairs may be introduced by the President of the Senate or the minority party leader after appropriate consultation with committee chairmen and other members of the Senate. Each member may introduce one bill appropriating money for capital improvement projects in the member's district.

All bills shall be introduced under the order of resolutions.

Bills which shall carry over from a regular session in an odd-numbered year to the next regular session shall retain the numbers assigned to them. The Clerk shall keep a record of the status of all bills in possession of the Senate at the end of the odd-numbered year session and shall publish the record of the status of all such bills prior to the convening of the next regular session.

Every bill introduced or reported out of any committee, which amends an existing section or subsection of the Hawaii Revised Statutes or Session Laws of Hawaii, shall set forth the section or subsection in full, and the matter to be deleted shall be enclosed in brackets and any new matter added to the section or subsection shall be underscored. However, a supplemental appropriations bill need not conform to this rule or an amending bill where the intent and effect of an amending bill can be clearly identified and understood without repeating the entire section or subsection, in which case only the paragraphs, subparagraphs, clauses, or items to be amended need be set forth as the President may allow. The President may allow additional exceptions to this rule.

No floor amendment to a bill shall be voted upon unless a copy of such amendment shall have been presented to the Clerk who shall prepare and distribute copies of the amendment to each member of the Senate present.

Rule 42. Bills: Referral to Committee

(1) All bills shall, upon introduction, be numbered by the Clerk in numerical sequence, shall bear an identification as a Senate Bill, shall, unless they are short form bills, pass First Reading and shall be referred to the Committee on Legislative Management.

(2) Upon receiving the report of the Committee on Legislative Management that the same has been printed, each such Bill shall be referred by the President to one or more appropriate Standing Committees for consideration.

(3) Each Standing Committee shall consider the bills referred to it as expeditiously as may be possible.

(4) Bills introduced in Short Form.

(a) If a majority of the Committee to which a short form bill has been referred determines that such bill should receive the further consideration of the same Committee or another Committee in the same or in an amended form, it shall report that fact to the Senate, together with its recommendation that either: (1) the bill pass First Reading by title and be referred again to the same or another Committee for further consideration, or (2) the bill in an amended form pass First Reading by title, be printed and be referred again to the same or another Committee for further consideration.

(b) The form of the Committee report, upon reporting such a bill to the Senate recommending its passage on First Reading without amendment and for referral again to a Committee for further consideration shall be substantially as follows:

Your Committee on _____, to which was referred S.B. ____ entitled _____ begs leave to report that your Committee has considered such Bill and recommends that it pass First Reading by title and be referred to the Committee on _____ for further consideration.

(c) The form of the Committee report, upon reporting such a bill to the Senate recommending passage on First Reading in an amended form and for referral again to a Committee for further consideration shall be substantially as follows:

Your Committee on _____, to which was referred S.B. ____ entitled _____ begs leave to report that your Committee has considered such Bill and recommends that it pass First Reading by title, in the amended form attached hereto, be printed and be referred to the Committee on _____ for further consideration.

Rule 43. Bills: Required Readings

No bill shall pass the Senate unless it shall have passed three readings in the Senate on separate days. The President shall give notice in each instance whether it be the first, second, or third reading.

Rule 44. Bills: First Reading

(1) The first reading of a bill shall be for information. If opposition be made to it, the question shall be: "Shall this bill be rejected?" which question may be debated. But no one shall speak more than once upon such question, except the introducer of the bill, who may close the debate.

(2) If the question to reject be negative, the bill shall go to its second reading without question.

Rule 45. Bills: Second Reading

A bill upon its second reading, may be read by its title only. It shall then be subject to a motion to commit. If it is not referred to a Standing Committee, or to a Special Committee, but is ordered to be considered in Committee of the Whole, a day for such consideration shall be determined by the Chairman of such Committee. When the bill shall be reported from Committee it shall take its place in the order of business for future consideration.

