

FIFTY-FIRST DAY

Monday, April 12, 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 President in the Chair.

The Divine Blessing was invoked by Ms. Betty Ingalls, member of the First Church of Christ Scientist, Honolulu, after which the Roll was called showing all Senators present with the exception of Senator O'Connor who was excused.

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

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

Senator Anderson introduced 17 students from the Kamehameha Schools and their adviser, Ms. Sandy Young.

Senator Kuroda then made the following introduction:

"Mr. President, we have with us on the floor two outstanding citizens of Hawaii, experts in the field of tourism. They are here because Hawaii has the signal honor of having two outstanding travel industry personnel appointed to the United States Travel and Tourism Advisory Board. These two men, Dean Chuck Gee and Mr. Kenneth Char, have been appointed to this board where only 15 are appointed throughout the United States.

"Mr. President and members of the Senate, I'd like to give a brief background on the makeup of this board. The requirement is that not more than eight members come from the same political party; that board representation of different geographic regions be considered; and specific representation be made from certain categories.

"Although Mr. Char is not a state officer, he falls in the category of a state officer in tourism promotion. Dean Chuck Gee has been appointed as an academician. Also, consideration is given to national tourism development involvement which these two gentlemen are.

"The board meets at least semi-annually and the specific function of the board is to advise the Secretary of Commerce with regard to tourism; also to make recommendations with respect to the performance of the secretary and the operation and effectiveness of tourism

programs under this board.

"I'd like to read from paragraph 5 (Memo from School of Travel Industry Management, University of Hawaii, April 5, 1982) because of its significance: 'The significance of the role of this board is that it will be called upon to assist the Commerce Secretary, Malcolm Baldrige, and Under Secretary of Commerce for Travel and Tourism, Peter McCoy, in developing major tourism and recreation policies for the United States, seek ways to eliminate or simplify travel barriers, coordinate international tourism programs with local and state governments and the private sector...' and this is where these two gentlemen will be truly helpful with regard to Hawaii's involvement in the United States travel program and assure the compatibility of tourism and recreation with other national interests. And we are all aware of the sometime criticism of tourism and its effect on the environment.

"With Ken Char, president of Hawaii Visitors Bureau, and Chuck Gee, Dean of the Travel Industry Management School, holding two of the 15 coveted seats, we in Hawaii hope to direct more national attention to tourism in the Pacific area.

"Mr. President, we've read and heard about the exodus of talent from the University campus; we are very fortunate that Dean Chuck Gee has decided to remain with us to continue to contribute to the welfare of Hawaii and tourism in spite of the low salary, and I hope the vice-president is listening to my discussion here. We congratulate Dean Gee for remaining with us and keeping his talent at the University of Hawaii."

Senator Kuroda then introduced Mr. Kenneth Char, president of Hawaii Visitors Bureau, and Mr. Chuck Gee, Dean of Travel Industry Management School, University of Hawaii. The honorees were presented with leis by Senators Kobayashi and Young and Senate Certificates by Senators Kuroda and Soares.

At 11:45 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.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 269 and 270) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 269), transmitting copies of the 1981 Annual Report of the Department of Social Services and Housing, pursuant to Section 346-5, HRS, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 270), transmitting copies of 1981 Annual Report of the Four State Loan Programs (the Hawaii Capital Loan Program; the Large Fishing Vessel Loan Program; the Small Fishing Vessel Loan Program; and the Disaster Commercial/Personal Loan Program), prepared by the Department of Planning and Economic Development, was referred to the Committee on Economic Development.

DEPARTMENTAL COMMUNICATION

A communication from the Hawaii Public Employment Relations Board (Dept. Com. No. 15), transmitting copies of the HPERB Informational Bulletin No. 19, dated April 5, 1982, which provides, by employing jurisdictions, the number of public employees in each of the 13 collective bargaining units established by Section 89-6(a), HRS, prepared by the Hawaii Public Employment Relations Board, was read by the Clerk and was referred to the Committee on Human Resources.

HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 420), informing the Senate that on April 8, 1982, the House has disagreed to the amendments proposed by the Senate to the following House Bills:

No. 329, H.D. 1;
No. 509, H.D. 1;
No. 765, H.D. 2;
No. 791, H.D. 1;
No. 1340, H.D. 1;
No. 1488, H.D. 1;
No. 1489, H.D. 1;
No. 1553, H.D. 1;
No. 1642, H.D. 2;
No. 1653, H.D. 1;
No. 1882, H.D. 1;
No. 1948-82, H.D. 2;
No. 1970-82, H.D. 1;
No. 1988-82, H.D. 1;
No. 2022-82;
No. 2049-82, H.D. 1;
No. 2057-82, H.D. 1;
No. 2070-82, H.D. 1;
No. 2086-82, H.D. 1;
No. 2092-82, H.D. 2;
No. 2113-82, H.D. 2;

No. 2155-82, H.D. 2;
No. 2176-82, H.D. 2;
No. 2177-82, H.D. 1;
No. 2183-82, H.D. 1;
No. 2192-82;
No. 2201-82, H.D. 2;
No. 2207-82;
No. 2210-82, H.D. 1;
No. 2215-82, H.D. 1;
No. 2230-82, H.D. 1;
No. 2243-82, H.D. 1;
No. 2295-82, H.D. 1;
No. 2312-82, H.D. 1;
No. 2313-82, H.D. 2;
No. 2318-82;
No. 2331-82, H.D. 1;
No. 2332-82, H.D. 1;
No. 2336-82, H.D. 2;
No. 2348-82, H.D. 1;
No. 2349-82;
No. 2355-82, H.D. 1;
No. 2359-82, H.D. 1;
No. 2377-82, H.D. 1;
No. 2385-82, H.D. 1;
No. 2400-82;
No. 2404-82, H.D. 1;
No. 2407-82, H.D. 1;
No. 2408-82, H.D. 1;
No. 2444-82;
No. 2477-82, H.D. 1;
No. 2511-82, H.D. 2;
No. 2551-82, H.D. 1;
No. 2559-82, H.D. 1;
No. 2585-82, H.D. 1;
No. 2606-82, H.D. 2;
No. 2640-82, H.D. 1;
No. 2667-82, H.D. 1;
No. 2669-82, H.D. 1;
No. 2674-82, H.D. 1;
No. 2679-82;
No. 2682-82;
No. 2742-82, H.D. 1;
No. 2765-82, H.D. 1;
No. 2767-82, H.D. 3;
No. 2778-82, H.D. 2;
No. 2806-82, H.D. 2;
No. 2813-82, H.D. 1;
No. 2815-82, H.D. 1;
No. 2817-82, H.D. 2;
No. 2826-82, H.D. 1;
No. 2836-82, H.D. 1;
No. 2838-82, H.D. 1;
No. 2870-82, H.D. 1;
No. 2879-82, H.D. 2;
No. 2888-82, H.D. 1;
No. 2890-82;
No. 2907-82, H.D. 2;
No. 2936-82, H.D. 1;
No. 2947-82, H.D. 2;
No. 2965-82, H.D. 2;
No. 2972-82, H.D. 1;
No. 2975-82, H.D. 1;
No. 3007-82, H.D. 1;
No. 3016-82, H.D. 1;
No. 3078-82, H.D. 1;
No. 3092-82, H.D. 1;
No. 3119-82, H.D. 1;
No. 3136-82, H.D. 2; and
No. 3143-82, H.D. 2;

was read by the Clerk and was placed on file.

