

## ELEVENTH DAY

Wednesday, January 31, 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 the Reverend Kim On Chong, a Retired Chaplain from Mid-Pacific Institute, after which the Roll was called showing all Senators present with the exception of Senators Abercrombie, Hara and Yim who were excused.

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

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

Senator Yamasaki introduced Ms. Alma Anton and Ms. Carol French from the island of Maui, and Ms. Mignon Dacy from Honolulu, who accompanied them.

Senator Carroll introduced Mr. and Mrs. Charles Tulin from Anchorage, Alaska. Mr. Tulin is an expert in aviation litigation and he has been involved recently with the Canary Islands airplane crash.

## MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 56), transmitting the State's C.I.P. Status Report - Financial Summary which was prepared by the Department of Planning and Economic Development with the cooperation of the Department of Accounting and General Services, 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. 8), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES AND THE SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS TO EXCEPT FRESH AND PROCESSED PINEAPPLE PRODUCTS FROM TARIFF REDUCTION IN THE CURRENT MULTILATERAL TRADE NEGOTIATIONS", was jointly offered by Senators Takitani, Yamasaki, Toyofuku, Kuroda, Cobb, Mizuguchi, Soares, O'Connor, Carpenter, Chong, George, Carroll, Ajifu, Anderson, Yee and Cayetano, and was read by the Clerk.

By unanimous consent, S.C.R. No. 8 was referred to the Committee on Agriculture.

## SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 74 to 76) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 74), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON PAYMENT FOR ACUPUNCTURE SERVICES", was jointly offered by Senators Carpenter, Chong, Kuroda, Campbell, Yamasaki, Ushijima, Cayetano, Kawasaki and Young.

By unanimous consent, S.R. No. 74 was referred to the Committee on Health.

A resolution (S.R. No. 75), entitled: "SENATE RESOLUTION REQUESTING MORE ETHNIC STUDIES IN ELEMENTARY SCHOOLS", was offered by Senator Carroll.

By unanimous consent, S.R. No. 75 was referred to the Committee on Education.

A resolution (S.R. No. 76), entitled: "SENATE RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES AND THE SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS TO EXCEPT FRESH AND PROCESSED PINEAPPLE PRODUCTS FROM TARIFF REDUCTION IN THE CURRENT MULTILATERAL TRADE NEGOTIATIONS", was jointly offered by Senators Takitani, Yamasaki, Toyofuku, Kuroda, Cobb, Chong, Anderson, Soares, Mizuguchi, Ajifu, Kawasaki, O'Connor, Carpenter, Carroll, Cayetano, George and Yee.

By unanimous consent, S.R. No. 76 was referred to the Committee on Agriculture.

## INTRODUCTION OF SENATE BILLS

On motion by Senator Mizuguchi, 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 1, 1979:

## Senate Bills

No. 339 "A Bill for an Act Relating to Department of Health Employees' Annuity Contracts."

Introduced by: Senators Ushijima, Yamasaki, Hara, Toyofuku, Mizuguchi, Kuroda, Chong, Takitani, Young and Carroll.

No. 340 "A Bill for an Act Relating to the Hawaii Employment Security Law."

Introduced by: Senator Abercrombie.

No. 341 "A Bill for an Act Relating to Newspapers."

Introduced by: Senators Abercrombie and Kawasaki.

No. 342 "A Bill for an Act Relating to the University of Hawaii."

Introduced by: Senator Abercrombie.

No. 343 "A Bill for an Act Relating to the University of Hawaii."

Introduced by: Senator Abercrombie.

No. 344 "A Bill for an Act Relating to Transfers of Funds Within the University of Hawaii."

Introduced by: Senator Abercrombie.

No. 345 "A Bill for an Act Relating to Capital Improvement Projects and Authorizing the Issuance of Bonds."

Introduced by: Senator Cayetano.

No. 346 "A Bill for an Act Relating to the State Budget."

Introduced by: Senator Cayetano.

No. 347 "A Bill for an Act Relating to an Act Making Appropriations for Judiciary Program Expenditures and for Improvements for the Fiscal Biennium July 1, 1979 to June 30, 1981, and Authorizing the Issuance of Bonds."

Introduced by: Senator Cayetano.

No. 348 "A Bill for an Act Relating to the Revolving Funds."

Introduced by: Senator Cayetano.

No. 349 "A Bill for an Act Relating to Revenue Bonds."

Introduced by: Senator Cayetano.

No. 350 "A Bill for an Act Relating to General Obligation Bonds."

Introduced by: Senator Cayetano.

No. 351 "A Bill for an Act Relating to Making an Appropriation for Grants-In-Aid."

Introduced by: Senator Cayetano.

No. 352 "A Bill for an Act Relating to Making an Appropriation for Subsidies."

Introduced by: Senator Cayetano.

