

FORTIETH DAY

Wednesday, March 25, 1981

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1981, convened at 11:00 o'clock a.m., with the Vice-President in the Chair.

The Divine Blessing was invoked by Bishop Hosen Fukuhara, Higashi Hongwanji Mission, after which the Roll was called showing all Senators present, with the exception of Senators Ajifu, Cayetano, Mizuguchi and Wong who were excused.

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

The following introductions were then made to the members of the Senate:

Senator Machida introduced a group of people from Maui as follows: Lynn and Kyle Kunitake, Kimberly and Robin Wauke, Mrs. Kunitake, mother of the Kunitake children, and Mrs. Haruko Wauke, grandmother of the Wauke children.

Senator Carpenter introduced 32 members of the Kona Regional Senior Center with their supervisor, Mr. Sidney Kano, and their tour leaders, Mrs. Lily Mahi and Mrs. Ruth Serioka.

Senator Holt then introduced 64 fifth and sixth grade students from St. John the Baptist School, accompanied by their teachers, Sister Ruth and Mrs. Mihara.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 56 to 60) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 56), entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE DONATION OF SURPLUS FOOD PRODUCTS," was offered by Senators Uwaine, Ajifu, Carpenter, Yamasaki, Young, Cobb, Holt, Yee, Henderson, Machida, Kuroda, Mizuguchi and Kobayashi.

By unanimous consent, S.C.R. No. 56 was referred to the Committee on Human Resources.

A concurrent resolution (S.C.R. No. 57), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A SURVEY OF OTHER

STATE'S 'GOOD SAMARITAN' STATUTES, AND TO REPORT THEIR FINDINGS TO THE 1982 LEGISLATIVE SESSION," was offered by Senators Carpenter, Ajifu, Uwaine, Yamasaki, Young, Cobb, Machida, Kuroda, Mizuguchi, Kobayashi, Henderson, Yee and Holt.

By unanimous consent, S.C.R. No. 57 was referred to the Committee on Human Resources.

A concurrent resolution (S.C.R. No. 58), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE COOPERATION OF THE JUDICIARY IN A STUDY ON JURORS," was offered by Senators Carpenter, Abercrombie, Cobb, Soares, Saiki, Uwaine, Young, Cayetano, Wong, Anderson, Kobayashi, Campbell, Holt, Henderson, George, Ajifu, Kawasaki, Machida and Mizuguchi.

By unanimous consent, S.C.R. No. 58 was referred to the Committee on Judiciary.

A concurrent resolution (S.C.R. No. 59), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN INTERIM STUDY OF THE SEXUAL OFFENSE STATUTES," was offered by Senators Carpenter, Abercrombie, Young, Kobayashi, Soares, Saiki, Anderson, Holt, Machida, Ushijima, Wong, Cobb, Uwaine, Yamasaki, Kawasaki, Mizuguchi, Campbell, Cayetano, Henderson, George, Yee and Kuroda.

By unanimous consent, S.C.R. No. 59 was referred to the Committee on Judiciary.

A concurrent resolution (S.C.R. No. 60), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A COMPARATIVE STUDY ON CONDOMINIUM LAWS," was offered by Senators Cobb, Young, Yamasaki, Uwaine, Mizuguchi, Holt, Kobayashi, Soares, Ajifu, George and Yee.

By unanimous consent, S.C.R. No. 60 was referred to the Committee on Consumer Protection and Commerce.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 164 to 169) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 164), entitled: "SENATE RESOLUTION ENCOURAGING THE DONATION OF SURPLUS FOOD PRODUCTS," was offered by Senators Uwaine, Ajifu, Carpenter, Yamasaki, Young, Cobb, Yee, Holt, Kobayashi,

Machida, Kuroda, Mizuguchi and Henderson.

By unanimous consent, S.R. No. 164 was referred to the Committee on Human Resources.

A resolution (S.R. No. 165), entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A SURVEY OF OTHER STATE'S 'GOOD SAMARITAN' STATUTES, AND TO REPORT THEIR FINDINGS TO THE 1982 LEGISLATIVE SESSION," was offered by Senators Carpenter, Ajifu, Uwayne, Yamasaki, Young, Cobb, Machida, Kuroda, Mizuguchi, Kobayashi, Henderson, Holt and Yee.

