

THIRTIETH DAY

Wednesday, March 5, 1980

SENATE RESOLUTION

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 Reverend William Masuda of the Honpa Hongwanji Mission of Hawaii, State Headquarters, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Twenty-Ninth Day.

Senator George, on behalf of Senator Anderson, introduced to the members of the Senate a group of 50 senior citizens from Kailua (Oahu).

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 99 and 100) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 99), transmitting a report prepared by the Department of Transportation in response to Senate Resolution No. 437 (1979) which relates to the continuation, promotion and expansion of the Van Go Hawaii program, was referred to the Committee on Transportation.

A message from the Governor (Gov. Msg. No. 100), submitting for consideration and consent to the Circuit Court of the Fifth Circuit, the nomination of Kei Hirano, Judge, for a ten-year term, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, was referred to the Committee on Judiciary.

HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 83), transmitting House Concurrent Resolution No. 87 which was adopted in the House of Representatives on March 4, 1980, was read by the Clerk and was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R. No. 87, entitled: "HOUSE CONCURRENT RESOLUTION EXTENDING ALOHA AND BEST WISHES TO THE WAIKIKI YACHT CLUB AND OTHER PARTICIPANTS AND VISITORS IN THE UPCOMING INTERNATIONAL PAN AMERICAN CLIPPER CUP YACHT RACE AND SPECIAL THANKS TO PAN AMERICAN WORLD AIRWAYS FOR THEIR SPONSORSHIP OF THIS EVENT", was adopted.

A resolution (S.R. No. 159), entitled: "SENATE RESOLUTION COMMENDING THE PLAY 'BIG BOYS DON'T CRY' AND THE KALIHI-PALAMA CULTURE AND ARTS PRISON CERAMICS CLASS", was jointly offered by Senators O'Connor, Cobb, Saiki, Young, Yamasaki, Anderson, Yim, George, Carroll, Ajifu, Campbell, Toyofuku, Mizuguchi, Machida, Hara, Chong, Soares, Kuroda, Ushijima, Wong, Kawasaki, Carpenter and Cayetano.

Senator O'Connor then moved that S.R. No. 159 be adopted, seconded by Senator Mizuguchi.

At this time, Senator O'Connor rose to speak on the resolution and stated as follows:

"Mr. President, I rise to speak on behalf of this resolution.

"As we in your Judiciary Committee deal with the penal system of our state, it is too often that we question the Department of Social Services and Housing and the Corrections Division concerning the availability of programs for the inmates of the various penal institutions to provide for their rehabilitation, once they have been punished. We have long sought to have programs established and it is a refreshing and bright situation where specific programs are established and are of tremendous use to certain parts of the prison community.

"Specifically, today, this resolution before this body is one which would recognize and honor the individuals concerned with a play which is being produced at this time by the inmates of the Oahu Prison and the ceramics class which is presently being offered there at the prison by the Kalihi-Palama Culture and Arts organization. Therefore, I would urge that all read the resolution, it has some very interesting information in it, and vote in favor of the measure.

"Incident to the resolution, we have displayed at this time at the State Capitol the product of the ceramic class which I earlier referred to. We're also having produced this afternoon at 4:30 the play 'Big Boys Don't Cry' in the State Capitol auditorium.

"Instrumental in helping us have the exhibits and this production has been our lovely Lt. Governor Jean King who is here with us today.

"The author and director of the play 'Big Boys Don't Cry' which will be produced this afternoon with a

cast of some of the inmates of the prison is Tremaine Tamayose.

"That wonderful teacher from the Kalihi-Palama Culture and Arts Prison Ceramics class who has given so much of her time and efforts is Mary Ellen Hancock."

The motion was put by the Chair and carried and S.R. No. 159 was adopted.

Senator O'Connor then introduced to the members of the Senate Lt. Governor Jean King, Mr. Tremaine Tamayose and Ms. Mary Ellen Hancock, who were presented with leis and copies of the resolution.

At 11:48 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.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 460-80) informing the Senate that Senate Concurrent Resolution No. 33, Senate Resolution Nos. 157 and 158 and Standing Committee Report Nos. 455-80 to 459-80 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.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 461-80) recommending that Senate Bill No. 3131-80, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Consumer Protection and Commerce.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 3131-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MORTUARIES AND FUNERALS", passed First Reading and was recommitted to the Committee on Consumer Protection and Commerce.

