

## SEVENTEENTH DAY

Thursday, February 11, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the Vice-President in the Chair.

The Divine Blessing was invoked by the Reverend Daniel White, Pastor of Kalihi Baptist Church, after which the Roll was called showing all Senators present with the exception of Senators Cobb, Wong and Yee who were excused.

The President announced that he had read and approved the Journal of the Sixteenth Day.

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

Senator Campbell introduced Mr. Joe Ahuna, Hawaii business representative of the International Association of Theatrical Employees, and Mr. Bud Thuener, job steward of the Association.

Senator Campbell also introduced Mr. Patrick Ryan, representing Walter Deihl who is the International President of the International Association of Theatrical Employees and the former general secretary of the International Association. Mr. Ryan was presented with a lei by Senator Kobayashi.

Senator Anderson then introduced 33 members of the Hui Hookipa O'Kahala Senior Citizens Club.

Senator Kobayashi introduced Mr. Dean Kunihiro and Mr. George Spencer of the San Francisco Office of the Nuclear Regulatory Commission, Ms. Wanda Yamane, and Mr. Tom Animizu of the Hawaii State Department of Health.

Senator Kobayashi, on behalf of Senator Yee, also introduced the winners of the Miss McKinley Pageant who will preside during the 18th Annual McKinley Carnival, as follows: Miss Toni Lynn Chun, Miss McKinley for 1982; Miss Jocelyn Kaholokula, First Runner-Up; Miss Iris Tokita, Second Runner-Up; Miss Cari Iwasaki, Third Runner-Up; Miss Sharon Marksbury, Fourth Runner-Up; and Miss Darcy Terada who is Miss Congeniality and Miss Public Relations. Ms. Gail Sykes, director of the Miss McKinley Pageant and advisor of McKinley Carnival public relations accompanied the group together with the McKinley Tiger, Miss Lori Nakamura inside the Tiger costume. Senators Soares, Uwayne and Anderson presented the young

ladies with leis and flowers.

At 11:42 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.

## MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 83), transmitting copies of the Hawaii High Technology Development Plan, dated September 1, 1981, prepared for the State of Hawaii Department of Planning and Economic Development by MPi Marketing Research, Inc., was read by the Clerk and was referred to the Committee on Economic Development.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 11 to 13) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 11), transmitting House Concurrent Resolution No. 71 which was adopted by the House of Representatives on February 9, 1982, was placed on file.

On motion by Senator Soares, seconded by Senator Henderson and carried, H.C.R. No. 71, entitled: "HOUSE CONCURRENT RESOLUTION ESTABLISHING A SISTER-STATE RELATIONSHIP BETWEEN HAWAII AND THE AZORES," was adopted.

A communication from the House (Hse. Com. No. 12), transmitting House Concurrent Resolution No. 72 which was adopted by the House of Representatives on February 9, 1982, was placed on file.

On motion by Senator Kuroda, seconded by Senator Anderson and carried, H.C.R. No. 72, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING AND COMMENDING ROBIN PENDERGRAST FOR HIS CONTRIBUTION TO THE STATE OF HAWAII AND THE RESIDENTS OF KALAUPAPA," was adopted.

A communication from the House (Hse. Com. No. 13), transmitting House Concurrent Resolution No. 73 which was adopted by the House of Representatives on February 9, 1982, was placed on file.

On motion by Senator Kuroda, seconded

by Senator Anderson and carried, H.C.R. No. 73, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING AND COMMENDING KELLY KAHOOHANOHANO FOR HIS DETERMINATION AND PERSONAL ACHIEVEMENT," was adopted.

## SENATE RESOLUTION

A resolution (S.R. No. 18), entitled: "SENATE RESOLUTION CONCERNING THE U.S. COAST GUARD," was offered by Senators Yee, Young, Cobb, Henderson, Yamasaki, Toyofuku, Saiki, Kobayashi, Soares, Ajifu, George, Abercrombie, Carpenter, Cayetano, Campbell, Uwaine and O'Connor, and was read by the Clerk.