Rule 46. Bills: Third Reading

(1) No bill shall pass third or final reading in the Senate unless printed copies of the bill in the form to be passed have been made available to the members of the Senate for at least 48 hours. Form to be passed means the form in which a bill is to be (a) passed on third reading in the Senate, (b) concurred to by the Senate after amendments have been made by the House, or (c) passed by the Senate after a Conference Committee has agreed upon it. The 48-hour period for a bill shall commence with the placement of a printed copy of the bill in the form to be passed upon the desk of each member to which the Senate is entitled upon the convening of or during each day's session.

(2) A Bill on its third or final reading may be read by its title only, and the President shall then ask the Senate: "Shall this bill pass its third reading?" or "Shall this bill pass its final reading?" as the case may be. Upon the final passage of any bill, the Ayes and Noes shall be called. Such passage shall require the affirmative vote of a majority of all the members of the Senate and the Ayes and Noes shall be entered on the Journal.

Rule 47. Bills: Property of Senate

All bills introduced in the Senate shall be deemed the property of the Senate and under its control unless they shall become law, subject however to the right of the House of Representatives to amend or to refuse to agree with the same.

Any bill pending at the final adjournment of a regular session in an odd-numbered year shall carry over with the same status to the next regular session; provided that

if such bill shall have passed third reading in the Senate in an odd-numbered session, it shall pass at least one reading in the Senate in the next regular session upon its return to the Senate from the House.

Rule 48. Bills: Recall from Committee

Twenty days after a bill has been referred to a Committee, the same may be recalled from such Committee by the affirmative vote of one-third of the members of the Senate.

Rule 49. Matters Tabled

When a bill or resolution or other matter has been laid upon the table, it shall not thereafter be taken therefrom and be considered or restored to a place upon the calendar of the Senate without the consent of a majority.

Rule 50. Bills: Amendments

All amendments proposed to any bill shall be in writing, unless otherwise ordered by the Senate, and shall be sent to the Clerk's desk to be filed with the bill.

Rule 51. Bills: Certification

When a bill is passed it shall be certified by the Clerk who shall note the day of its passage at the bottom of the last page of the bill.

Rule 52. Bills: Received from House of Representatives

Whenever a bill which has finally passed the House of Representatives shall be certified to the Senate for its action, such bill shall be read three times before final passage, in accordance with the provision of the rules for the passage of bills introduced in the Senate.

Rule 53. Bills: Transmittal to House of Representatives

When a bill originating in the Senate shall have passed its third reading, or when a bill originating in the House which has been received from the House shall have been amended, or when a carry-over bill from an odd-numbered year originating in the House passes its third reading in the Senate in an even-numbered year session, such bill or such amended bill shall immediately be certified by the President and Clerk and sent to the House of Representatives for its consideration.

Rule 54. Bills: Correction to Errors

When a bill has passed both the Senate and the House of Representatives and an error in it is discovered prior to its having received the approval of the Governor, the same may be returned by Concurrent Resolution to the House last considering the same for proper correction.

Rule 55. Bills: Order of Consideration

(1) Bills which pass the First Reading shall be arranged in the order of their introduction, and a list shall be made in accordance therewith to be called the Second Reading File and when the time arrives for consideration, they may be considered in the order on the file.

(2) Bills which pass the Second Reading shall be arranged in the order of their passage, irrespective of the date of reference to Committee, or of the Committee report, and shall be in order for consideration on Third Reading as arranged. A list shall be made in such order to be called the Third Reading File. Whenever the Third Reading of any bill is set for any particular date, such bill shall be omitted from the Third Reading File.

(3) Resolutions or other matters on which consideration is not had and completed on the date of introduction into the Senate if not ordered for consideration at a stated date, shall be placed upon the general file in the order of consideration with bills.

Rule 56. Bills: Special Order of Consideration

All bills and other matters set for consideration on particular dates, shall be arranged in the order of the several votes making such assignments. A list shall be made of such special orders, and when the time for consideration arrives, such bills and other matters shall be considered in the order of assignment. If an adjournment shall be had before all of such special orders are disposed of, the remainder shall go over and come under the head of unfinished business on the following day, unless otherwise ordered.