ORDER OF THE DAY

THIRD READING

Senate Bill No. 2034-80:

Senator O'Connor moved that S.B. No. 2034-80, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS", be recommitted to the Committee on Judiciary, and the President, noting that there

was no objection, so ordered.

At 11:53 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:55 o'clock a.m.

At this time, Senator O'Connor, Chairman of the Committee on Judiciary, requested a waiver of the 48-hour notice of a Public Hearing on the following measures:

Thursday, March 6, 1980:

S.B. No. 2997-80, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT";

S.B. No. 2927-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH";

S.B. No. 2221-80, entitled: "A BILL FOR AN ACT RELATING TO AERONAUTICS";

S.B. No. 2198-80, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NONDOMESTIC ANIMAL QUARANTINE";

S.B. No. 2784-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR AND OTHER VEHICLES";

S.B. No. 2165-80, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING";

S.B. No. 2439-80, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION";

S.B. No. 2440-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES";

S.B. No. 3097-80, entitled: "A BILL FOR AN ACT RELATING TO VESTED RIGHTS";

S.B. No. 3099-80, entitled: "A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT";

S.B. No. 2513-80, entitled: "A BILL FOR AN ACT RELATING TO THE ADMINISTRATIVE PROCEDURE ACT";

H.B. No. 1758, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF PROGRAMS AND ORGANIZATIONAL SEGMENTS IN THE STATE GOVERNMENT";

S.B. No. 2525-80, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO SOLICITATION OF FUNDS FROM THE PUBLIC";

S.B. No. 2589-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EVICTION";

S.B. No. 2780-80, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL ATTENDANCE";

S.B. No. 2965-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION";

S.B. No. 1989-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS";

S.B. No. 1346, entitled: "A BILL FOR AN ACT RELATING TO THE STATE-WIDE TRAFFIC CODE";

S.B. No. 2524-80, entitled: "A BILL FOR AN ACT RELATING TO CONDITIONAL RELEASE CENTERS";

S.B. No. 1860-80, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PROBATE CODE";

Friday, March 7, 1980:

S.B. No. 2201-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NAMES";

S.B. No. 2616-80, entitled: "A BILL FOR AN ACT RELATING TO FALSE STATEMENTS AND MISREPRESENTATIONS";

S.B. No. 2618-80, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE LAW";

S.B. No. 1164, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT AND TRANSFER OF DEVELOPMENT RIGHTS";

S.B. No. 1958-80, entitled: "A BILL FOR AN ACT RELATING TO LOBBYISTS";

S.B. No. 3012-80, entitled: "A BILL FOR AN ACT RELATING TO LOBBYISTS";

S.B. No. 1346, entitled: "A BILL FOR AN ACT RELATING TO THE STATE-WIDE TRAFFIC CODE";

S.B. No. 398, entitled: "A BILL FOR AN ACT RELATING TO THE SALE OF PROPHYLACTICS IN VENDING MACHINES";

S.B. No. 3011-80, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY OF PROTECTED PERSONS";

S.B. No. 3092-80, entitled: "A BILL

FOR AN ACT RELATING TO DR. MARTIN LUTHER KING JUNIOR DAY";

S.B. No. 2365-80, entitled: "A BILL FOR AN ACT RELATING TO NEWSPAPERS";

S.B. No. 2673-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATURE";

S.B. No. 3006-80, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF HAWAII";

S.B. No. 3007-80, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF HAWAII";

S.B. No. 3013-80, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF HAWAII";

S.B. No. 3014-80, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF HAWAII";

S.B. No. 184, entitled: "A BILL FOR AN ACT RELATING TO CIVIL COMMITMENT"; and

S.B. No. 2048-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENALTIES FOR FALSE STATEMENTS AND REPRESENTATIONS IN REGARD TO UNEMPLOYMENT COMPENSATION",

and the President granted the waiver.

At this time, the President made the following announcement:

"It has been my policy that Senators may make announcements of their press conferences on the Senate floor since they are duly elected members of this body. I would like to suggest, however, that any Senator wishing to use the Senate facilities should first check all future appearances about the use of facilities with the Majority Leader and he will do the scheduling.

"I will not deny any Senator the use of Senate facilities to express a particular position on a particular issue."

ADJOURNMENT

At 12:01 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, March 6, 1980.