

THIRTEENTH DAY

Friday, February 1, 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 Vice President in the Chair.

The Divine Blessing was invoked by the Reverend Louis H. Yim of St. Anthony's Church in Kalihi, after which the Roll was called showing all Senators present with the exception of Senators Saiki, Wong and Yee, who were excused.

The Vice President announced that the President had read and approved the Journal of the Twelfth Day.

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

Senator Carroll introduced a group of students from the fourth and fifth grades at Kuhio School, with their teachers, Mrs. V. Yoshimura, Mrs. C. Chee and Mrs. T. Ho.

Senator Chong introduced Mr. Shizuma Ide, from the Moiliili-McCully area, who is a lobbyist with the Kokua Council.

Senator Yamasaki then introduced Mr. Edward Nakamoto, the Vice President of the Planning and Coordination Council for the senior citizens of Maui.

Senator Hara introduced Mrs. Ruth Walker, principal of Keaukaha School on the island of Hawaii.

Senator Anderson introduced a group from the Aiea Lani Senior Citizens Club.

The Vice President then introduced a group of students from the Pacific Baptist Academy and their teacher and principal, Dr. James Warren.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 41 to 46) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 41), transmitting the Annual Report for the Public Utilities Commission for the fiscal year 1978-1979, as well as the operating results for the regulated utilities for the calendar year ending December 31, 1978, was referred to the Committee on Public Utilities.

A message from the Governor (Gov. Msg. No. 42), transmitting a report

entitled, "Hawaii Fisheries Development Plan" and status report on the "Hawaii Coastal Zone Fisheries Management Study", which were prepared by the Department of Land and Natural Resources in response to House Resolution No. 122 and Senate Resolution No. 25, Regular Session of 1978, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 43), transmitting a report, entitled, "Economic Viability of Independent Sugarcane Farms on the Hilo Coast", and noting that this is the final report of Part I of a two-part study in response to House Concurrent Resolution No. 99, Regular Session of 1978, which was prepared by the Hawaii Institute of Tropical Agriculture and Human Resources, University of Hawaii, with financing from the University, the Department of Agriculture, and the Governor's Agriculture Coordinating Committee, was referred to the Committee on Agriculture.

A message from the Governor (Gov. Msg. No. 44), transmitting a report prepared by the Department of Education in response to Senate Resolution No. 434, Regular Session of 1979, which requested the Board of Education to reconsider the limitation imposed on JROTC programs in public high schools, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 45), transmitting the Annual Report of the Medical Claim Conciliation Panel 1978-1979, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 46), transmitting the Annual Report prepared by the Department of Defense, pursuant to Chapter 93-12, Hawaii Revised Statutes, as amended, was referred to the Committee on Intergovernmental Relations.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 56 to 62) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 56), entitled: "SENATE RESOLUTION CONGRATULATING SYLVIA LUKE CHING, MODEL MOTHER OF THE YEAR", was jointly offered by Senators Chong, Yim, O'Connor, Cayetano, Carpenter, Wong, Kuroda, Machida, Yamasaki, George, Mizuguchi, Ajifu, Hara, Cobb, Young and Campbell.

On motion by Senator Chong, seconded by Senator Yim and carried, S.R. No. 56 was adopted.

A resolution (S.R. No. 57), entitled: "SENATE RESOLUTION CONGRATULATING WILLIAM HIN CHEE YOUNG ON HIS SELECTION AS 1979 FATHER OF THE YEAR BY THE UNITED CHINESE SOCIETY", was jointly offered by Senators Chong, Yim, Kuroda, Hara, O'Connor, Cayetano, Carpenter, Wong, Machida, Yamasaki, George, Mizuguchi, Ajifu, Cobb, Young and Campbell.

On motion by Senator Chong, seconded by Senator Yim and carried, S.R. No. 57 was adopted.