Rule 57. Bills: Pre-Filing

The Clerk shall accept bills to be pre-filed within ten days before the commencement of the regular session in the even-numbered year.

PART VI. RESOLUTIONS; MOTIONS

Rule 58. Resolutions and Motions: Form

All resolutions shall be written in ink or typewritten, dated and signed by the introducer, otherwise they shall not be considered. The Senate shall not introduce any congratulatory or memorial resolution but shall express the sentiment contained in such resolutions by means of a suitable certificate. Motions and amendments may be verbal but shall be reduced to writing if requested by the President, and shall be read from the desk if so desired.

Rule 59. Motions: Second Required

No motion shall be received and considered by the Senate until same shall be seconded.

Rule 60. Motions: Disposition

After a motion is stated or read by the President, it shall be deemed to be in the possession of the Senate, and shall be disposed of by vote of the Senate; however, it may be withdrawn by the movant at any time before an amendment has been adopted or before the decision on the motion if not amended.

Rule 61. Motions Applicable to Pending Matters

Whenever any bill or resolution or other matter shall be under discussion, the only motions relative thereto shall be:

- (1) To lay upon the table,
- (2) To postpone to a certain time,
- (3) To postpone indefinitely,
- (4) To commit, and
- (5) To amend,

which motions shall have precedence in the order named.

The first two motions shall be decided without debate and shall be put as soon as made.

When any of the motions shall be decided in the negative, they shall not be revived the same day relative to the main question under discussion. If all are negative as aforesaid, the only remaining question shall be as to the adoption of the bill, resolution or other main question.

Rule 62. Matters Postponed Indefinitely

When a question is postponed indefinitely, the same shall not be acted upon again during the session in which it was introduced.

Rule 63. Motion for Previous Question

The object of the motion for the previous question is to cut off debate. It shall always be in order. It shall require a two-thirds vote to carry it.

Whenever the motion shall be carried, the author of the resolution or introducer of the bill under discussion shall be permitted to close the debate, after which the main question, subject to Rule 60, shall be put. The author or introducer may delegate to another such right to close.

Rule 64. Motion for Reconsideration

(1) When a motion has been once made and carried in the affirmative or negative, it shall not be in order for any member who voted in the minority to move for a reconsideration thereof; but any member who voted with the majority may move to reconsider it on the same or the succeeding day of session, and such motion shall take precedence of all other questions, except a motion to adjourn.

(2) When a motion for reconsideration has been decided by vote, that vote shall not be reconsidered.

(3) When a bill or resolution or other matter upon which a vote has been taken shall have gone out of the possession of the Senate, and shall have been transmitted to the House of Representatives, a motion to reconsider shall be deemed to include a request to the House to return the same. If not complied with by the House, then the vote on the motion to reconsider shall be set aside. If such motion shall pass, the Clerk shall promptly communicate to the House the request for return of the matter to be reconsidered.

PART VII. PETITIONS AND COMMUNICATIONS

Rule 65. Petitions, Memorials, and Miscellaneous Communications

(1) Any person may petition the Senate. Petitions and other memorials except as provided in Rule 58 shall be in writing, signed by the petitioners.

(2) All petitions, memorials, and other papers addressed to the Senate or to the President and members shall be presented to the Senate by the Clerk.

(3) A brief statement of the contents of such petitions, memorials, or other papers shall be made orally by the Clerk.

(4) Every such petition, memorial, or other paper shall be ordered filed or referred to a committee, as of course, by the President, unless such action is objected to by a member at the time such petition, memorial, or other paper is presented.

(5) No such petition, memorial, or other paper shall be debated on the day it is presented, except with the consent of the Senate.

PART VIII. ORDER; DEBATE; VOTING

Rule 66. Questions of Order

(1) A question of order may be raised at any stage of the proceedings, except during the calling of the roll when the Ayes and Noes are called for. Unless submitted to the Senate, such questions shall be decided without debate by the presiding officer, subject to an appeal to the Senate. Laying such appeal on the table shall be held as sustaining the ruling of the presiding officer.

