

## SIXTH DAY

Wednesday, January 24, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Reverend Paul Peachey, Metropolitan Community Church, after which the Roll was called showing all Senators present.

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

Senator Yee then introduced to the members of the Senate 37 students from the second and third grades of Royal School, accompanied by their teachers Mrs. Okamura and Mrs. Cornell.

Senator Campbell introduced to the members of the Senate a group of students from Maema School, accompanied by their teacher Mrs. Akutagawa.

Senator Kawasaki then introduced former Senator Robert Taira, who was sitting in the gallery, to the members of the Senate.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 1 to 22) were read by the Temporary Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 1), transmitting a report prepared by the Commission on Population and the Hawaiian Future in response to House Concurrent Resolution No. 127 (1978), which requested migration data from an entry/exit census, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 2), transmitting a report prepared by the Department of Health in response to House Resolution No. 414 (1978), which requested the Department of Health in consultation with the State Retirement System to conduct a feasibility study concerning the State hiring of retirees from the patient labor force to work at Kalaupapa Settlement without having the retirees relinquish their pensions or other benefits, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 3), transmitting copies of the following reports prepared by the University of Hawaii:

1. In response to Senate Resolution No. 6 (1978), which requested the University of Hawaii to institute an exchange program for students and faculty in aquaculture to foster the development

of the aquaculture industry in Hawaii, was referred to the Committee on Economic Development;

2. In response to House Resolution No. 75 (1978), which requested the University of Hawaii College of Education to study whether special education courses should be made a requirement in the Bachelor of Education degree granting program, was referred to the Committee on Higher Education;

3. In response to Senate Resolution No. 337, S.D. 1 (1978), which requested data relating to actions required by public agencies and private industry to enhance Hawaii's potential role in the manganese nodule industry, was referred to the Committee on Economic Development;

4. In response to House Concurrent Resolution No. 87, H.D. 1 (1978), and House Resolution No. 435, H.D. 1, (1978), which requested a report expressing the support of the Hawaii State Legislature for development of a fair, firm, workable, and clear articulation policy for the University of Hawaii system, was referred to the Committee on Higher Education;

5. In response to House Resolution No. 258, H.D. 1 (1978), which requested the University of Hawaii College of Education to conduct a feasibility study concerning the inclusion of a health education course or program as a mandatory requirement in the elementary and secondary teacher preparation program, was referred to the Committee on Higher Education;

6. In response to House Resolution 273, H.D. 2 (1978), which requested a feasibility study of computer-based education at the University of Hawaii, was referred to the Committee on Higher Education; and

7. In response to House Resolution 375, H.D. 1 (1978), which requested the inclusion of geriatric medicine in the curriculum of the John A. Burns School of Medicine of the University of Hawaii, was referred to the Committee on Higher Education.

A message from the Governor (Gov. Msg. No. 4), transmitting the Semi-Annual Report prepared by the Marine Affairs Coordinator, pursuant to Act 149, SLH 1977, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 5), transmitting a report prepared by the Departments of Land

and Natural Resources and Transportation pursuant to Senate Resolution No. 267, S.D. 1 (1978) and House Resolution No. 405, H.D. 1 (1978), which requested a reconnaissance study on flooding in the Kapulena-Kukuihaele areas, Island of Hawaii, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 6), transmitting various reports prepared by the Department of Education in response to:

1. Senate Resolution No. 340, S.D. 1 (1978), which requested the establishment of an orthopedic unit to serve orthopedically handicapped and other health impaired children in the Kauai, Hawaii, Windward, Leeward, Maui, and Central School Districts, was referred jointly to the Committee on Education and the Committee on Health;
2. House Concurrent Resolution No. 44, H.D. 1 (1978), supporting the continuation of the "Follow Through" Program, was referred to the Committee on Education;
3. House Resolution No. 235, H.D. 1 (1978), seeking federal funds for the "Follow Through" Program, was referred to the Committee on Education;
4. House Resolution No. 236, H.D. 1 (1978), urging increased support for the Department of Education's Girls Athletic Program, was referred to the Committee on Education;
5. House Resolution No. 271, H.D. 2 (1978), to develop a pilot project on health counseling in public high schools, was referred to the Committee on Education;
6. House Resolution No. 514 (1978), which requested the Department of Education to establish uniform standards and procedures to identify gifted and talented students within the public schools and to provide programs for such students, was referred to the Committee on Education;
7. House Resolution No. 543, H.D. 2 (1978), which requested the Department of Education, in consultation with the University of Hawaii, to improve the delivery of nutrition education programs within the public schools of Hawaii, was referred to the Committee on Education; and
8. House Resolution No. 547 (1978), which requested the Department