A resolution (S.R. No. 58), entitled: "SENATE RESOLUTION RECOGNIZING AND CONGRATULATING MR. DAVE SCOTT FOR WINNING THE THIRD ANNUAL NAUTILUS TRIATHLON IN RECORD TIME", was jointly offered by Senators Chong, Yim, Kuroda, O'Connor, Cayetano, Carpenter, Wong, Cobb, Young, Hara, Machida, Yamasaki, George, Mizuguchi, Ajifu and Campbell.

On motion by Senator Chong, seconded by Senator Yim and carried, S.R. No. 58 was adopted.

A resolution (S.R. No. 59), entitled: "SENATE RESOLUTION RECOGNIZING AND CONGRATULATING DR. CALVIN SIA FOR BEING CHOSEN PHYSICIAN OF THE YEAR BY THE HAWAII MEDICAL ASSOCIATION AND FOR BEING PRESENTED THE A. H. ROBBINS AWARD", was jointly offered by Senators Chong, Yim, Carpenter, Young, Cayetano, Wong, Kuroda, Machida, Carroll, O'Connor, Yamasaki, George, Mizuguchi, Ajifu, Hara, Cobb and Campbell.

On motion by Senator Chong, seconded by Senator Yim and carried, S.R. No. 59 was adopted.

A resolution (S.R. No. 60), entitled: "SENATE RESOLUTION CONGRATULATING HAWAII-P.A.L. STARS, 1979 COLT WORLD SERIES CHAMPIONS", was jointly offered by Senators Kawasaki, Kuroda, Saiki, Cayetano, Carroll, Ushijima, George, Toyofuku, Hara, Abercrombie, Ajifu, Yamasaki, Chong, Cobb, Campbell, Carpenter, Young, Machida, Mizuguchi, Anderson, Yim, O'Connor, Soares and Wong.

On motion by Senator Mizuguchi, seconded by Senator Kuroda and carried, S.R. No. 60 was adopted.

A resolution (S.R. No. 61), entitled: "SENATE RESOLUTION CONGRATULATING BENJAMIN B. DOMINGO ON HIS PROMOTION TO MINISTER CONSUL TO HAWAII", was jointly offered by Senators Young, Mizuguchi, Chong, Yamasaki,

Kawasaki, Campbell, Machida, Abercrombie, George, Ajifu, Kuroda, Carroll, Carpenter, Anderson, Ushijima, Hara, Cayetano, Cobb, Soares, O'Connor and Yim.

On motion by Senator Young, seconded by Senator Mizuguchi and carried, S.R. No. 61 was adopted.

A resolution (S.R. No. 62), entitled: "SENATE RESOLUTION CONGRATULATING AND COMMENDING THE FILIPINO CHAMBER OF COMMERCE OF HONOLULU ON THE SUCCESSFUL TRADE MISSION AND GOODWILL TOUR", was jointly offered by Senators Young, Carpenter, Kawasaki, Hara, Carroll, Ajifu, Campbell, Toyofuku, Machida, Kuroda, Mizuguchi, Chong, Cobb, Ushijima, Soares and Cayetano.

On motion by Senator Young, seconded by Senator Cayetano and carried, S.R. No. 62 was adopted.

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 Monday, February 4, 1980:

Senate Bills

No. 2182-80 "A Bill for an Act Relating to the Investment of Employees' Retirement System Funds."

Introduced by: Senators Hara and Carpenter.

No. 2183-80 "A Bill for an Act Relating to the Utilization of Electricity Generated from Non-Fossil Fuels."

Introduced by: Senator Kawasaki.

No. 2184-80 "A Bill for an Act Relating to the Disposition of Real Property Tax Collection Proceeds to the Counties."

Introduced by: Senator Kawasaki.

No. 2185-80 "A Bill for an Act Making an Appropriation for a Grant-In-Aid to the City and County of Honolulu for Improvements to Government Roads in Waianae."

Introduced by: Senator Kawasaki, by request.

No. 2186-80 "A Bill for an Act Relating to Number Plates."

Introduced by: Senator Kawasaki.

No. 2187-80 "A Bill for an Act Relating to a Study on the Cost of Imported

Oil Versus the Economic Benefit
of In-State Use."