By unanimous consent, S.R. No. 18 was referred to the Committee on Government Operations and Intergovernmental Relations.

## INTRODUCTION OF SENATE BILLS

On motion by Senator Kuroda, 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 Friday, February 12, 1982:

## Senate Bills:

- No. 2429-82 "A Bill for an Act Relating to the Hawaiian Homes Commission Act, 1920, as Amended."  
Introduced by: Senator Wong, by request.
- No. 2430-82 "A Bill for an Act Relating to Creation of Special Handling Fees for Review of Corporation and Partnership Documents."  
Introduced by: Senator Wong, by request.
- No. 2431-82 "A Bill for an Act Relating to the Removal of the Interest Rate Ceiling and Prior Redemption Premium Ceiling on General Obligation Bonds."  
Introduced by: Senators Mizuguchi, Toyofuku, Machida and Holt.
- No. 2432-82 "A Bill for an Act Relating to an Income Tax Credit."  
Introduced by: Senators Saiki, Ajifu, Cayetano, O'Connor, Henderson, Yamasaki and Anderson.
- No. 2433-82 "A Bill for an Act Making an Appropriation for Capital Improvement Projects in the 4th Senatorial District."  
Introduced by: Senators Kuroda, Young, Cayetano and Mizuguchi.
- No. 2434-82 "A Bill for an Act Relating to Agricultural Lands."  
Introduced by: Senator Ajifu.
- No. 2435-82 "A Bill for an Act Relating to Land Use."  
Introduced by: Senator Ajifu.
- No. 2436-82 "A Bill for an Act Relating to Land Use."  
Introduced by: Senator Ajifu.
- No. 2437-82 "A Bill for an Act Relating to Agriculture."  
Introduced by: Senator Ajifu.
- No. 2438-82 "A Bill for an Act Relating to the Counties' Responsibility Regarding Agriculture."  
Introduced by: Senator Ajifu.
- No. 2439-82 "A Bill for an Act Relating to the Counties' Responsibility Regarding Agriculture."  
Introduced by: Senator Ajifu.
- No. 2440-82 "A Bill for an Act Relating to Agricultural Parks."  
Introduced by: Senator Ajifu.
- No. 2441-82 "A Bill for an Act Relating to Land."  
Introduced by: Senator Ajifu.
- No. 2442-82 "A Bill for an Act Relating to the Public Land Trust."  
Introduced by: Senator Ajifu.
- No. 2443-82 "A Bill for an Act Relating to Eminent Domain."  
Introduced by: Senator Ajifu.
- No. 2444-82 "A Bill for an Act Relating to Agricultural Planning and Design."  
Introduced by: Senator Ajifu.
- No. 2445-82 "A Bill for an Act Relating to Agriculture."  
Introduced by: Senator Ajifu.
- No. 2446-82 "A Bill for an Act Relating to Inventories of Government Property."  
Introduced by: Senator Ajifu.