of Education to develop and implement a comprehensive system for alternative education programs, were referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 7), transmitting the Annual Report of the Commissioner of Motor Vehicle Insurance, pursuant to Section 294-16, HRS, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 8), transmitting a report prepared by the Department of Taxation in response to Senate Resolution No. 332 (1978), which requested the Department of Taxation to review and amend its tax appeals procedure, was referred to Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 9), transmitting the Annual Report of the Department of Defense, for the Fiscal Year 1978, was referred to the Committee on Intergovernmental Relations.

A message from the Governor (Gov. Msg. No. 10), transmitting a report prepared by the Department of Planning and Economic Development, entitled: "Hawaii and the Other Pacific Islands", was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 11), transmitting the 1977 Annual Report of the Department of Social Services and Housing, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 12), transmitting the Multi-Year Program and Financial Plan and Executive Budget for the period 1979-80 to 1984-85, the Variance Report for 1977-78 and 1978-79, and the approved Program Structure for fiscal years 1979-80 and 1980-81, was referred to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 13), transmitting copies of the following reports prepared by the Department of Social Services and Housing:

1. In response to House Resolution No. 12, H.D. 1 (1978), which requested the establishment of a corrections crime prevention program, was referred to the Committee on Judiciary;
2. In response to House Resolution No. 156 (1978) and Senate Resolution No. 75 (1978), which requested an evaluation of the laws relating to

spouse abuse, was referred to the Committee on Judiciary; and

3. In response to House Resolution No. 325 (1978), which requested the Hawaii Housing Authority to report to the Legislature concerning security problems at Makua-Alii Housing, was referred to the Committee on Housing and Hawaiian Homes.

A message from the Governor (Gov. Msg. No. 14), transmitting an annual report of activities of 1977-78, prepared by the Teacher Education Coordinating Committee pursuant to Section 304-20, HRS. was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 15), transmitting a report prepared by the Department of Personnel Services in response to Section 77-9, HRS, consisting of data and classes for which recruitment was conducted above the minimum pay rate as well as those for which shortage category was declared during the period November 1, 1977 to October 31, 1978, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 16), transmitting a report prepared by the Department of Land and Natural Resources pursuant to House Resolution 520, H.D. 1 (1978), which requested a study and a report of findings and recommendations concerning flooding problems in the Ewa Plains Area, Oahu, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 17), transmitting a report prepared by the Department of Health pursuant to Senate Resolution No. 66, S.D. 1 (1978), which requested that funds be obtained from the National Institute of Mental Health for use in preventive mental health programs in the State of Hawaii, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 18), transmitting a report prepared by the Public Utilities Commission pursuant to House Resolution No. 19, H.D. 2 (1978), which requested the Commission to study and implement regulation of tour bus routes, was referred to the Committee on Public Utilities.

A message from the Governor (Gov. Msg. No. 19), transmitting an annual report of activities of 1977-78, prepared by the Teacher Education Coordinating Committee pursuant to Section 304-20, HRS, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 20), transmitting the FY 1977 Annual Report prepared by the Department of Transportation, was referred to the Committee on Transportation.

A message from the Governor (Gov. Msg. No. 21), transmitting the Annual Financial Report of the State of Hawaii for the fiscal year ended June 30, 1978, prepared by the Comptroller, pursuant to Section 40-5, HRS, was referred to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 22), transmitting the 1978 Annual Report prepared by the Criminal Injuries Compensation Commission, pursuant to Chapter 351 of the Hawaii Revised Statutes, was referred jointly to the Committee on Judiciary and the Committee on Ways and Means.

At 11:44 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:21 o'clock p.m.

#### HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 2), transmitting House Concurrent Resolution No. 2, which was adopted by the House of Representatives on January 24, 1979, was read by the Temporary Clerk and was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R. No. 2, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING DEEPEST SYMPATHY TO THE FAMILY OF RICHARD KAUHI", was adopted on a rising vote.