Introduced by: Senator Kawasaki,
by request.

No. 2188-80 "A Bill for an Act Relating
to Articles of Incorporation."

Introduced by: Senator Kawasaki.

No. 2189-80 "A Bill for an Act Relating
to County Vehicular Taxes."

Introduced by: Senator Kawasaki.

No. 2190-80 "A Bill for an Act Relating
to Delinquent Penalties: Seizure
and Sale for Tax."

Introduced by: Senator Kawasaki,
by request.

No. 2191-80 "A Bill for an Act Relating
to Motor Vehicle Safety Responsibility
Act."

Introduced by: Senator Kawasaki.

No. 2192-80 "A Bill for an Act Making
an Appropriation of \$692,000 to
the State Department of Transportation
to Implement the Transfer of Wilson
Tunnel from the City and County of
Honolulu to the State of Hawaii."

Introduced by: Senator Kawasaki.

No. 2193-80 "A Bill for an Act Relating
to Procedure when Title of Vehicle
Transferred; Delivery of Certificate
Mandatory."

Introduced by: Senator Kawasaki.

No. 2194-80 "A Bill for an Act Relating
to Collective Bargaining."

Introduced by: Senator Kawasaki,
by request.

No. 2195-80 "A Bill for an Act Relating
to Collective Bargaining."

Introduced by: Senator Kawasaki,
by request.

No. 2196-80 "A Bill for an Act Relating
to Collective Bargaining."

Introduced by: Senator Kawasaki,
by request.

No. 2197-80 "A Bill for an Act Relating
to Correctional Industries."

Introduced by: Senator Kawasaki,
by request.

No. 2198-80 "A Bill for an Act Relating
to Plant and Nondomestic Animal

Quarantine."

Introduced by: Senator Kawasaki,
by request.

No. 2199-80 "A Bill for an Act Relating
to Public Assistance Program Violations
and Penalties."

Introduced by: Senator Kawasaki,
by request.

No. 2200-80 "A Bill for an Act Relating
to the Expungement of Arrest Records."

Introduced by: Senator Kawasaki,
by request.

No. 2201-80 "A Bill for an Act Relating
to Names."

Introduced by: Senator Kawasaki,
by request.

No. 2202-80 "A Bill for an Act Relating
to the Licensing of Radiation Therapy
Technologists."

Introduced by: Senator Kawasaki,
by request.

No. 2203-80 "A Bill for an Act Relating
to Discriminatory Employment Practices."

Introduced by: Senator Kawasaki,
by request.

No. 2204-80 "A Bill for an Act Relating
to the Limitation of Fees."

Introduced by: Senator Kawasaki,
by request.

No. 2205-80 "A Bill for an Act Relating
to the Safety of Boilers, Elevators and
Amusement Rides."

Introduced by: Senator Kawasaki,
by request.

No. 2206-80 "A Bill for an Act Relating
to the Hawaii Occupational Safety and
Health Law."

Introduced by: Senator Kawasaki,
by request.

No. 2207-80 "A Bill for an Act Relating
to Employment Security."

Introduced by: Senator Kawasaki,
by request.

No. 2208-80 "A Bill for an Act Relating
to Public Lands."

Introduced by: Senator Kawasaki,
by request.

No. 2209-80 "A Bill for an Act Relating
to Forest and Water Reserve Zones."