In consequence thereof, the President appointed the following Senators as Managers on the part of the Senate:

H.B. No. 329, H.D. 1 (S.D. 2) - Senators Yamasaki, Chairman, Uwaine and Young;

H.B. No. 509, H.D. 1 (S.D. 1) - Senators Cobb, Chairman, Henderson and Uwaine;

H.B. No. 765, H.D. 2 (S.D. 1) - Senators Yamasaki, Chairman, Uwaine and Young;

H.B. No. 791, H.D. 1 (S.D. 1) - Senators Young, Chairman, Ajifu and Holt;

H.B. No. 1340, H.D. 1 (S.D. 1) - Senators Carpenter, Chairman, Cobb and George;

H. B. No. 1488, H.D. 1 (S.D. 1) - Senators Cobb, Chairman, Carpenter and Henderson;

H.B. No. 1489, H.D. 1 (S.D. 1) - Senators Cobb, Chairman, Carpenter and Henderson;

H.B. No. 1553, H.D. 1 (S.D. 1) - Senators Cobb, Chairman, Henderson and Uwaine;

H.B. No. 1642, H.D. 2 (S.D. 1) - Senators Yamasaki, Chairman, George and Toyofuku;

H.B. No. 1653, H.D. 1 (S.D. 1) - Senators Cobb, Chairman, Uwaine and Yee;

H.B. No. 1882, H.D. 1 (S.D. 1) - Senators Henderson and Kobayashi, Co-Chairmen, and George;

H.B. No. 1948-82, H.D. 2 (S.D. 1) - Senators Yamasaki, Chairman, Ajifu and Henderson;

H.B. No. 1970-82, H.D. 1 (S.D. 1) - Senators Yamasaki, Chairman, Henderson, Holt and Young;

H.B. No. 1988-82, H.D. 1 (S.D. 1) - Senators Yamasaki, Chairman, Anderson, Cayetano and Young;

H.B. No. 2022-82 (S.D. 1) - Senators Carpenter, Chairman, Soares and Yee;

H.B. No. 2049-82, H.D. 1 (S.D. 1) - Senators Yamasaki, Chairman, Cayetano and Kobayashi;

H.B. No. 2057-82, H.D. 1 (S.D. 1) -

Senators Cobb, Chairman, Cayetano and Saiki;

H.B. No. 2070-82, H.D. 1 (S.D. 1) - Senators Yamasaki, Chairman, Anderson, Abercrombie, Campbell, Cayetano, Kawasaki, Young, Ajifu, Henderson, Saiki and Yee;

H.B. No. 2086-82, H.D. 1 (S.D. 1) - Senators Yamasaki, Chairman, Anderson, Abercrombie, Campbell, Cayetano, Kawasaki, Young, Ajifu, Henderson, Saiki and Yee;

H.B. No. 2092-82, H.D. 2 (S.D. 1) - Senators George, Chairman, Cobb and Kobayashi;

H.B. No. 2113-82, H.D. 2 (S.D. 2) - Senators Yamasaki, Chairman, Holt, Uwaine and Young;

H.B. No. 2155-82, H.D. 2 (S.D. 2) - Senators Yamasaki, Chairman, Carpenter and Soares;

H.B. No. 2176-82, H.D. 2 (S.D. 1) - Senators Henderson, Chairman, Carpenter and Kuroda;

H.B. No. 2177-82, H.D. 1 (S.D. 1) - Senators Henderson, Chairman, Saiki and Uwaine;

H.B. No. 2183-82, H.D. 1 (S.D. 1) - Senators Henderson, Chairman, Machida and Yee;

H.B. No. 2192-82 (S.D. 1) - Senators Cobb, Chairman, Henderson and Uwaine;

H.B. No. 2201-82, H.D. 2 (S.D. 1) - Senators Yamasaki, Chairman, Anderson and Young;

H.B. No. 2207-82 (S.D. 1) - Senators Yamasaki, Chairman, Anderson and Henderson;

H.B. No. 2210-82, H.D. 1 (S.D. 1) - Senators Yamasaki, Chairman, Saiki and Ushijima;

H.B. No. 2215-82, H.D. 1 (S.D. 1) - Senators Carpenter, Chairman, George and Uwaine;

