

## EIGHTH DAY

Friday, January 25, 1980

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1980, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Father Frederick Nies of the Cathedral of Our Lady of Peace, 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 Seventh Day.

At this time, Senator Chong rose to make an introduction and stated as follows:

"Mr. President, it is my very great pleasure to introduce to this Honorable Body a visitor who is a 25-year veteran of the United States foreign service.

"I'd like to tell you about his background because it is rare that we have the honor of having an individual of his quality with us.

"He arrived in Honolulu very early this morning. He will be flying directly to Southeast Asia after leaving this chamber.

"I will be introducing to this Honorable Body Dr. James Faulhaber who is a retired foreign service officer of the United States of America. This Honorable Body, in its first concurrent resolution expressing support for the American hostages in Iran, indicated we do have an interest in foreign matters.

"Dr. Faulhaber met his lovely wife, Francine, in Honolulu at Nanakuli in 1941 as a young ensign in the United States Navy. She was working at the Honolulu Advertiser at the time. They were married on March 7, 1942 at Our Lady of Peace Cathedral on Fort Street, where our late Governor Burns, as you know, regularly attended.

"James Faulhaber served with distinction in the United States Navy in the Pacific on the aircraft carrier U.S.S. Enterprise under Admiral Halsey; he was a fire controller and beachmaster with assault forces from 1942 to 1945.

"Ladies and gentlemen, I think it's important for us to know that it wasn't only the Marines hitting the beaches. James Faulhaber hit the beaches with the Marines seven times: at Tarawa, Kwajalein, Saipan, Iwo Jima, Guam, Leyte, and Lingayen in the Philippines. He survived it all.

"He received his BA from Carthage College in Illinois and his MA from the University of Wisconsin. After the war he went back to college and earned his PhD from Florida State University. He served in the foreign service of our country from 1956 to 1973 in Cambodia, Laos, Singapore, and Nigeria. He was chief of the Far East education program from 1961 to 1963.

"I had the honor and very great privilege of serving with this distinguished gentleman as a young foreign service officer at American missions in Nigeria during the Nigerian-Biafran War between '67 and '69, and then again in Bangkok, Thailand in 1969.

"It is a very interesting story as to why he is here today. It'll take less than a minute to relate because at a time when our country is being maligned by people across the world here is one incident which I think you would find very interesting.

"While serving his country in difficult areas, Dr. James Faulhaber always made it a point to get to know the people in the countries he served in. He never did stay in his ivory tower even though his high position within the official diplomatic community could have easily isolated him from the people where he was living in the countries he was serving.

"Back in 1952, he met a young refugee from mainland China. His name was Kevin Siu; he was broke, had less than 15¢ in his pocket -- the proverbial 15¢ -- no family, but he was willing to work. James Faulhaber was at that time chief of education in Cambodia and he and his wife Francine, on their own time, helped this young man set up a very small jewelry business, first in Cambodia and then later in other areas. Today, over 25 years later, Faulhaber is retired and the young man has prospered and has become a multi-millionaire with shops all over the world including Hawaii. A few weeks ago, just on the spur of the moment, he sent sufficient funds to the Faulhabers to fly first-class throughout Southeast Asia to visit all of his shops. Mrs. Faulhaber left earlier this week for Australia and New Zealand and will be meeting James in Hong Kong tomorrow.

"Today, James Faulhaber will be flying out to Hong Kong and from there he and Mrs. Faulhaber are going to have a grand tour, all because of a man

named Kevin Siu.

"I think this is one of those stories you never read about in the papers. Here was a foreign national with nothing, who was befriended by an American 25 years ago, who remembered his American friends, and is now returning the favor.

"Mr. President, it is my distinct honor to introduce to this Honorable Body, Dr. James Faulhaber. He is accompanied by another friend of mine Ms. Andrea Allen, flight attendant of Braniff International Airlines who is a former Honolulu resident. She is in town this week on vacation. A native of England, Ms. Allen is currently based in Texas."