- Introduced by: Senator Kawasaki,
by request.
- No. 2210-80 "A Bill for an Act Relating
to Public Lands."
- Introduced by: Senator Kawasaki,
by request.
- No. 2211-80 "A Bill for an Act Relating
to Recording Fees in the Office of
the Assistant Registrar of the Land
Court in the State Bureau of Conveyances."
- Introduced by: Senator Kawasaki,
by request.
- No. 2212-80 "A Bill for an Act Relating
to Dams and Reservoirs."
- Introduced by: Senator Kawasaki,
by request.
- No. 2213-80 "A Bill for an Act Relating
to the Certification of Civil Service
Eligibles."
- Introduced by: Senator Kawasaki,
by request.
- No. 2214-80 "A Bill for an Act Relating
to Insurance."
- Introduced by: Senator Kawasaki,
by request.
- No. 2215-80 "A Bill for an Act Relating
to the Department of Regulatory Agencies."
- Introduced by: Senator Kawasaki,
by request.
- No. 2216-80 "A Bill for an Act Relating
to Usury."
- Introduced by: Senator Kawasaki,
by request.
- No. 2217-80 "A Bill for an Act Relating
to Ownership and Possession of
Firearms."
- Introduced by: Senator Kawasaki,
by request.
- No. 2218-80 "A Bill for an Act Relating
to Taxation."
- Introduced by: Senator Kawasaki,
by request.
- No. 2219-80 "A Bill for an Act Relating
to the Transfer of all Functions,
Powers and Duties Involving the
Taxation of Real Property to the Counties."
- Introduced by: Senator Kawasaki,
by request.
- No. 2220-80 "A Bill for an Act Relating
to Taxation."
- Introduced by: Senator Kawasaki,
by request.
- No. 2221-80 "A Bill for an Act Relating
to Aeronautics."
- Introduced by: Senator Kawasaki,
by request.
- No. 2222-80 "A Bill for an Act Relating
to Pupil Transportation."
- Introduced by: Senator Kawasaki,
by request.
- No. 2223-80 "A Bill for an Act Relating
to Vehicle Size and Weight."
- Introduced by: Senator Kawasaki,
by request.
- No. 2224-80 "A Bill for an Act Making
an Appropriation for Fencing for
Kailua Elementary School."
- Introduced by: Senators George,
Anderson and Ajifu.
- No. 2225-80 "A Bill for an Act Relating
to the Public Employees Health Fund."
- Introduced by: Senator Kawasaki,
by request.
- No. 2226-80 "A Bill for an Act Relating
to School Health Services."
- Introduced by: Senator Kawasaki,
by request.
- No. 2227-80 "A Bill for an Act Relating
to Displaced Homemakers."
- Introduced by: Senator Kawasaki,
by request.
- No. 2228-80 "A Bill for an Act Relating
to Housing."
- Introduced by: Senator Kawasaki,
by request.
- No. 2230-80 "A Bill for an Act Relating
to Taxation."
- Introduced by: Senator Kawasaki,
by request.
- No. 2231-80 "A Bill for an Act Relating
to Property Assessment of Condominium
Ownerships."
- Introduced by: Senator Kawasaki,
by request.
- No. 2232-80 "A Bill for an Act Relating
to Airport Parking Control."
- Introduced by: Senator Kawasaki,
by request.

No. 2233-80 "A Bill for an Act Making an Appropriation for the Photography Program at the University of Hawaii, Manoa."

Introduced by: Senators Abercrombie, Carpenter, Soares and Ajifu.

No. 2234-80 "A Bill for an Act Relating to the State Program for the Unemployed."

Introduced by: Senators Abercrombie, Chong, Yim, Ajifu, Carpenter, Yamasaki, O'Connor and Cobb.

No. 2235-80 "A Bill for an Act Making an Appropriation for Manpower Development and Training."

Introduced by: Senators Abercrombie, Chong, Ajifu, Yim, Cayetano, Hara, O'Connor, Carpenter, Machida, Soares and Yamasaki.

No. 2236-80 "A Bill for an Act Making an Appropriation for the 5,000 years of Korean Art Exhibition."

Introduced by: Senators Abercrombie, Yim, Carpenter, Machida, Soares and Ajifu.

No. 2237-80 "A Bill for an Act Relating to Public Purchases and Contracts."

Introduced by: Senators Ushijima, Hara, Mizuguchi, Cayetano and Young.

No. 2238-80 "A Bill for an Act Relating to the Utilization of Electricity Generated from Non-Fossil Fuels."

Introduced by: Senators Toyofuku, Ushijima, Kawasaki, Kuroda, Hara, Yamasaki, Young, Machida, Chong and Abercrombie.

