

## FORTY-FIFTH DAY

Thursday, March 29, 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 William Kaina of the Hawaii Conference United Church of Christ - Hawaiian Ministries, 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.

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

Senator Young introduced a group of Girl Scouts and Brownies from Troops 164 and 166, with their troop leaders, Mrs. Durden and Mrs. Springer.

Senator Kawasaki then introduced two graduate students who are now at the University of Hawaii, Mr. Cornelius Olende from Kenya and Mr. Michael Achyeampong from Ghana, together with Mr. Ludwig Armerding of the Independent Businessmen's organization.

Senator Carroll introduced Mrs. Shizuyo Imahiro, together with her daughter, Katharine Nagasawa and her husband, Dr. Herbert Nagasawa from Minneapolis, Minnesota, and Mrs. Imahiro's granddaughter, Ms. Marsha Nagatori.

## MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 112), transmitting the annual report for the calendar years 1977 and 1978, prepared by the Commission on the Year 2000, 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. 334 and 335) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 334), returning Senate Concurrent Resolution No. 64, which was adopted by the House of Representatives on March 28, 1979, was placed on file.

A communication from the House (Hse. Com. No. 335), transmitting House Concurrent Resolution No. 158, which was adopted by the House of Representatives on March 28, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R. No. 158, entitled: "HOUSE CONCURRENT RESOLUTION EXTENDING CONGRATULATIONS TO THE QUEEN'S MEDICAL CENTER ON ITS 120TH ANNIVERSARY", was adopted.

## SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 315 to 322) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 315), entitled: "SENATE RESOLUTION COMMENDING JOHN W. SHUPE ON HIS SELECTION AS HAWAII'S ENGINEER OF THE YEAR", was jointly offered by Senators George, Yim, Ajifu, Cayetano, Cobb, Hara, Chong, Kuroda, Saiki, Mizuguchi, Soares, Ushijima, Carroll, Carpenter, Yee, Takitani, Yamasaki, Kawasaki, Campbell, Young and Anderson.

On motion by Senator George, seconded by Senator Yim and carried, S.R. No. 315 was adopted.

Senator George then remarked as follows:

"Mr. President, I feel particularly privileged this morning to be able to introduce our visitor, Dean John W. Shupe.

"I think increasingly, we are equating engineering with energy. Energy of course is of increasing concern and important to us and therefore it's particularly good to be able to recognize someone who is an outstanding engineer, indeed an outstanding engineer.

"As I think most of you know, Dean Shupe was very much involved in the preparation that lead to our successful geothermal well in Puna. He has been Dean of the University of Hawaii College of Engineering since 1965 and when we had a depleted energy resource during 1978, he was on loan to the United State Department of Energy as a consultant in energy technology.

"Now, he has been recognized by his peers--the Hawaii Society of Professional Engineering--as Hawaii's Engineer of the Year. May I present, Dean John W. Shupe."

Senator George presented a certified copy of the resolution to Dean Shupe.

At 11:47 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.

A resolution (S.R. No. 316), entitled: "SENATE RESOLUTION CONGRATULATING THE HAWAII SYMPOSIUM ON HUMANITY FOR ITS MANY ACTIVITIES TOWARD IMPROVING OUR QUALITY OF LIFE", was jointly offered by Senators Chong, Kuroda, Yamasaki, Ajifu, Carpenter, Soares, Cayetano, Yee, Ushijima, Takitani, Cobb, Toyofuku, Young, Mizuguchi, Hara, Abercrombie, Kawasaki, Campbell, O'Connor, Saiki and George.

On motion by Senator Chong, seconded by Senator Kuroda and carried, S.R. No. 316 was adopted.

Senator Chong then introduced to the members of the Senate three members of the Board of Directors of the Hawaii Symposium on Humanity, as follows: Mr. David Sukowske, Ms. Stephanie Godbold and Ms. Jocelynn Fujii.

Senator Chong then presented a certified copy of the resolution to each of them.

A resolution (S.R. No. 317), entitled: "SENATE RESOLUTION COMMENDING PI SIGMA EPSILON, UPSILON CHAPTER, INC., ASSOCIATED STUDENTS OF THE UNIVERSITY OF HAWAII, AND DR. H. ROY McARDLE FOR THEIR LENGTHY SPONSORSHIP OF CAREER DAY", was jointly offered by Senators Chong, Kuroda, Carpenter, Hara, Mizuguchi, Abercrombie, Ajifu, Young, Toyofuku, Saiki, Takitani, Carroll, Yamasaki, Campbell, Ushijima, Yee, Cobb, Cayetano, George, Kawasaki and O'Connor.