H.B. No. 2230-82, H.D. 1 (S.D. 1) - Senators Soares, Chairman, Anderson and Campbell;

H.B. No. 2243-82, H.D. 1 (S.D. 1) - Senators Yamasaki, Chairman, Cayetano and Uwaine;

H.B. No. 2295-82, H.D. 1 (S.D. 1) - Senators Cobb, Chairman, Soares and Uwaine;

H.B. No. 2312-82, H.D. 1 (S.D. 1) - Senators Yamasaki, Chairman, Anderson, Abercrombie, Campbell, Cayetano, Kawasaki, Young, Ajifu, Henderson, Saiki, Yee and Carpenter;

H.B. No. 2313-82, H.D. 2 (S.D. 1) - Senators Yamasaki, Chairman, Abercrombie and George;

H.B. No. 2318-82 (S.D. 1) - Senators Carpenter, Chairman, Anderson, Soares and Uwayne;

H.B. No. 2331-82, H.D. 1 (S.D. 1) - Senators Ajifu, Chairman, Kobayashi and Young;

H.B. No. 2332-82, H.D. 1 (S.D. 1) - Senators Ajifu and Henderson, Co-Chairmen, and Yamasaki;

H.B. No. 2336-82, H.D. 2 (S.D. 2) - Senators Yamasaki, Chairman, Ajifu and Saiki;

H.B. No. 2348-82, H.D. 1 (S.D. 2) - Senators Carpenter, Chairman, Cobb and George;

H.B. No. 2349-82 (S.D. 2) - Senators Yamasaki, Chairman, Kawasaki, Uwayne and Young;

H.B. No. 2355-82, H.D. 1 (S.D. 1) - Senators Carpenter, Chairman, George and Kuroda;

H.B. No. 2359-82, H.D. 1 (S.D. 2) - Senators Yamasaki, Chairman, Carpenter and Yee;

H.B. No. 2377-82, H.D. 1 (S.D. 1) - Senators Carpenter, Chairman, Ajifu, Cobb and Soares;

H.B. No. 2385-82, H.D. 1 (S.D. 1) - Senators Carpenter, Chairman, Cayetano and Cobb;

H.B. No. 2400-82 (S.D. 1) - Senators Yamasaki, Chairman, Anderson, Kawasaki and Yee;

H.B. No. 2404-82, H.D. 1 (S.D. 1) - Senators Cobb, Chairman, Henderson and Kuroda;

H.B. No. 2407-82, H.D. 1 (S.D. 1) - Senators Yamasaki, Chairman, Cobb and Henderson;

H.B. No. 2408-82, H.D. 1 (S.D. 1) - Senators Cobb, Chairman, Kuroda and Soares;

H.B. No. 2477-82, H.D. 1 (S.D. 1) - Senators Kobayashi, Chairman, Cobb and Mizuguchi;

H.B. No. 2511-82, H.D. 2 (S.D. 2) - Senators Yamasaki, Chairman, Cobb and Machida;

H.B. No. 2551-82, H.D. 1 (S.D. 1) - Senators Yamasaki, Chairman, Abercrombie and Saiki;

H.B. No. 2559-82, H.D. 1 (S.D. 1) - Senators Yamasaki, Chairman, Cayetano and Carpenter;

H.B. No. 2585-82, H.D. 1 (S.D. 1) - Senators Carpenter, Chairman, George and Kobayashi;

H.B. No. 2606-82, H.D. 2 (S.D. 1) - Senators Carpenter, Chairman, Kuroda and Uwayne;

H.B. No. 2640-82, H.D. 1 (S.D. 1) - Senators Carpenter, Chairman, Kobayashi and O'Connor;

H.B. No. 2667-82, H.D. 1 (S.D. 1) - Senators Abercrombie, Chairman, Carpenter and Kobayashi;