- No. 2447-82 "A Bill for an Act Relating to Land Use."  
Introduced by: Senator Ajifu.
- No. 2448-82 "A Bill for an Act Relating to Displaced Persons."  
Introduced by: Senator Ajifu.
- No. 2449-82 "A Bill for an Act Relating to the Right to Farm."  
Introduced by: Senator Ajifu.
- No. 2450-82 "A Bill for an Act Relating to the Land Use Commission."  
Introduced by: Senator Ajifu.
- No. 2451-82 "A Bill for an Act Relating to the Real Property Tax."  
Introduced by: Senators Kawasaki, Abercrombie, Cayetano, Young, Saiki, George, Kobayashi, Kuroda, Soares, Ajifu and Carpenter.
- No. 2452-82 "A Bill for an Act Relating to Earthquakes."  
Introduced by: Senators Kawasaki, Abercrombie, Kobayashi, Carpenter, Cayetano, Cobb, Ajifu, Young and Kuroda.
- No. 2453-82 "A Bill for an Act Relating to the Compensation of Public Officers and Employees."  
Introduced by: Senators Kawasaki, Kuroda, George, Cayetano, Soares and Ajifu.
- No. 2454-82 "A Bill for an Act Relating to Real Property Transactions."  
Introduced by: Senators Young, Abercrombie, Ajifu, Carpenter and Holt.
- No. 2455-82 "A Bill for an Act Relating to the State Land Use Commission."  
Introduced by: Senators Young, Abercrombie, Ajifu, Carpenter and Holt.
- No. 2456-82 "A Bill for an Act Relating to General Excise Tax."  
Introduced by: Senators Young, Abercrombie, Ajifu, Carpenter and Holt.
- No. 2457-82 "A Bill for an Act Relating to Individual Housing Accounts."  
Introduced by: Senators Young, Abercrombie, Ajifu, Carpenter
- and Holt.
- No. 2458-82 "A Bill for an Act Relating to Hemophilia."  
Introduced by: Senators Carpenter, Kuroda, Ajifu and Kawasaki.
- No. 2459-82 "A Bill for an Act Relating to Mentally Ill Criminal Defendants."  
Introduced by: Senators Carpenter, Henderson, Kuroda, Ajifu, Yamasaki and Kawasaki.
- No. 2460-82 "A Bill for an Act Relating to Insurance Expiration."  
Introduced by: Senators Carpenter, Ajifu and Kawasaki.
- No. 2461-82 "A Bill for an Act Relating to Motor Vehicle Liability."  
Introduced by: Senators Carpenter and Kawasaki.
- No. 2462-82 "A Bill for an Act Relating to No Fault."  
Introduced by: Senators Carpenter, Cayetano, Ajifu and Kawasaki.
- No. 2463-82 "A Bill for an Act Relating to Tort Actions."  
Introduced by: Senators Carpenter, Yamasaki, Henderson, Kuroda, Ajifu and Kawasaki.
- No. 2464-82 "A Bill for an Act Relating to Offenses against Property Rights."  
Introduced by: Senators Carpenter, Henderson, Saiki, Kawasaki and Kuroda.
- No. 2465-82 "A Bill for an Act Relating to Unauthorized Control of Propelled Vehicles."  
Introduced by: Senators Carpenter, Henderson, Saiki, Kawasaki and Kuroda.
- No. 2466-82 "A Bill for an Act Relating to Witnesses."  
Introduced by: Senators Carpenter and Cayetano.
- No. 2467-82 "A Bill for an Act Relating to Firearms and Ammunition."  
Introduced by: Senators Carpenter, Henderson, Saiki, Kawasaki and Kuroda.
- No. 2468-82 "A Bill for an Act Relating to Capital Improvement Projects for the Seventh Senatorial District."  
Introduced by: Senator O'Connor.