No. 353 "A Bill for an Act Relating to the City and County of Honolulu."

Introduced by: Senator Cayetano.

No. 354 "A Bill for an Act Relating to the County of Maui."

Introduced by: Senator Cayetano.

No. 355 "A Bill for an Act Relating to the County of Hawaii."

Introduced by: Senator Cayetano.

No. 356 "A Bill for an Act Relating to the County of Kauai."

Introduced by: Senator Cayetano.

No. 357 "A Bill for an Act Relating to the General Fund."

Introduced by: Senator Cayetano.

No. 358 "A Bill for an Act Relating to Special Funds."

Introduced by: Senator Cayetano.

No. 359 "A Bill for an Act Relating to State Bonds."

Introduced by: Senator Cayetano.

No. 360 "A Bill for an Act Relating to Collective Bargaining and Making an Appropriation Therefor."

Introduced by: Senator Cayetano.

No. 375 "A Bill for an Act Relating to Collective Bargaining."

Introduced by: Senators Toyofuku, Takitani, Mizuguchi, Yamasaki, Ushijima, O'Connor, Campbell, Chong, Kuroda, Carpenter and Cobb.

On motion by Senator Mizuguchi, 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 1, 1979:

#### Senate Bills

No. 361 "A Bill for an Act Relating to Taxation."

Introduced by: Senator Cayetano.

No. 362 "A Bill for an Act Relating to the Inheritance and Estate Taxes."

Introduced by: Senator Cayetano.

No. 363 "A Bill for an Act Relating to the Use Tax."

Introduced by: Senator Cayetano.

No. 364 "A Bill for an Act Relating to the Public Utilities Franchise Tax."

Introduced by: Senator Cayetano.

No. 365 "A Bill for an Act Relating to the Taxation of Banks and other Financial Corporations."

Introduced by: Senator Cayetano.

No. 366 "A Bill for an Act Relating to the Liquor Tax."

Introduced by: Senator Cayetano.

No. 367 "A Bill for an Act Relating to the Tobacco Tax."

Introduced by: Senator Cayetano.

No. 368 "A Bill for an Act Relating to the Conveyance Tax."

Introduced by: Senator Cayetano.

No. 369 "A Bill for an Act Relating to County Vehicular Taxes."

Introduced by: Senator Cayetano.

No. 370 "A Bill for an Act Relating to the Real Property Tax."

Introduced by: Senator Cayetano.

No. 371 "A Bill for an Act Relating to the General Excise Tax."

Introduced by: Senator Cayetano.

No. 372 "A Bill for an Act Relating to the Income Tax."

Introduced by: Senator Cayetano.

No. 373 "A Bill for an Act Relating to the Fuel Tax."

Introduced by: Senator Cayetano.

No. 374 "A Bill for an Act Relating to the Public Service Company Tax."

Introduced by: Senator Cayetano.

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.

#### STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 3), informing the Senate that Senate Resolution Nos. 70 to 73, Senate Bill Nos. 288 to 338 and Governor's Message Nos. 41 to 55 have been printed and are ready for distribution.

On motion by Senator Yamasaki, 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 Tuesday, January 30, 1979:

Senate Bills Referred to:

No. 288 Committee on Judiciary, then to the Committee on Ways and Means

No. 289 Committee on Intergovernmental Relations, then to the Committee on Judiciary, then to the Committee on Ways and Means

No. 290 Committee on Intergovernmental Relations, then to the Committee on Judiciary, then to the Committee on Ways and Means

No. 291 Committee on Judiciary, then to the Committee on Ways and Means

No. 292 Committee on Intergovernmental Relations, then to the Committee on Judiciary, then to the Committee on Ways and Means

No. 293 Committee on Intergovernmental Relations, then to the Committee on Judiciary, then to the Committee on Ways and Means

No. 294 Committee on Housing and Hawaiian Homes, then to the Committee on Judiciary, then to the Committee on Ways and Means

No. 295 Committee on Health, then to the Committee on Judiciary, then to the Committee on Ways and Means

No. 296 Committee on Public Utilities, then to the Committee on Judiciary, then to the Committee on Ways and Means

No. 297 Committee on Economic Development, then to the Committee on Judiciary, then to the Committee on Ways and Means