On motion by Senator Chong, seconded by Senator Kuroda and carried, S.R. No. 317 was adopted.

Senator Chong then introduced to the members of the Senate the following: Dr. H. Roy McArdle, Director, University Placement and Career Planning; Dr. David Heenan, Dean, College of Business Administration, University of Hawaii; and Kent Ochiai, an officer of Pi Sigma Epsilon. Seated in the balcony were the following from Pi Sigma Epsilon: Juliet Ching, Ralph Nakamoto, Tucker Watanabe, Wendall Ho, Ken Kawano, Monica Yoshino, Edy Kim and Floyd Otani.

Senator Chong then presented certified copies of the resolution to the above named.

At 11:55 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.

A resolution (S.R. No. 318), entitled: "SENATE RESOLUTION EXTENDING DEEPEST SYMPATHY AND CONDOLENCES TO THE FAMILY OF DR. JEAN CHARLOT", was jointly offered by Senators Abercrombie, Takitani, Hara, Toyofuku, Yamasaki, Ushijima, George, Cobb, Anderson, Chong, Kawasaki, Carroll, Ajifu, Campbell, Young, Yim, Yee and Carpenter.

Senator Abercrombie moved that S.R. No. 318 be adopted, seconded by Senator Takitani.

Senator Abercrombie then spoke as follows:

"Mr. President, it is my sad task to urge the passing of this resolution and I would like to do so by merely observing the final 'WHEREAS' clause as follows: 'WHEREAS, the following were his words recorded when working on his final work of art: "Whoever drinks this water will get thirsty again; but anyone who drinks the water that I shall give, shall never get thirsty again. The water that I shall give shall turn into a spring inside him; welling up to eternal life." (John, Chapter 4, Verses 7 through 10).'

"Mr. President, may I request that we adjourn today in memory of Dr. Jean Charlot. Thank you."

The motion was put by the Chair and carried, and S.R. No. 318 was carried by a rising vote.

A resolution (S.R. No. 319), entitled: "SENATE RESOLUTION RECOGNIZING AND CONGRATULATING NATHAN GLOVER II FOR ACHIEVING THE EAGLE SCOUT AWARD", was jointly offered by Senators Young, Cayetano, Toyofuku, Yamasaki, Carpenter, Ajifu, Cobb, Kuroda, Hara, Takitani, Chong, Mizuguchi, Kawasaki, Yee, Carroll, Soares, Ushijima, Abercrombie, Saiki and Anderson.

On motion by Senator Young, seconded by Senator Cayetano and carried, S.R. No. 319 was adopted.

A resolution (S.R. No. 320), entitled: "SENATE RESOLUTION CONGRATULATING JOSEPH G. KEALOHA, JR., FOR BEING AWARDED THE HAWAIIAN BUSINESSMEN'S ASSOCIATION'S 'O'O AWARD' AS OUTSTANDING

HAWAIIAN BUSINESSMAN FOR 1978", was jointly offered by Senators Takitani, Yamasaki, Toyofuku, Cayetano, Kawasaki, Cobb, Ushijima, Mizuguchi, Carpenter, Hara, Chong, Young, Ajifu, Yee, Wong, Carroll, Saiki, Kuroda, Campbell and O'Connor.

On motion by Senator Takitani, seconded by Senator Yamasaki and carried, S.R. No. 320 was adopted.

A resolution (S.R. No. 321), entitled: "SENATE RESOLUTION REQUESTING THE SENATE COMMITTEE ON INTERGOVERNMENTAL RELATIONS TO STUDY THE PROBLEMS CREATED BY HAVING LOCAL LAWS IN THE STATUTES", was offered by Senator Ushijima.

By unanimous consent, S.R. No. 321 was referred to the Committee on Intergovernmental Relations, then to the Committee on Legislative Management.

A resolution (S.R. No. 322), entitled: "SENATE RESOLUTION REQUESTING THE SENATE INTERGOVERNMENTAL RELATIONS COMMITTEE TO STUDY THE ISSUES RELATIVE TO RETAINING THE REAL PROPERTY TAX MAP FUNCTION AS A RESPONSIBILITY OF THE STATE GOVERNMENT", was offered by Senator Ushijima.