H.B. No. 2669-82, H.D. 1 (S.D. 2) - Senators Yamasaki, Chairman, Campbell and Cobb;

H.B. No. 2674-82, H.D. 1 (S.D. 1) - Senators Yamasaki, Chairman, Carpenter, Cobb and O'Connor;

H.B. No. 2679-82 (S.D. 1) - Senators Yamasaki, Chairman, Carpenter and Uwayne;

H.B. No. 2682-82 (S.D. 1) - Senators Cayetano, Chairman, Saiki and Toyofuku;

H.B. No. 2742-82, H.D. 1 (S.D. 1) - Senators Yamasaki, Chairman, George and Toyofuku;

H.B. No. 2765-82, H.D. 1 (S.D. 1) - Senators Yamasaki, Chairman, Abercrombie and Kuroda;

H.B. No. 2767-82, H.D. 3 (S.D. 2) - Senators Yamasaki, Chairman, Abercrombie and Yee;

H.B. No. 2778-82, H.D. 2 (S.D. 1) - Senators Abercrombie and Cayetano, Co-Chairmen, Ajifu and Carpenter;

H.B. No. 2806-82, H.D. 2 (S.D. 1) - Senators George, Chairman, Kobayashi and Kuroda;

H.B. No. 2813-82, H.D. 1 (S.D. 1) - Senators Henderson, Chairman, Uwayne and Yee;

H.B. No. 2815-82, H.D. 1 (S.D. 1) - Senators Yamasaki, Chairman, George

and Kawasaki;

H.B. No. 2817-82, H.D. 2 (S.D. 1) - Senators Yamasaki, Chairman, George and Kawasaki;

H.B. No. 2826-82, H.D. 1 (S.D. 1) - Senators Carpenter, Chairman, George and Kuroda;

H.B. No. 2836-82, H.D. 1 (S.D. 1) - Senators Cobb, Chairman, Henderson and Uwaine;

H.B. No. 2838-82, H.D. 1 (S.D. 1) - Senators Yamasaki, Chairman, Ajifu and Young;

H.B. No. 2870-82, H.D. 1 (S.D. 1) - Senators Cobb, Chairman, Saiki and Uwaine;

H.B. No. 2879-82, H.D. 2 (S.D. 1) - Senators Yamasaki, Chairman, Abercrombie and Kuroda;

H.B. No. 2888-82, H.D. 1 (S.D. 1) - Senators Cobb, Chairman, Kuroda and Saiki;

H.B. No. 2890-82 (S.D. 1) - Senators Cobb, Chairman, Kuroda and Soares;

H.B. No. 2907-82, H.D. 2 (S.D. 2) - Senators Yamasaki, Chairman, Saiki and Uwaine;

H.B. No. 2936-82, H.D. 1 (S.D. 1) - Senators Cobb, Chairman, Henderson and Uwaine;

H.B. No. 2947-82, H.D. 2 (S.D. 1) - Senators Yamasaki, Chairman, Ajifu and Henderson;

H.B. No. 2965-82, H.D. 2 (S.D. 1) - Senators Yamasaki, Chairman, Cayetano and Kobayashi;

H.B. No. 2972-82, H.D. 1 (S.D. 1) - Senators Carpenter, Chairman, Kobayashi and Kuroda;

H.B. No. 2975-82, H.D. 1 (S.D. 1) - Senators George, Chairman, Kobayashi and Soares;

H.B. No. 3007-82, H.D. 1 (S.D. 1) - Senators Kuroda, Chairman, Henderson and Soares;

H.B. No. 3016-82, H.D. 1 (S.D. 1) - Senators Carpenter, Chairman, Soares and Uwaine;

H.B. No. 3078-82, H.D. 1 (S.D. 1) - Senators Cobb, Chairman, Kuroda and Saiki;

H.B. No. 3092-82, H.D. 1 (S.D. 1) -

Senators Carpenter, Chairman, Cayetano and Yee;