- No. 298 Committee on Economic Development, then to the Committee on Judiciary, then to the Committee on Ways and Means
- No. 299 Committee on Economic Development, then to the Committee on Judiciary, then to the Committee on Ways and Means
- No. 300 Committee on Legislative Management, then to the Committee on Judiciary
- No. 301 Committee on Judiciary, then to the Committee on Ways and Means
- No. 302 Committee on Judiciary, then to the Committee on Ways and Means
- No. 303 Committee on Judiciary, then to the Committee on Ways and Means
- No. 304 Committee on Judiciary, then to the Committee on Ways and Means
- No. 305 Committee on Judiciary, then to the Committee on Ways and Means
- No. 306 Committee on Judiciary, then to the Committee on Ways and Means
- No. 307 Committee on Judiciary, then to the Committee on Ways and Means
- No. 308 Committee on Human Resources, then to the Committee on Consumer Protection and Commerce
- No. 309 Committee on Health, then to the Committee on Consumer Protection and Commerce
- No. 310 Committee on Health, then to the Committee on Consumer Protection and Commerce
- No. 311 Committee on Consumer Protection and Commerce
- No. 312 Committee on Legislative Management, then to the Committee on Judiciary
- No. 313 Committee on Transportation, then to the Committee on Ways and Means
- No. 314 Committee on Transportation, then to the Committee on Ways and Means
- No. 315 Committee on Human Resources, then to the Committee on Ways and Means
- No. 316 Committee on Judiciary, then to the Committee on Ways and Means
- No. 317 Committee on Ecology, Environment and Recreation, then to the Committee on Judiciary
- No. 318 Committee on Judiciary
- No. 319 Committee on Ways and Means
- No. 320 Committee on Intergovernmental Relations, then to the Committee on Judiciary
- No. 321 Committee on Ways and Means
- No. 322 Committee on Transportation, then to the Committee on Ways and Means
- No. 323 Committee on Ways and Means
- No. 324 Committee on Ways and Means
- No. 325 Committee on Legislative Management, then to the Committee on Judiciary
- No. 326 Committee on Legislative Management, then to the Committee on Judiciary
- No. 327 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
- No. 328 Committee on Judiciary, then to the Committee on Ways and Means
- No. 329 Committee on Housing and Hawaiian Homes, then to the Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
- No. 330 Committee on Housing and Hawaiian Homes, then to the Committee on Consumer Protection and Commerce, then to the Committee on Judiciary
- No. 331 Committee on Housing and Hawaiian Homes, then to the Committee on Consumer Protection and Commerce, then to the Committee on Judiciary
- No. 332 Committee on Housing and Hawaiian Homes, then to the Committee on Consumer Protection and Commerce
- No. 333 Committee on Housing and Hawaiian Homes, then to the Committee on Consumer Protection and Commerce
- No. 334 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 335 Committee on Human Resources,

then to the Committee on Ways  
and Means

No. 336 Committee on Higher Education

No. 337 Committee on Education,  
then to the Committee on Ways  
and Means

No. 338 Committee on Human Resources,  
then to the Committee on Ways  
and Means

#### RE-REFERRAL OF A SENATE RESOLUTION

The President made the following  
re-referral of a resolution which  
had been offered on Monday, January  
29, 1979:

Senate  
Resolution Referred to:

No. 68 Committee on Consumer  
Protection and Commerce, then  
to the Committee on Legislative  
Management

#### MISCELLANEOUS COMMUNICATION

A communication from the Commission  
on the Handicapped (Misc. Com.  
No. 4), transmitting the Commission's  
Implementation Plan which spans the  
years 1978 through 1981, was read  
by the Clerk and was referred to the  
Committee on Human Resources.

At this time, Senator Takitani,  
for the Committee on Agriculture,  
requested a waiver of the 48-hour  
notice of a Public Hearing on the

following measures:

S.C.R. No. 8, entitled: "SENATE  
CONCURRENT RESOLUTION REQUESTING  
THE PRESIDENT OF THE UNITED STATES  
AND THE SPECIAL REPRESENTATIVE  
FOR TRADE NEGOTIATIONS TO  
EXCEPT FRESH AND PROCESSED PINE-  
APPLE PRODUCTS FROM TARIFF REDUC-  
TION IN THE CURRENT MULTILATERAL  
TRADE NEGOTIATIONS"; and

S.R. No. 76, entitled: "SENATE  
RESOLUTION REQUESTING THE  
PRESIDENT OF THE UNITED STATES  
AND THE SPECIAL REPRESENTATIVE  
FOR TRADE NEGOTIATIONS TO  
EXCEPT FRESH AND PROCESSED PINE-  
APPLE PRODUCTS FROM TARIFF REDUC-  
TION IN THE CURRENT MULTILATERAL  
TRADE NEGOTIATIONS",

and the President granted the waiver.

The President then commented as  
follows:

"I am hoping, like all of us here  
in this Honorable Body, that the sugar  
talks will continue, and that both sides  
across the aisle will continue talking.  
I think this is the wish of the Senate  
for the day. I hope everything will  
work out well."

#### ADJOURNMENT

At 11:45 o'clock a.m., on motion  
by Senator Mizuguchi, seconded by  
Senator Anderson and carried, the  
Senate adjourned until 11:30 o'clock  
a.m., Thursday, February 1, 1979.