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.

#### MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. No. 28 to 30) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 28) transmitting a report prepared by the Department of Health in response to Senate Resolution 365 (1979), which requested the State Department of Health to establish a program of environmental monitoring for possible radioactive contamination of marine life in and around Pearl Harbor, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 29) transmitting a report prepared by the Public Utilities Commission in response to Senate Resolution No. 81 (1979), which relates to the management audit by the Legislative Auditor's Office, was referred to the Committee on Public Utilities.

A message from the Governor (Gov. Msg. No. 30) transmitting a report prepared by the Department of Labor and Industrial Relations in response to House Resolution No. 46 (1979), which requested a review of the problems caused by asbestos, was referred to the Committee on Human Resources.

#### HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 5), returning Senate Concurrent Resolution No. 1, which was adopted by the House of Representatives on January 24, 1980, was read by the Clerk and was placed on file.

At 11:46 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.

#### SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 9), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO A TOURISM FUNCTIONAL PLAN", was offered by Senator Wong, by request, and was read by the Clerk.

By unanimous consent, S.C.R. No. 9 was referred to the Committee on Tourism, the Committee on Economic Development and the Committee on Ways and Means.

#### SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 42 to 44) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 42), entitled: "SENATE RESOLUTION PAYING CONDOLENCES TO THE FAMILY OF THE LATE STEPHEN ORILLO, SR.", was jointly offered by Senators Kuroda, Young, Mizuguchi, Cayetano, Soares, Toyofuku, Machida, Chong, George, Ajifu, Saiki, Carroll, Yim, Yee, Yamasaki, Ushijima, Kawasaki, Carpenter and Hara.

On motion by Senator Kuroda, seconded by Senator Young and carried, S.R. No. 42 was adopted.

A resolution (S.R. No. 43), entitled: "SENATE RESOLUTION OFFERING SYMPATHY TO THE FAMILY AND FRIENDS OF BILLY ARAKAWA", was jointly offered by Senators Hara, Ushijima, Carpenter, Yamasaki, Kuroda, George, Anderson, Chong, Cobb, Young, Ajifu, Yee, Kawasaki, Campbell, Abercrombie, Toyofuku, Yim, Mizuguchi, O'Connor, Carroll, Machida, Saiki, Soares, Cayetano and Wong.

On motion by Senator Hara, seconded by Senator Ushijima and carried, S.R. No. 43 was adopted.

A resolution (S.R. No. 44), entitled: "SENATE RESOLUTION HONORING THE UNIVERSITY OF HAWAII'S WOMEN'S INTERCOLLEGIATE ATHLETIC PROGRAM", was jointly offered by Senators Abercrombie, Ushijima, Saiki, Ajifu, Chong, Carpenter, Hara, Yamasaki, George, Soares, Toyofuku, Machida, Yee, Mizuguchi and Young.

On motion by Senator Abercrombie, seconded by Senator Ushijima and carried, S.R. No. 44 was adopted.

#### INTRODUCTION OF 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 Monday, January 28, 1980:

Senate Bills:

No. 1979-80 "A Bill for an Act Relating to the Hawaii Meat Inspection Act."

Introduced by: Senator Wong, by request.

No. 1980-80 "A Bill for an Act Relating to the Hawaii Administrative Procedure Act."

Introduced by: Senator Wong, by request.

No. 1981-80 "A Bill for an Act Relating to Environmental Quality."

Introduced by: Senator Wong, by request.

No. 1982-80 "A Bill for an Act Relating to Mental Health Services for Children and Youth."

Introduced by: Senator Wong, by request.

No. 1983-80 "A Bill for an Act Relating to School Entry Examination."

Introduced by: Senator Wong, by request.

No. 1984-80 "A Bill for an Act Relating to Dentistry."

Introduced by: Senator Wong, by request.