H.B. No. 3119-82, H.D. 1 (S.D. 1) - Senators Young, Chairman, Abercrombie and Ajifu;

H.B. No. 3136-82, H.D. 2 (S.D. 1) - Senators Yamasaki, Chairman, George and Henderson; and

H.B. No. 3143-82, H.D. 2 (S.D. 1) - Senators Yamasaki, Chairman, Abercrombie, Henderson and Young.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 63 and 64) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 63), entitled: "SENATE CONCURRENT RESOLUTION DIRECTING THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT TO CONDUCT A STUDY ON HAWAII'S ECONOMIC REVITALIZATION OPPORTUNITIES," was offered by Senators Carpenter, Abercrombie, Campbell, Yamasaki, Henderson, Soares, Kawasaki, Kuroda, Cayetano, Kobayashi, Uwaine, Saiki, Toyofuku, Machida, Mizuguchi, Young, George and Anderson.

By unanimous consent, S.C.R. No. 63 was referred to the Committee on Economic Development.

A concurrent resolution (S.C.R. No. 64), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII TO ASSESS THE CURRENT STUDENT TUITION STRUCTURE," was offered by Senators Saiki, Uwaine, Henderson, Cayetano, Kawasaki, Cobb, Campbell, Kobayashi, O'Connor and Carpenter.

By unanimous consent, S.C.R. No. 64 was referred to the Committee on Higher Education.

SENATE RESOLUTION

A resolution (S.R. No. 90), entitled: "SENATE RESOLUTION DIRECTING THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT TO CONDUCT A STUDY ON HAWAII'S ECONOMIC REVITALIZATION OPPORTUNITIES," was offered by Senators Carpenter, Abercrombie, Campbell, Yamasaki, Henderson, Soares, Kawasaki, Kuroda, Cayetano, Kobayashi, Uwaine, Saiki, Toyofuku, Machida, Young, George and Anderson, and was read by the Clerk.

By unanimous consent, S.R. No. 90

was referred to the Committee on Economic Development.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 810-82) informing the Senate that Senate Concurrent Resolution Nos. 63 and 64, Senate Resolution No. 90, and Standing Committee Report Nos. 811-82 to 816-82 have been printed and distributed to all members of the Senate.

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

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 811-82) recommending that Senate Resolution No. 41, as amended in S.D. 1, be adopted.

On motion by Senator Abercrombie, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.R. No. 41, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING EQUITY FOR 12-MONTH EDUCATIONAL OFFICERS IN THE PUBLIC SCHOOLS," was adopted on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Kawasaki).
Excused, 1 (O'Connor).

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 812-82) recommending that Senate Concurrent Resolution No. 29, as amended in S.D. 1, be adopted.

On motion by Senator Abercrombie, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.C.R. No. 29, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING EQUITY FOR 12-MONTH EDUCATIONAL OFFICERS IN THE PUBLIC SCHOOLS," was adopted on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Kawasaki).
Excused, 1 (O'Connor).

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 813-82) recommending that House Bill No. 2197-82, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Uwayne and carried, the report of the Committee was adopted and H.B. No. 2197-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

THE BOARD OF DENTAL EXAMINERS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 14, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 814-82) recommending that House Bill No. 2194-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Uwayne and carried, the report of the Committee was adopted and H.B. No. 2194-82, entitled: "A BILL FOR AN ACT RELATING TO BOARDS AND COMMISSIONS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 14, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 815-82) recommending that House Bill No. 2026-82, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Uwayne and carried, the report of the Committee was adopted and H.B. No. 2026-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SHOWS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 14, 1982.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 816-82) recommending that House Bill No. 2196-82, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Uwayne and carried, the report of the Committee was adopted and H.B. No. 2196-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONTRACTORS LICENSE LAW," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 14, 1982.