By unanimous consent, S.R. No. 322 was referred to the Committee on Intergovernmental Relations, then to the Committee on Legislative Management.

#### STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 793), informing the Senate that Senate Concurrent Resolution Nos. 68 to 72, Senate Resolution Nos. 303 to 314 and Standing Committee Report Nos. 787 to 792 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.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 794), recommending that House Bill No. 1322, 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 Campbell and carried, the report of the Committee was adopted and H.B. No. 1322, H.D.

1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE HEALTH PLANNING AND DEVELOPMENT AGENCY", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

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. 1322, H.D. 1, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 795), recommending that House Bill No. 598 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 598, 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 Monday, April 2, 1979.

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. 598.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 796), recommending that House Bill No. 1640 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 1640, entitled: "A BILL FOR AN ACT RELATING TO THE IMPORTATION OF LIQUOR FOR TRADE SHOWS", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

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. 1640.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 797), recommending that House Bill No. 4 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. 4, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS

THEREFOR".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 798), recommending that House Bill No. 286, H.D. 1, 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. 286, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT CARE HOMES, FAMILY BOARDING HOMES, AND OTHER SIMILAR INSTITUTIONS".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 799), recommending that House Bill No. 455, 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. 455, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 800), recommending that House Bill No. 577, as amended in S.D. 1, 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. 577, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICES FOR INDIGENT CRIMINAL DEFENDANTS".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 801), recommending that House Bill No. 588, S.D. 1, 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. 588, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYMENT SECURITY LAW".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 802), recommending that House Bill No. 600, H.D. 1, S.D. 1, 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. 600, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARTNERSHIP FEES".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 803), recommending that House Bill No. 602, 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. 602, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL INSTITUTIONS".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 804), recommending that House Bill No. 603, H.D. 1, 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. 603, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF PHARMACY".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 805), recommending that House Bill No. 616, 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. 616, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HIGHWAY SUPPLIES AND EQUIPMENT ACCOUNT".

Senator Cayetano, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 806), recommending that House Bill No. 732, 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. 732, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CAPITAL LOAN PROGRAM".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 807), recommending that House Bill No. 737, 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 Kawasaki and carried, the report of the Committee was adopted and H.B. No. 737, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE CONFIDENTIALITY OF TAX RETURNS AND INFORMATION IN TAX RETURNS", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

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. 737, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 808), recommending that House Bill No. 738, 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 Kawasaki and carried, the report of the Committee was adopted and H.B. No. 738, S.D. 1, 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, April 2, 1979.

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. 738, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 809), recommending that House Bill No. 739, S.D. 1, 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. 739, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE HIGHWAY CLEARING ACCOUNTS".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 810), recommending that House Bill No. 1200, 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. 1200, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 811), recommending that House Bill No. 1338, H.D. 2, 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. 1338, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE AQUARIUM".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 812), recommending that House Bill No. 1473, H.D. 1, S.D. 1, 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. 1473, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII WING, CIVIL AIR PATROL".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 813), recommending that House Bill No. 1645, 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. 1645, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED VESSELS".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 814), recommending that House Bill No. 1649, 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 Kawasaki and carried, the report of the Committee was adopted and H.B. No. 1649, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AUDIT AND ACCOUNTING", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

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. 1649, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 815), recommending that House Bill No. 1647, H.D. 2, S.D. 1, 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. 1647, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADDITIONAL SUPPORT TO THE UNIVERSITY OF HAWAII FROM EXTRAMURAL

FUNDS".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 816), recommending that House Bill No. 1673, 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 Kawasaki and carried, the report of the Committee was adopted and H.B. No. 1673, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INSTITUTE FOR MANAGEMENT AND ANALYSIS", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

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. 1673, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 817), recommending that House Bill No. 1687, as amended in S.D. 1, 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. 1687, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX".

At 11:58 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

House Bill No. 147, H.D. 1, S.D. 1:

On motion by Senator Yim, seconded by Senator Carpenter and carried, H.B. No. 147, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOREST RESERVATIONS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 187, H.D. 1, S.D. 1:

Senator Yim moved that H.B. No. 187, H.D. 1, S.D. 1, having

been read throughout, pass Third Reading, seconded by Senator Carpenter.

Senator Carroll then spoke for the measure with certain reservations, as follows:

"Mr. President, I rise to speak in favor of this measure but to express one reservation.