No. 2239-80 "A Bill for an Act Relating to Employee Per Diem."

Introduced by: Senators Toyofuku, Ushijima, Hara, Yamasaki, Kawasaki, Kuroda, Young, Machida and Abercrombie.

No. 2240-80 "A Bill for an Act Relating to Pensioners Bonus."

Introduced by: Senators Toyofuku, Ushijima, Yamasaki, Kuroda, Hara, Young, Machida, Chong and Abercrombie.

No. 2241-80 "A Bill for an Act Relating to Leaves of Absence for Public Employees."

Introduced by: Senators Toyofuku, Ushijima, Yamasaki, Kuroda, Kawasaki, Young, Machida, Mizuguchi, Chong and Abercrombie.

No. 2242-80 "A Bill for an Act Relating

to Employment Agencies."

Introduced by: Senators Toyofuku, Machida, Abercrombie, Hara, Carpenter, Ushijima, Yamasaki, Kuroda and Chong.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the following bill was referred to print and was placed on the calendar for further consideration on Monday, February 4, 1980:

Senate Bill

No. 2229-80 "A Bill for an Act Relating to Taxation."

Introduced by: Senator Kawasaki, by request.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 11-80) informing the Senate that Senate Resolution Nos. 54 and 55 and Senate Bill Nos. 2146-80 to 2181-80 have been printed and are ready for distribution.

On motion by Senator Yamasaki, seconded by Senator O'Connor and carried, the report of the Committee was adopted.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 12-80) recommending that Senate Bill No. 1826-80, 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 Abercrombie and carried, the report of the Committee was adopted and S.B. No. 1826-80, S.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 Monday, February 4, 1980.

In accordance with Section III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1826-80, S.D. 1.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Thursday, January 31, 1980:

Senate Bills

Referred to:

No. 2146-80 Jointly to the Committee

- on Health and the Committee on Consumer Protection and Commerce
- No. 2147-80 Committee on Judiciary, then to the Committee on Ways and Means
- No. 2148-80 Committee on Consumer Protection and Commerce
- No. 2149-80 Committee on Consumer Protection and Commerce
- No. 2150-80 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
- No. 2151-80 Committee on Consumer Protection and Commerce
- No. 2152-80 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
- No. 2153-80 Committee on Housing and Hawaiian Homes
- No. 2154-80 Committee on Transportation
- No. 2155-80 Committee on Judiciary
- No. 2156-80 Committee on Judiciary
- No. 2157-80 Committee on Consumer Protection and Commerce
- No. 2158-80 Committee on Ways and Means
- No. 2159-80 Committee on Ways and Means
- No. 2160-80 Committee on Ways and Means
- No. 2161-80 Committee on Ways and Means
- No. 2162-80 Committee on Ways and Means
- No. 2163-80 Committee on Ways and Means
- No. 2164-80 Committee on Ways and Means
- No. 2165-80 Committee on Human Resources, then to the Committee on Judiciary
- No. 2166-80 Committee on Public Utilities
- No. 2167-80 Committee on Public Utilities
- No. 2168-80 Committee on Housing and Hawaiian Homes
- No. 2169-80 Committee on Ecology, Environment and Recreation
- No. 2170-80 Committee on Economic Development, then to the Committee on Ways and Means
- No. 2171-80 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
- No. 2172-80 Committee on Human Resources, then to the Committee on Ways and Means
- No. 2173-80 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
- No. 2174-80 Committee on Human Resources
- No. 2175-80 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
- No. 2176-80 Committee on Transportation, then to the Committee on Intergovernmental Relations
- No. 2177-80 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
- No. 2178-80 Committee on Economic Development, then to the Committee on Ways and Means
- No. 2179-80 Jointly to the Committee on Public Utilities and the Committee on Economic Development
- No. 2180-80 Committee on Human Resources
- No. 2181-80 Committee on Transportation

ADJOURNMENT

At 11:46 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, February 4, 1980.