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 RESOLUTIONS

The following resolutions (S.R. Nos. 6 to 8) were read by the Temporary Clerk and were disposed of as follows:

A resolution (S.R. No. 6), entitled: "SENATE RESOLUTION REQUESTING THE PROCLAMATION OF JANUARY AS 'BLOOD DONOR MONTH'". was jointly offered by Senators Carpenter, Hara, Kawasaki, Yamasaki, Chong, Yee, Ushijima, Young, Ajifu, Cobb, Takitani, Campbell, Saiki and George.

On motion by Senator Carpenter, seconded by Senator Hara and carried, S.R. No. 6 was adopted.

Senator Carpenter then urged all members of the Senate to donate at least one pint of blood; that the Hawaii Bloodmobile Bank will be at the Capitol from 9:00 a.m. to 3:00 p.m., on Thursday, January 25, 1979; that donors should report to House Conference Room 328.

A resolution (S.R. No. 7), entitled: "SENATE RESOLUTION RECOGNIZING AND CONGRATULATING THE SEX ABUSE TREATMENT CENTER FOR ITS INVALUABLE AND INNOVATIVE PROGRAM OF PSYCHOLOGICAL, MEDICAL, LEGAL AND EDUCATIONAL SERVICES FOR THE PEOPLE OF HAWAII", was jointly offered by Senators Chong, Young, Carroll, Yee, Campbell, Wong, Carpenter, Toyofuku, Mizuguchi, Cobb and Cayetano.

On motion by Senator Chong, seconded by Senator Carroll and carried, S.R. No. 7 was adopted.

A resolution (S.R. No. 8), entitled: "SENATE RESOLUTION EXTENDING CONDOLENCES AND DEEPEST SYMPATHY TO THE FAMILY OF THE LATE EUGENE MONTOYA JR.", was jointly offered by Senators Chong, Cobb, Mizuguchi, Young, Carpenter, Cayetano, Yim, Campbell, Carroll, Yee and Abercrombie.

On motion by Senator Chong, seconded by Senator Abercrombie and carried, S.R. No. 8 was adopted.

#### MATTERS DEFERRED FROM JANUARY 23, 1979

Senate Resolution No. 4:

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, S.R. No. 4, providing for the election of officers for the Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, was adopted.

The President thereupon administered the oath of office to Seichi Hirai as Clerk, Timothy David Woo, Jr., as Assistant Clerk and Bienvenido C. Villaflor as Sergeant at Arms.

Senate Resolution No. 5:

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, S.R. No. 5, advising the Honorable George R. Ariyoshi, Governor of the State of Hawaii, and the House of Representatives that the Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, is organized and ready to transact business, was adopted.

Senator Carroll then introduced to the members of the Senate Mr. Peter Velasco, an old friend and gentleman,

known to be one of the top volleyball players that this State has ever produced.

At 12:34 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, the President announced the appointments of Senator Joseph T. Kuroda as Majority Leader, Senators Anson Chong and George Toyofuku as Assistant Majority Leaders, Senator Norman Mizuguchi as Majority Floor Leader, Senators Dante Carpenter, Mamoru Yamasaki and Patsy K. Young as Assistant Majority Floor Leaders, Senator Charles M. Campbell as Majority Policy Leader and Senator John T. Ushijima, Chairman Emeritus.

He also announced the following Majority committee assignments:

#### Agriculture

Henry Takitani, Chairman  
Stanley I. Hara, Vice-Chairman  
George H. Toyofuku  
Dante K. Carpenter  
Duke T. Kawasaki  
Norman Mizuguchi  
Mamoru Yamasaki  
Patsy K. Young

#### Consumer Protection and Commerce

Steve Cobb, Chairman  
Anson Chong, Vice-Chairman  
Charles M. Campbell  
Dante K. Carpenter  
Joseph T. Kuroda  
Dennis O'Connor  
John T. Ushijima  
T. C. Yim

#### Ecology, Environment and Recreation

Stanley I. Hara, Chairman  
Neil Abercrombie, Vice-Chairman  
Benjamin J. Cayetano  
Steve Cobb  
George H. Toyofuku

#### Economic Development

T. C. Yim, Chairman  
Dante K. Carpenter, Vice-Chairman  
Steve Cobb  
Stanley I. Hara  
Joseph T. Kuroda  
Norman Mizuguchi  
Mamoru Yamasaki  
Patsy K. Young

#### Education

Charles M. Campbell, Chairman  
Patsy K. Young, Vice-Chairperson

Neil Abercrombie  
Steve Cobb  
Duke T. Kawasaki  
Joseph T. Kuroda  
Henry Takitani  
John T. Ushijima