- No. 2469-82 "A Bill for an Act Making an Appropriation for a Study of Beach Erosion."
- Introduced by: Senator Kobayashi, Kuroda, Mizuguchi, Yamasaki, George, Ajifu, Cayetano, Machida and Holt.
- No. 2470-82 "A Bill for an Act Relating to the Department of Health."
- Introduced by: Senators Cayetano, Uwayne, Yamasaki, Kawasaki, Saiki, Ajifu, Soares, Kuroda, Holt, O'Connor, Campbell, Carpenter, Mizuguchi, Kobayashi and Machida.
- No. 2471-82 "A Bill for an Act Relating to the Motor Vehicle Safety Responsibility Act."
- Introduced by: Senators Cayetano, Kuroda, Kawasaki, Holt, Ajifu, Uwayne, Soares, O'Connor, Kobayashi and Machida.
- No. 2472-82 "A Bill for an Act Relating to the Acquisition of the Armed Services Young Men's Christian Association Building for Holding Non-Sentenced Detainees."
- Introduced by: Senators Cayetano, Carpenter, O'Connor, Ajifu, Uwayne, Soares, Kuroda, Holt, Campbell, Kobayashi and Machida.
- No. 2473-82 "A Bill for an Act Relating to the Acquisition of Minimally Productive Agricultural Land for Low and Moderate Income Housing."
- Introduced by: Senators Cayetano, Kuroda, Kawasaki, Holt, Ajifu, Uwayne, Soares, O'Connor, Kobayashi, Machida and Campbell.
- STANDING COMMITTEE REPORT
- Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 13-82), informing the Senate that Senate Concurrent Resolution No. 16, Senate Resolution Nos. 15 to 17, and Senate Bill Nos. 2376-82 to 2428-82 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.
- ORDER OF THE DAY
- REFERRAL OF SENATE BILLS
- The President made the following committee assignments of bills that were introduced on Wednesday, February 10, 1982:
- Senate Bills Referred to:
- No. 2376-82 Committee on Judiciary
- No. 2377-82 Committee on Judiciary
- No. 2378-82 Committee on Judiciary
- No. 2379-82 Committee on Judiciary
- No. 2380-82 Committee on Health, then to the Committee on Ways and Means
- No. 2381-82 Committee on Judiciary, then to the Committee on Ways and Means
- No. 2382-82 Committee on Health, then to the Committee on Consumer Protection and Commerce
- No. 2383-82 Committee on Human Resources
- No. 2384-82 Committee on Human Resources
- No. 2385-82 Committee on Human Resources, then to the Committee on Ways and Means
- No. 2386-82 Committee on Consumer Protection and Commerce
- No. 2387-82 Committee on Judiciary
- No. 2388-82 Committee on Consumer Protection and Commerce
- No. 2389-82 Committee on Consumer Protection and Commerce
- No. 2390-82 Committee on Human Resources, then to the Committee on Ways and Means
- No. 2391-82 Committee on Ways and Means
- No. 2392-82 Committee on Tourism, then to the Committee on Ways and Means
- No. 2393-82 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
- No. 2394-82 Committee on Judiciary, then to the Committee on Ways and Means
- No. 2395-82 Committee on Health
- No. 2396-82 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
- No. 2397-82 Committee on Consumer Protection and Commerce
- No. 2398-82 Committee on Consumer Protection and Commerce

- No. 2399-82 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
- No. 2400-82 Committee on Human Resources, then to the Committee on Ways and Means
- No. 2401-82 Committee on Human Resources, then to the Committee on Judiciary
- No. 2402-82 Committee on Human Resources, then to the Committee on Ways and Means
- No. 2403-82 Committee on Transportation, then to the Committee on Ways and Means
- No. 2404-82 Committee on Transportation, then to the Committee on Ways and Means
- No. 2405-82 Committee on Government Operations and Intergovernmental Relations
- No. 2406-82 Committee on Transportation, then to the Committee on Ways and Means
- No. 2407-82 Committee on Government Operations and Intergovernmental Relations, then to the Committee on Ways and Means
- No. 2408-82 Committee on Government Operations and Intergovernmental Relations, then to the Committee on Ways and Means
- No. 2409-82 Committee on Government Operations and Intergovernmental Relations, then to the Committee on Ways and Means
- No. 2410-82 Committee on Human Resources, then to the Committee on Ways and Means
- No. 2411-82 Committee on Economic Development, then to the Committee on Ways and Means
- No. 2412-82 Committee on Judiciary
- No. 2413-82 Committee on Judiciary
- No. 2414-82 Committee on Human Resources, then to the Committee on Judiciary
- No. 2415-82 Committee on Judiciary
- No. 2416-82 Committee on Judiciary
- No. 2417-82 Committee on Judiciary
- No. 2418-82 Committee on Consumer Protection and Commerce
- No. 2419-82 Committee on Judiciary
- No. 2420-82 Committee on Judiciary
- No. 2421-82 Committee on Health, then to the Committee on Judiciary
- No. 2422-82 Committee on Judiciary
- No. 2423-82 Committee on Judiciary
- No. 2424-82 Committee on Judiciary, then to the Committee on Ways and Means
- No. 2425-82 Committee on Judiciary
- No. 2426-82 Committee on Government Operations and Intergovernmental Relations, then to the Committee on Ways and Means
- No. 2427-82 Committee on Judiciary
- No. 2428-82 Committee on Health, then to the Committee on Judiciary

## ADJOURNMENT

At 11:50 o'clock a.m., on motion by Senator Kuroda, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, February 12, 1982.