No. 1985-80 "A Bill for an Act Relating to Recording Fees in the State Bureau of Conveyances."

Introduced by: Senator Wong, by request.

No. 1986-80 "A Bill for an Act Relating to Disposition of Public Lands."

Introduced by: Senator Wong, by request.

No. 1987-80 "A Bill for an Act Relating to Public Lands."

Introduced by: Senator Wong, by request.

No. 1988-80 "A Bill for an Act Relating to the Use of Sick Leave Credits with Workers' Compensation Benefits."

Introduced by: Senator Wong, by request.

No. 1989-80 "A Bill for an Act Relating to Corporations."

Introduced by: Senator Wong, by request.

No. 1990-80 "A Bill for an Act Relating to the Hawaii Motor Vehicle Accident

Reparations Act."

Introduced by: Senator Wong, by request.

No. 1991-80 "A Bill for an Act Relating to Uniform Securities Act (Modified)."

Introduced by: Senator Wong, by request.

No. 1992-80 "A Bill for an Act Relating to Trademarks, Prints, Labels, and Trade Names."

Introduced by: Senator Wong, by request.

No. 1993-80 "A Bill for an Act Relating to Practicing Psychologists."

Introduced by: Senator Wong, by request.

No. 1994-80 "A Bill for an Act Relating to Requirements for Renewal of Pharmacist License."

Introduced by: Senator Wong, by request.

No. 1995-80 "A Bill for an Act Relating to Massage."

Introduced by: Senator Wong, by request.

No. 1996-80 "A Bill for an Act Relating to Department of Regulatory Agencies."

Introduced by: Senator Wong, by request.

No. 1997-80 "A Bill for an Act Relating to the Collection Agency Law."

Introduced by: Senator Wong, by request.

No. 1998-80 "A Bill for an Act Relating to the Department of Regulatory Agencies."

Introduced by: Senator Wong, by request.

No. 1999-80 "A Bill for an Act Relating to Public Assistance."

Introduced by: Senator Wong, by request.

No. 2000-80 "A Bill for an Act Relating to Corrections."

Introduced by: Senator Wong, by request.

No. 2001-80 "A Bill for an Act Relating to the Board of Social Services."