ORDER OF THE DAY

FINAL READING

Senate Bill No. 262, S.D. 1, H.D. 2:

By unanimous consent, action on S.B. No. 262, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DELINQUENT PENALTIES FOR LATE RENEWAL OF MOTOR VEHICLE REGISTRATIONS,"

was deferred until Tuesday, April 13, 1982.

Senate Bill No. 594, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 594, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CEMETERIES AND MORTUARIES," was deferred until Tuesday, April 13, 1982.

Senate Bill No. 1308, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 1308, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," was deferred until Tuesday, April 13, 1982.

Senate Bill No. 2389-82, H.D. 1:

By unanimous consent, action on S.B. No. 2389-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," was deferred until Tuesday, April 13, 1982.

Senate Bill No. 2144-82, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 2144-82, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRUGS," was deferred until Tuesday, April 13, 1982.

Senate Bill No. 2189-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2189-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL," was deferred until Tuesday, April 13, 1982.

Senate Bill No. 2245-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2245-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECIPROCAL ENFORCEMENT OF SUPPORT," was deferred until Tuesday, April 13, 1982.

Senate Bill No. 2382-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2382-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY," was deferred until Tuesday, April 13, 1982.

Senate Bill No. 2401-82, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 2401-82, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE AND NEGLECT," was deferred until Tuesday, April 13, 1982.

Senate Bill No. 2470-82, S.D. 2, H.D. 2:

By unanimous consent, action on S.B. No. 2470-82, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH," was deferred until Tuesday, April 13, 1982.

Senate Bill No. 2496-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2496-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," was deferred until Tuesday, April 13, 1982.

Senate Bill No. 2646-82, H.D. 1:

By unanimous consent, action on S.B. No. 2646-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PATIENTS' COMPENSATION FUND," was deferred until Tuesday, April 13, 1982.

Senate Bill No. 2682-82, S.D. 1, H.D. 2:

By unanimous consent, action on S.B. No. 2682-82, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," was deferred until Tuesday, April 13, 1982.

Senate Bill No. 2696-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2696-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER COOPERATIVE ASSOCIATIONS," was deferred until Tuesday, April 13, 1982.

Senate Bill No. 2814-82, S.D. 2, H.D. 2:

By unanimous consent, action on S.B. No. 2814-82, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," was deferred until Tuesday, April 13, 1982.

Senate Bill No. 2868-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2868-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION," was deferred

until Tuesday, April 13, 1982.

Senate Bill No. 2947-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2947-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FILIPINO 75TH ANNIVERSARY COMMISSION," was deferred until Tuesday, April 13, 1982.

Senate Bill No. 397, S.D. 2, H.D. 2:

By unanimous consent, action on S.B. No. 397, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Tuesday, April 13, 1982.

Senate Bill No. 2228-82, H.D. 1:

By unanimous consent, action on S.B. No. 2228-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," was deferred until Tuesday, April 13, 1982.

Senate Bill No. 2288-82, H.D. 1:

By unanimous consent, action on S.B. No. 2288-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF AGRICULTURE," was deferred until Tuesday, April 13, 1982.

Senate Bill No. 2309-82, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 2309-82, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," was deferred until Tuesday, April 13, 1982.

Senate Bill No. 2366-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2366-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING REPORT," was deferred until Tuesday, April 13, 1982.

Senate Bill No. 2477-82, H.D. 1:

By unanimous consent, action on S.B. No. 2477-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REPAIRS," was deferred until Tuesday, April 13, 1982.

Senate Bill No. 2517-82, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 2517-82, S.D. 2, H.D. 1,

entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred until Tuesday, April 13, 1982.

Senate Bill No. 2566-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2566-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO APPEALS BY THE STATE IN CRIMINAL CASES," was deferred until Tuesday, April 13, 1982.

Senate Bill No. 2615-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2615-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THEFT OF UTILITY SERVICES," was deferred until Tuesday, April 13, 1982.

Senate Bill No. 2624-82, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 2624-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GRAND JURY COUNSEL," was deferred until Tuesday, April 13, 1982.