#### Government Operations and Efficiency

Duke T. Kawasaki, Chairman  
George H. Toyofuku, Vice-Chairman  
Benjamin J. Cayetano  
Stanley I. Hara  
Patsy K. Young

#### Health

Dante K. Carpenter, Chairman  
Charles M. Campbell, Vice-Chairman  
Neil Abercrombie  
Anson Chong  
Henry Takitani

#### Higher Education

Neil Abercrombie, Chairman  
John T. Ushijima, Vice-Chairman  
Charles M. Campbell  
Dante K. Carpenter  
Benjamin J. Cayetano

#### Housing and Hawaiian Homes

Patsy K. Young, Chairperson  
Benjamin J. Cayetano, Vice-Chairman  
Dante K. Carpenter  
Stanley I. Hara  
T. C. Yim

#### Human Resources

George H. Toyofuku, Chairman  
Mamoru Yamasaki, Vice-Chairman  
Neil Abercrombie  
Stanley I. Hara  
Dennis O'Connor

#### Intergovernmental Relations

John T. Ushijima, Chairman  
Joseph T. Kuroda, Vice-Chairman  
Neil Abercrombie  
Dennis O'Connor  
Mamoru Yamasaki

#### Judiciary

Dennis O'Connor, Chairman  
Steve Cobb, Vice-Chairman  
Charles M. Campbell  
Anson Chong  
Joseph T. Kuroda  
Norman Mizuguchi  
Henry Takitani  
John T. Ushijima

#### Legislative Management

Mamoru Yamasaki, Chairman  
Dennis O'Connor, Vice-Chairman

#### Public Utilities

Anson Chong, Chairman  
Norman Mizuguchi, Vice-Chairman  
Charles M. Campbell  
Mamoru Yamasaki  
T. C. Yim

#### Tourism

Joseph T. Kuroda, Chairman  
Henry Takitani, Vice-Chairman  
Steve Cobb  
Duke T. Kawasaki  
Norman Mizuguchi

#### Transportation

Norman Mizuguchi, Chairman  
T. C. Yim, Vice-Chairman  
Steve Cobb  
Henry Takitani  
John T. Ushijima

#### Ways and Means

Benjamin J. Cayetano, Chairman  
Duke T. Kawasaki, Vice-Chairman  
Neil Abercrombie  
Dante K. Carpenter  
Anson Chong  
Stanley I. Hara  
George H. Toyofuku  
Mamoru Yamasaki  
T. C. Yim  
Patsy K. Young

Senator Yee then announced the appointments of Senator D. G. Anderson as Minority Floor Leader, Senator Mary George as Assistant Minority Leader, Senator Soares as Assistant Minority Floor Leader and himself as Minority Leader.

He also announced the following Minority committee assignments:

#### Agriculture

Ralph K. Ajifu  
D. G. Anderson  
John S. Carroll

#### Consumer Protection and Commerce

John S. Carroll  
Patricia Saiki  
Wadsworth Yee

#### Ecology, Environment and Recreation

Mary George  
Wadsworth Yee

#### Economic Development

John S. Carroll  
Mary George  
Patricia Saiki

Education

Ralph K. Ajifu  
D. G. Anderson  
Patricia Saiki

Government Operations and Efficiency

Ralph K. Ajifu  
John S. Carroll

Health

Patricia Saiki  
Wadsworth Yee

Higher Education

Ralph K. Ajifu  
Patricia Saiki

Housing and Hawaiian Homes

Ralph K. Ajifu  
W. Buddy Soares

Human Resources

D. G. Anderson  
W. Buddy Soares

Intergovernmental Relations

Mary George  
Wadsworth Yee

Judiciary

John S. Carroll  
Mary George  
Patricia Saiki

Legislative Management

Mary George

Public Utilities

D. G. Anderson  
W. Buddy Soares

Tourism

W. Buddy Soares  
Wadsworth Yee

Transportation

Mary George  
W. Buddy Soares

Ways and Means

Ralph K. Ajifu  
D. G. Anderson  
W. Buddy Soares  
Wadsworth Yee

The President then stated as follows:

"The Chair, at this time, would like to thank the members of the Senate, both sides of the aisles, for their patience, the few weeks of getting our committee assignments in order. I appreciate the show of patience. Times may have been a little thin and a little jaunt but I want to thank every member of the Senate for his patience."

## ADJOURNMENT

At 12:43 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, January 25, 1979.