- Introduced by: Senator Wong, by request. Director of Personnel Services."
- No. 2002-80 "A Bill for an Act Relating to Lost and Found Money or Property at Airports."
- Introduced by: Senator Wong, by request.
- No. 2003-80 "A Bill for an Act Relating to Motor Carrier Safety Law."
- Introduced by: Senator Wong, by request.
- No. 2004-80 "A Bill for an Act Relating to Highway Safety."
- Introduced by: Senator Wong, by request.
- No. 2005-80 "A Bill for an Act Relating to the Junkyard Control Act."
- Introduced by: Senator Wong, by request.
- No. 2006-80 "A Bill for an Act Relating to State Highways."
- Introduced by: Senator Wong, by request.
- No. 2007-80 "A Bill for an Act Relating to Vending from State Highways."
- Introduced by: Senator Wong, by request.
- No. 2008-80 "A Bill for an Act Relating to the Public Employee Compensation Law."
- Introduced by: Senator Wong, by request.
- No. 2009-80 "A Bill for an Act Relating to Appealing Decisions of the Civil Service Commission."
- Introduced by: Senator Wong, by request.
- No. 2010-80 "A Bill for an Act Relating to the Civil Service Law on Suspensions, Dismissals, Demotions, and Employee Status Pending an Investigation of Charges."
- Introduced by: Senator Wong, by request.
- No. 2011-80 "A Bill for an Act Relating to Appealing Decisions of the Civil Service Commission."
- Introduced by: Senator Wong, by request.
- No. 2012-80 "A Bill for an Act Relating to Collective Bargaining."
- Introduced by: Senator Wong, by request.
- No. 2013-80 "A Bill for an Act Relating to Vacation of Public Officers and Employees."
- Introduced by: Senator Wong, by request.
- No. 2014-80 "A Bill for an Act Relating to the Civil Service Law on Filing Notices of Certain Personnel Actions with the
- Director of Personnel Services."
- Introduced by: Senator Wong, by request.
- No. 2015-80 "A Bill for an Act Relating to the Certification of Civil Service Eligibles."
- Introduced by: Senator Wong, by request.
- No. 2016-80 "A Bill for an Act Relating to the Use of Sick Leave Credits with Workers' Compensation Benefits."
- Introduced by: Senator Wong, by request.
- No. 2017-80 "A Bill for an Act Relating to Leaves of Absence."
- Introduced by: Senators Kuroda, Chong, Yamasaki, Campbell, Abercrombie, Young, Mizuguchi, Cobb, Yee, Ushijima and Carpenter.
- No. 2018-80 "A Bill for an Act Relating to Hotels."
- Introduced by: Senators Kuroda, Yee, Hara, Chong, Yamasaki, Campbell, Abercrombie, Mizuguchi, Cayetano, Carpenter and Ushijima.
- No. 2019-80 "A Bill for an Act Making an Appropriation for the Improvement and Renovation of the Occupational Therapy and Physical Therapy Facilities at Kau Hospital, County of Hawaii."
- Introduced by: Senators Carpenter, Hara, Ushijima, Campbell, Chong, Mizuguchi, Toyofuku, Yamasaki, Abercrombie, Machida and O'Connor.
- No. 2020-80 "A Bill for an Act Making an Appropriation for the Language Arts Multi-Cultural Program of the County of Hawaii."
- Introduced by: Senators Carpenter, Hara, Ushijima, Campbell, Chong, Mizuguchi, Toyofuku, Yamasaki, Abercrombie, Machida and O'Connor.
- No. 2021-80 "A Bill for an Act Relating to Support of Mental Health-Related Programs."
- Introduced by: Senators Carpenter, Campbell, Chong, Mizuguchi, Yamasaki, Machida, O'Connor, Hara, Ushijima, Toyofuku and Abercrombie.
- No. 2022-80 "A Bill for an Act Relating to Public Purchases and Contracts."
- Introduced by: Senators Carpenter, Campbell, Chong, Yamasaki, Hara, Ushijima, Toyofuku, Mizuguchi,