"With respect to the purpose for which this measure is created, I think that it is proper; but with respect to the fact that this particular bill as law, may be interpreted to give a mandate to the Department of Planning and Economic Development to collect information in interstate commerce, potentially in violation of the provision of the Constitution, which prohibits that sort of information-taking.

"I would like to express the reservation that in the exercise of the powers given under this particular measure that the head of the Department and everyone acting there ought to be extremely cautious when they venture into the information-data-gathering, and particularly as that applies to incoming and outgoing aircraft and ship passengers."

The motion was put by the Chair and carried, and H.B. No. 187, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

#### MISCELLANEOUS COMMUNICATIONS

The following communications (Misc. Com. Nos. 20 and 21) were read by the Clerk and were disposed of as follows:

A communication from the Honorable T. Lauti, Prime Minister of the Tuvalu Government, (Misc. Com. No. 20), acknowledging receipt and expressing appreciation for the adoption of Senate Resolution No. 69 (1979), which commended the Pacific Islands Development Commission and its efforts and progress in the cooperative development of the resources in the Pacific areas, was placed on file.

A communication from Mr. Benjamin B. Domingo, Consul of the Philippines, Honolulu, (Misc. Com. No. 21), acknowledging receipt of and expressing appreciation for the adoption of Senate Resolution No. 213 (1979), which congratulated Mr. Domingo on his appointment as Consul, was placed on file.

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

"Mr. President, as you know, resolutions and bills have been put forward to this Body by Senator Kawasaki and myself concerning the Hawaii Newspaper Agency. In their never-ending effort to get back at us for this, they have now resorted to an old technique, an old political technique of damning by faint praise, and I want the Body to be informed of this in case they missed it.

"Senator Kawasaki was there the other night and observed the raucous, roaring approval with which my efforts were met. Some of you are familiar with them from my meager efforts prior to his being asked to dance when the staff of the Senate gave a party for us.

"I merely wish to show up this technique of damning by faint praise by quoting the Star-Bulletin at an event given the other evening by and for the Mayor of the City and County of Honolulu, of which I was a guest because of my talents...recognized talents...the almost universally recognized talent in the area of singing.

"I think everyone by this time realizes that Senator O'Connor and Senator Kuroda no longer have a monopoly on this market. I was asked to step forward and Gabe Baltazar and the members of the Royal Hawaiian Band, who were there voluntarily, I'm sure, to play at this event and sing a number.

"The Star-Bulletin recorded the reaction to this event as follows: 'Even Abercrombie's adversaries grudgingly recognized a degree of talent.' "

Senator O'Connor then responded as follows:

"Mr. President, I rise on a point of personal privilege. Since my name was taken in vain by the previous speaker, the Senator from Manoa, I can only repeat the learned statement that applies to all of us from the late President Harry Truman. Something about heat and the kitchen and not staying there in case you can't take it; and if I were he, I would stay off the stage henceforth, because forever he's going to be damned

if his talents were such as we witnessed at the staff party--it was God-awful!"

Senator Kuroda then added,

"Mr. President, the real test of whether one can really successfully sing, is to be invited to sing at the Senator's party tonight."

Senator Kawasaki then rose on a point of personal privilege and remarked as follows:

"Mr. President, I rise on a point of personal privilege, primarily to notify the members of the Senate that I have requested of the Chairman of the Senate Committee on Judiciary that we be given an opportunity to respond to a testimony provided by the Star-Bulletin relative to our resolution which was signed by sixteen Senators here, requesting the Attorney General's office to examine the operations of two newspapers for possible predatory practices and also requesting the Justice Department to clearly delineate areas of anti-trust exemptions that the newspapers may enjoy under the language of both the Federal Newspaper Preservation Act and our state statute comparable to it.

"The Chairman has very kindly consented to holding one of these meetings and thus enable us to respond to some varied speeches, arguments put forth in the newspapers by Mr. Philip T. Gialanella of the Star-Bulletin.

"I just want to let you know that that issue hasn't been closed. We were, as you recall yesterday, down in this session here when Senator O'Connor conducted his hearing, the continuation of the morning hearing. Consequently, we were not able to respond at that time but we will have this opportunity.

"Thank you."

At 12:10 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.

#### ADJOURNMENT

At 12:13 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Abercrombie and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, March 30, 1979, in memory of the late Dr. Jean Charlot.