By unanimous consent, S.R. No. 165 was referred to the Committee on Human Resources, then to the Committee on Legislative Management.

A resolution (S.R. No. 166), entitled: "SENATE RESOLUTION REQUESTING THE COOPERATION OF THE JUDICIARY IN A STUDY ON JURORS," was offered by Senators Carpenter, Abercrombie, Cobb, Soares, Saiki, Uwayne, Young, Cayetano, Wong, Anderson, Kobayashi, Kawasaki, Campbell, Holt, Henderson, George, Ajifu, Machida and Mizuguchi.

By unanimous consent, S.R. No. 166 was referred to the Committee on Judiciary.

A resolution (S.R. No. 167), entitled: "SENATE RESOLUTION REQUESTING AN INTERIM STUDY OF THE SEXUAL OFFENSE STATUTES," was offered by Senators Carpenter, Abercrombie, Young, Kobayashi, Soares, Anderson, Saiki, Cobb, Ushijima, Holt, Wong, Kawasaki, Uwayne, Yamasaki, Kuroda, Mizuguchi, Campbell, Cayetano, Henderson, George, Yee and Machida.

By unanimous consent, S.R. No. 167 was referred to the Committee on Judiciary, then to the Committee on Legislative Management.

A resolution (S.R. No. 168), entitled: "SENATE RESOLUTION REQUESTING A COMPARATIVE STUDY ON CONDOMINIUM LAWS," was offered by Senators Cobb, Young, Yamasaki, Uwayne, Mizuguchi, Campbell, Holt, Kobayashi, Henderson, Soares, Ajifu, George and Yee.

By unanimous consent, S.R. No. 168 was referred to the Committee on Consumer Protection and Commerce, then to the Committee on Legislative Management.

A resolution (S.R. No. 169), entitled: "SENATE RESOLUTION REQUESTING

AN EXAMINATION OF THE FEASIBILITY OF ESTABLISHING ENERGY-AGRICULTURAL PLANT PLANTATIONS IN HAWAII," was offered by Senator Ajifu.

By unanimous consent, S.R. No. 169 was referred jointly to the Committee on Agriculture and the Committee on Economic Development, then to the Committee on Legislative Management.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 627) informing the Senate that Senate Concurrent Resolution Nos. 54 and 55 and Senate Resolution Nos. 158 to 163 have been printed and are ready for distribution.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 628) recommending that House Bill No. 794, H.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Yee and carried, the report of the Committee was adopted and H.B. No. 794, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 27, 1981.

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. 794, H.D. 2.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 629) recommending that House Bill No. 328, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 328, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRADE REGULATIONS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 630) recommending that House Bill No. 779, H.D. 1, pass Second Reading and be referred to the Committee

on Ways and Means.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.B. No. 779, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEPARTMENT OF REGULATORY AGENCIES," passed Second Reading and was referred to the Committee on Ways and Means.

At this time Senator Cobb rose on a point of personal privilege as follows:

"My point is in connection with the press conference that was held in the Lieutenant Governor's office this morning to which, I understand, only women legislators were invited.

"My point is that that is a form of reverse sexism at its worst, because as far as I am concerned, there are many of us men that were equally outraged at what happened recently with all the publicity and the attendant pressure for a change in Hawaii's rape law.

"I don't feel that rape is strictly a women's issue because it happens in prisons, as well, to men. Regardless

of the sex of the victim or the sex of the perpetrator, it is a crime and I think to issue an invitation to women only to express concern on this is just as sexist a form of discrimination as is the old adage that 'a woman's place is in the home.'

"I would remind my colleagues, both male and female, that it takes a majority to pass something and those who are in support of a change of this law have the support of us men in this chamber who have advocated change for years, and that we change laws by persuasion, not by pressure or by sexism."

At 11:18 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:20 o'clock a.m.

ADJOURNMENT

At 11:21 o'clock a.m., on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, March 27, 1981.