- Machida, Abercrombie and O'Connor.
- No. 2023-80 "A Bill for an Act Making an Appropriation for the YMCA's Women Center Sexual Assault Support System for the County of Hawaii."
- Introduced by: Senators Carpenter, Campbell, Chong, Mizuguchi, Toyofuku, Yamasaki, Abercrombie, Hara, Machida, Ushijima and O'Connor.
- No. 2024-80 "A Bill for an Act Relating to Harbors."
- Introduced by: Senators Carpenter, Hara, Mizuguchi, Ushijima, Toyofuku, Abercrombie, Yamasaki, Machida, Campbell, Chong and O'Connor.
- No. 2025-80 "A Bill for an Act Making an Appropriation for the Developmentally Disabled."
- Introduced by: Senators Carpenter, Campbell, Chong, Mizuguchi, Toyofuku, Yamasaki, Abercrombie, Hara, Machida, Ushijima and O'Connor.
- No. 2026-80 "A Bill for an Act Making an Appropriation for a Grant-in-Aid to St. Francis Hospital."
- Introduced by: Senators Carpenter, Campbell, Chong, Mizuguchi, Abercrombie, Machida, Hara, Ushijima, Yamasaki, Toyofuku and O'Connor.
- No. 2027-80 "A Bill for an Act Relating to County Liquor Commissions; Compensation."
- Introduced by: Senator Ushijima.
- No. 2028-80 "A Bill for an Act Making an Appropriation for the Task Force for the Study of Laws Relating to Guardianship, Civil Commitment and Protective Services."
- Introduced by: Senators O'Connor, Chong, Cobb, Young, Machida, Mizuguchi and Ushijima.
- No. 2029-80 "A Bill for an Act Relating to Elections."
- Introduced by: Senators O'Connor, Ushijima, Chong and Machida.
- No. 2030-80 "A Bill for an Act Relating to Holidays."
- Introduced by: Senators O'Connor, Cobb, Young, Machida, Mizuguchi, Ushijima and Chong.
- No. 2031-80 "A Bill for an Act Relating to Elections."
- Introduced by: Senators O'Connor, Cobb, Young, Machida, Mizuguchi, Ushijima and Chong.
- No. 2032-80 "A Bill for an Act Relating to Elections."
- Introduced by: Senators O'Connor, Cobb, Young, Machida, Mizuguchi, Ushijima and Chong.
- No. 2033-80 "A Bill for an Act Relating to Elections."
- Introduced by: Senators O'Connor, Cobb, Young, Machida, Mizuguchi, Ushijima and Chong.
- No. 2034-80 "A Bill for an Act Relating to Elections."
- Introduced by: Senators O'Connor, Cobb, Young, Machida, Mizuguchi, Ushijima and Chong.
- No. 2035-80 "A Bill for an Act Relating to Absentee Voting."
- Introduced by: Senators O'Connor, Cobb, Young, Machida, Mizuguchi, Ushijima and Chong.
- No. 2036-80 "A Bill for an Act Relating to Discrimination."
- Introduced by: Senators Chong, Abercrombie, Carpenter, Cayetano and Carroll.
- No. 2037-80 "A Bill for an Act Making an Appropriation for New Home Loans for Hawaiian Home Lands."
- Introduced by: Senators Young, Hara, Soares, Ajifu, Cayetano, Carpenter, Chong and Yim.
- No. 2038-80 "A Bill for an Act Making an Appropriation for Friends of Waipahu Cultural Garden Park's Educational Exhibits Program."
- Introduced by: Senators Young, Kuroda, Mizuguchi and Cayetano.
- No. 2039-80 "A Bill for an Act Making an Appropriation for a Grant-in-Aid for Capital Improvements for the Waianae Coast Comprehensive Health Center, Oahu."
- Introduced by: Senators Young, Mizuguchi, Cayetano and Kuroda.
- No. 2040-80 "A Bill for an Act Making an Appropriation for a Grant-in-Aid for the Waianae Coast Comprehensive Health Center."
- Introduced by: Senators Young, Mizuguchi, Cayetano and Kuroda.
- No. 2041-80 "A Bill for an Act Making an Appropriation for Site Development

for Residences on Hawaiian Home Lands."

Introduced by: Senators Young, Hara, Soares, Ajifu, Cayetano, Carpenter, Chong and Yim.

No. 2042-80 "A Bill for an Act Making an Appropriation for Plans and Construction for a General Aviation Airport at Waipio Peninsula, Oahu."

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

#### STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 6-80) informing the Senate that Senate Concurrent Resolution Nos. 3 to 8, Senate Resolution Nos. 30 to 41, Standing Committee Report Nos. 4-80 and 5-80, and Senate Bill Nos. 1969-80 to 1978-80 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 Thursday, January 24, 1980:

Senate Bills Referred to:

No. 1969-80 Committee on Health, then to the Committee on Ways and Means

No. 1970-80 Committee on Judiciary

No. 1971-80 Committee on Health, then to the Committee on Ways and Means

No. 1972-80 Committee on Human Resources

No. 1973-80 Committee on Judiciary

No. 1974-80 Committee on Judiciary, then to the Committee on Ways and Means

No. 1975-80 Committee on Ways and Means

No. 1976-80 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means

No. 1977-80 Committee on Ecology, Environment and Recreation, then to the Committee on Judiciary

No. 1978-80 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means

At 11:51 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 Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, January 28, 1980.