At 11:54 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:56 o'clock a.m.

At this time, Senator Campbell rose on a point of personal privilege and stated:

"Mr. President, according to some of the telephone calls some of us have gotten concerning the milk problem, I think we will have to conclude that it's one of the major issues that has faced our people in a very long time, and, Mr. President, I would like to applaud your efforts in trying to get on top of the problem by appointing the milk committee whose job it is to investigate this problem.

"I still feel though, Mr. President, that you should relent and consider appointing a member of the minority Democrats to that committee, but, of course, that's not my major point today.

"One of the major problems, Mr. President, which I think that this body, and certainly the Legislature, faces is giving assurances to our people that milk and other foods are safe for consumption, and there's some indication that the milk problem is but the tip of the iceberg.

"When I read the article in the Honolulu Advertiser on Friday, April 9, 1982, which is entitled 'Food and Drug Administration Enters the Milk Controversy,' I was certainly convinced that there should be some specific statement from the milk investigating committee which gives our people greater confidence in the manner in which this problem is being handled.

"Mr. President, let me read just one or two statements from the article which I think might underscore the point I'm trying to make, and I'm certainly taking it out of context but I think in reading one or two of the statements it might make the point.

"It starts by saying, 'Senator Cayetano who is the chairman of the committee charged that the Health Department's testing procedures were inadequate, especially where samples were obtained, and our investigation revealed that two milk processors provide the samples to the state.'

"And at a later press conference in an attempt to rebutt Senator Cayetano's charges, Clark said, '...the state's samplers went into the plants and got their own samples.' Now, further on it says, 'Senator Cayetano also criticized the Health Department's handling of problems with contaminated ice cream and yogurt voluntarily taken off the shelves by Meadow Gold.' And Senator Cayetano said, 'The Health Department should not be allowing processors to make recalls. It should be the state making recalls and not Meadow Gold.' And then Mr. Clark responded, 'Senator Cayetano did not have his facts straight.'

"Mr. President, I think we certainly ought to...and I've spoken to the chairman of the milk committee prior to my making these comments...I think there ought to be an opportunity for the committee, represented by the chairman, to respond to statements like these in the press, and this is the reason I raise that question at this time. And if the chairman is inclined to make some responses to these statements, I'd appreciate it."

Senator Cayetano, in response, stated:

"Mr. President, let me say that the committee just recently adopted the rules which we are required to have, and there will have to be some staff work done because what we want to do is to do the job that the committee

is commissioned to do as economically as possible. I don't foresee the committee getting into hearings until after the session is over.

"With respect to the article and the remarks made in the article, I stand by my remarks. The matter of samples being submitted to the Department of Health by the milk processors is something that we informed the Department of Health about two weeks ago or so, but the information that we were acting on was not substantiated in the sense that we did not have any objective evidence that this was being done. Since then, of course, we find that you have dairy products appearing on the shelves of the supermarkets with unacceptable levels of heptachlor; whereas, the Department of Health, through the testing of the samples obtained at the milk producers, indicated that these products were supposedly free and clear of any unacceptable levels of heptachlor.

"Again, with respect to voluntary recall, the problem with the voluntary recall as I stated earlier is that if you leave it up to the milk producers to make a recall of its products, that producer has a vested interest in the product that he is recalling, and someone should be representing the state and asking the person who is at home and who may have the product in his freezer or in his refrigerator to not in fact use that product. That's the point I'm getting at and that's the job of the Department of Health, and should not be left to the private parties concerned.

"My only 'beef' with the Department of Health over these past weeks is that it seems to have mistaken or misplaced its mission. Its mission is to protect the health and welfare of the public.

"A secondary concern may be the impact that this crisis will have on the milk producers and the dairy people, but that's secondary. All decisions made by the department should be guided primarily by its major mission which is the safety and health of the public."

ADJOURNMENT

At 12:09 o'clock p.m., on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, April 13, 1982.