- (2) Any question of order may be submitted to the Senate for its decision.

Rule 67. Debate: General Limitation

No member shall speak more than twice, unless such member be the movant of the matter pending, in which case such member shall not be permitted to speak in reply until every member choosing to speak shall have spoken.

Rule 68. Voting: Methods

There shall be five methods of ascertaining the decision of the Senate upon any matter.

(1) First, by voice or raising of hands; Second, by rising; Third, by ballot; Fourth, by call of the roll of the members and a record of the Clerk of the vote of each; and Fifth, by unanimous consent.

(2) Whenever the Senate is ready to vote on any question, the President shall rise, and after stating the question, shall request all those in favor of the affirmative of the question to vote "Aye." The President shall then call upon all voting in the negative of the question to vote "No." The President shall then announce the result to the Senate.

(3) If any member shall doubt the result, as announced, the President shall again state the question and call upon the members to vote by rising in their places, and they shall remain standing until counted, and the result shall be again announced.

(4) The method of voting by ballot shall be as customary. The President shall appoint one or more tellers, or direct the Messengers to collect the ballots, which shall be counted by the Clerk, and the results announced by the President. The Senate may, unless otherwise prescribed by these rules, on motion, vote upon any question by ballot.

(5) Whenever one-fifth of the members present shall request, the Clerk shall call the roll of the members of the Senate. Each member, when called, shall vote in a clear loud voice, "Aye," if voting in the affirmative, or "No" if voting in the negative. The Clerk shall record each vote and such record shall become a part of the Journal of the Senate. The President shall announce the results as above set forth.

(6) With the unanimous consent of the Senate, the President may direct the Clerk to record an "Aye" vote for each member of the Senate. If there is no objection, the Clerk shall so record the vote. If there is objection, the President shall ask for the names of the members voting "No" and order the Clerk to record no votes for them.

Rule 69. Voting: Rights of Members

(1) No member shall, on any account, refrain from voting unless excused by the President. A member may vote "Kanalua" the first time the member's name is called by the Clerk on any vote, but if the member votes "Kanalua" on the next call of the member's name, the member's vote shall be recorded as "Aye."

(2) The President may excuse a member who has a monetary interest in the question, or whose right to a seat in the Senate will be affected by the question, or whose official conduct is involved in the question. If a member thinks there may be a personal interest in the question, the member shall rise and disclose the interest to the President. The President then shall rule whether the member has a conflict of interest. If so, the member shall be excused from voting.

(3) Whenever the Ayes and Noes are called, no one, without unanimous consent, shall be permitted to explain a vote.

(4) After the announcement by the President of the result, no one shall be allowed to vote or to change a vote.

PART IX. DECORUM; DISCLOSURES; PUNISHMENT

Rule 70. Punishment of Members

The Senate may punish a member for misconduct, disorderly behavior or neglect of duty by censure, or upon a two-thirds vote of all the members of the Senate, by suspension or expulsion of such member.

The President may appoint a special committee to investigate, hear and report upon the conduct of any member charged by the Senate for misconduct, disorderly behavior or neglect of duty. Any member so charged by the Senate shall be informed in writing of the specific charge or charges made against the member and have opportunity to present evidence and be heard in the member's own defense. Following its investigation and hearing the special committee shall file its report with the President setting forth its findings and recommendations.

In the event the committee recommends censure, suspension, or expulsion, the President shall present the report of the committee to the Senate for its consideration and decision. The Senate may by a majority vote censure a member or, upon a two-thirds vote of all the members of the Senate, suspend or expel a member.

Rule 71. Decorum: Transgression of Rules

If any member transgresses the rules of the Senate, the President, or any member, may call such member to order, and, when so called to order, shall immediately sit down. The President shall then decide the question of order without debate, subject to an appeal to the Senate.

The President may call for the sense of the Senate on any question of order.

Rule 72. Decorum: Address

When any member is about to speak, such member shall rise from the member's seat and address all remarks to the President. While speaking, the member shall confine all remarks to the question under debate, shall refer to other Senators by title only (e.g., "Senator from the _____ District"; "The Chairman of the Committee on _____"; "The Majority Leader,") and not by name, and shall avoid personalities.

Rule 73. Decorum: Person Called to Order While Speaking

Whenever any person shall be called to order while speaking, such person shall be deemed to be in possession of the floor when the question of order is decided and may proceed with the matter under discussion.

Rule 74. Decorum: Presence in Senate

No person shall sit at the desk of the President or Clerk, except by permission of the President, nor shall any person, other than a member, officer, or permitted employee or person, sit in the main Senate floor area during any of the sessions of the Senate.

Rule 75. Decorum: Conduct in Session

When the President is putting any question or addressing the Senate, no one shall walk out of the room or across the floor. When a member is speaking, no one shall entertain a private discourse, nor shall anyone pass between the member speaking and the Chair.

Rule 76. Decorum: Disorderly Conduct in Session

If, during any session of the Senate, any member should behave in a disorderly manner the President shall order the member to be seated and preserve the peace. If such member shall then persist in disorderly conduct, the President shall order the Sergeant-at-Arms to remove the member from the Senate and the member shall not be permitted to take a

seat during the remainder of that day's session, except upon satisfactory pledge given to the Senate for future good behavior.

For the punishment of any person not a member, the provisions of Section 18, Article III, of the Constitution shall govern.

Rule 77. Decorum: Recording of Debate Called to Order

If any Senator is called to order for words spoken in debate, upon the member's demand or on that of any other Senator, the words objected to shall be taken down in writing and noted by the Clerk, and, if required, shall be read for the information of the Senate.

Rule 78. Decorum: Smoking

No member or other officer shall smoke within the Senate Chamber during any of the meetings of the Senate unless authorized by the President.

Rule 79. Decorum: Solicitation Prohibited

An officer or employee of the Senate shall not solicit subscriptions, for any purpose, from any other officer or employee thereof, nor from any Senator. Nor shall any person be permitted to solicit or receive subscriptions or contributions for any purpose on the floor or in the lobby of the Senate or in any Senate office.

Rule 80. Disclosures

Each member shall file with the Ethics Commission of the State of Hawaii a disclosure of the member's private financial interests, as prescribed by law. Each member shall file with the Ethics Commission any change in such financial interests.

If a legislative matter which affects a member's interests arises before the member has made a disclosure to the Ethics Commission, the member shall orally disclose such interest to the Senate before voting. The member then shall immediately make the written disclosure required by law and the Rules of the Senate.

Any member who has filed a disclosure as required by this Rule need not make a further oral disclosure on the Senate floor of any interest so filed.

Rule 81. Violating Confidence

If any matter covered in Rule 32 or 33 shall be disclosed by any Senator, the Senator shall be liable to censure, or, by a two-thirds vote, to suspension or expulsion from the Senate. If an officer or other person authorized to hear such matter shall disclose the same, such officer shall be dismissed and such other person shall be liable to punishment for contempt comparable to the punishment provided for by Section 18, Article III, of the Constitution and in the manner as therein prescribed.

PART X. QUESTIONS TO STATE OFFICERS

Rule 82. Questions to State Officers

Any member of the Senate may ask any question of any State officer relating to the officer's respective department reducing such questions to writing, over the member's signature, reading the same before the Senate, and furnishing the officer with a copy of such written question. Any officer questioned shall reply to such question upon the following day, unless the Senate shall grant a definite extension of time for replying.

PART XI. AMENDMENT, SUSPENSION AND INTERPRETATION OF RULES

Rule 83. Amendments; Suspension

(1) No rule of the Senate shall be amended or rescinded nor shall any new rule be adopted, without one day's notice of such change. Any such action shall require a majority vote of the members of the Senate.

(2) Any rule may be suspended for a particular purpose with the unanimous consent of the Senate.

Rule 84. Parliamentary Procedure

The Rules of Parliamentary Procedure as laid down by Cushing, and as interpreted and practiced in the Senate of the United States, where not inconsistent with these Rules shall govern the Senate.