

FIFTY-FIFTH DAY

Friday, April 16, 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 the Reverend Herman Gomes, Director of Sacred Hearts Seminary, after which the Roll was called showing all Senators present with the exception of Senators Holt, Mizuguchi and Yee who were excused.

The President announced that he had read and approved the Journal of the Fifty-Fourth Day.

Senator Kuroda introduced to the members of the Senate 42 fourth grade students from the Hongwanji Mission School and their teachers, Mrs. Dulcie Oshiro and Mrs. Cecelia Lindal.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 570 to 577) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 570), returning Senate Bill No. 2756-82, S.D. 1, which passed Third Reading in the House of Representatives on April 15, 1982, was placed on file.

A communication from the House (Hse. Com. No. 571), informing the Senate that the House reconsidered its action taken on April 8, 1982, in disagreeing to the amendments made by the Senate to House Bill No. 1642, H.D. 2, was placed on file.

At this time, the President discharged the Managers on the part of the Senate appointed pursuant to the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1642, H.D. 2.

A communication from the House (Hse. Com. No. 572), informing the Senate that the House reconsidered its action taken on April 8, 1982, in disagreeing to the amendments made by the Senate to House Bill No. 2355-82, H.D. 1, was placed on file.

At this time, the President discharged the Managers on the part of the Senate appointed pursuant to the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2355-82, H.D. 1.

A communication from the House (Hse. Com. No. 573), informing the Senate that the House reconsidered its action taken on April 8, 1982, in disagreeing to the amendments made by the Senate to House Bill No. 2742-82, H.D. 1, was placed on file.

At this time, the President discharged the Managers on the part of the Senate appointed pursuant to the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2742-82, H.D. 1.

A communication from the House (Hse. Com. No. 574), informing the Senate that the House reconsidered its action taken on April 8, 1982, in disagreeing to the amendments made by the Senate to House Bill No. 2210-82, H.D. 1, was placed on file.

At this time, the President discharged the Managers on the part of the Senate appointed pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 2210-82, H.D. 1.

A communication from the House (Hse. Com. No. 575), informing the Senate that the House reconsidered its action taken on April 8, 1982, in disagreeing to the amendments made by the Senate to House Bill No. 2682-82, was placed on file.

At this time, the President discharged the Managers on the part of the Senate appointed pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 2682-82.

A communication from the House (Hse. Com. No. 576), informing the Senate that the House reconsidered its action taken on April 8, 1982, in disagreeing to the amendments made by the Senate to House Bill No. 3016-82, H.D. 1, was placed on file.

At this time, the President discharged the Managers on the part of the Senate appointed pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 3016-82, H.D. 1.

A communication from the House (Hse. Com. No. 577), transmitting House Concurrent Resolution No. 174 which was adopted by the House of Representatives on April 16, 1982,

was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.C.R. No. 174, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING AND SUPPORTING THE FIFTH ANNUAL 'AUGUSTFEST' TO BE HELD IN THE 'MACADAMIA NUT CAPITOL OF THE WORLD', HONOKAA, HAWAII, DURING AUGUST, 1982; RECOGNIZING THE CONTRIBUTIONS OF PAUL AND ANITA DEDOMENICO AND THE MACADAMIANS, INC.; AND URGING THE GOVERNOR OF HAWAII AND AGENCIES OF THE EXECUTIVE BRANCH TO CONTINUE TO SUPPORT HAWAII'S IMPORTANT MACADAMIA NUT INDUSTRY," was adopted.

At this time, the President discharged the Managers on the part of the Senate appointed pursuant to the disagreement of the House to the amendments proposed by the Senate to the following House Bills:

House Bill No. 2765-82, H.D. 1;
House Bill No. 2879-82, H.D. 2; and
House Bill No. 2975-82, H.D. 1.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 837-82) informing the Senate that Standing Committee Report Nos. 838-82 to 849-82 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 Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 838-82) recommending that Senate Resolution No. 68 be referred to the Committee on Legislative Management.

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.R. No. 68, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE IMPACT OF AMENDING THE DEFINITION OF 'ADEQUATE RESERVE FUND,'" was referred to the Committee on Legislative Management.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 839-82) recommending that Senate Concurrent Resolution No. 51 be adopted.

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, the report of the Committee was adopted

and S.C.R. No. 51, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE IMPACT OF AMENDING THE DEFINITION OF 'ADEQUATE RESERVE FUND'," was adopted.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 840-82) recommending that Senate Resolution No. 79 be referred to the Committee on Legislative Management.

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.R. No. 79, entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF DIFFERENT WAYS OF PRESERVING THE MAJOR BENEFITS OR PROVISIONS OF HAWAII'S PREPAID HEALTH CARE ACT IN VIEW OF ITS PREEMPTION UNDER FEDERAL LAW," was referred to the Committee on Legislative Management.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 841-82) recommending that Senate Concurrent Resolution No. 57 be adopted.

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.C.R. No. 57, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW OF DIFFERENT WAYS OF PRESERVING THE MAJOR BENEFITS OR PROVISIONS OF HAWAII'S PREPAID HEALTH CARE ACT IN VIEW OF ITS PREEMPTION UNDER FEDERAL LAW," was adopted.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 842-82) recommending that Senate Resolution No. 53, as amended in S.D. 1, be adopted.

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.R. No. 53, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A COMPREHENSIVE REVIEW OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM," was adopted.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 843-82) recommending that Senate Concurrent Resolution No. 38, as amended in S.D. 1, be adopted.

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.C.R. No. 38, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION

REQUESTING A COMPREHENSIVE REVIEW OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM," was adopted.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 844-82) recommending that Senate Resolution No. 55, as amended in S.D. 1, be adopted.

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.R. No. 55, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE COMMISSION ON THE HANDICAPPED TO ESTABLISH AN INTERIM COMMITTEE TO STUDY AND SUBMIT A POLICY PROPOSAL FOR A MODEL STATE LAW; PROVIDING INTERPRETER SERVICES FOR THE HEARING IMPAIRED," was adopted.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 845-82) recommending that Senate Concurrent Resolution No. 40, as amended in S.D. 1, be adopted.

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.C.R. No. 40, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE COMMISSION ON THE HANDICAPPED TO ESTABLISH AN INTERIM COMMITTEE TO STUDY AND SUBMIT A POLICY PROPOSAL FOR A MODEL STATE LAW; PROVIDING INTERPRETER SERVICES FOR THE HEARING IMPAIRED," was adopted.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 846-82) recommending that Senate Resolution No. 78 be adopted.

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.R. No. 78, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING TO PLAN A DEMONSTRATION PROJECT WHICH SHALL PROVIDE HOME CARE SERVICES TO PERSONS WHO ARE ELIGIBLE FOR MEDICAID BENEFITS," was adopted.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 847-82) recommending that Senate Concurrent Resolution No. 56 be adopted.

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, the report of the Committee was adopted

and S.C.R. No. 56, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING TO PLAN A DEMONSTRATION PROJECT WHICH SHALL PROVIDE HOME CARE SERVICES TO PERSONS WHO ARE ELIGIBLE FOR MEDICAID BENEFITS," was adopted.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 848-82) recommending that Senate Resolution No. 54 be adopted.

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.R. No. 54, entitled: "SENATE RESOLUTION URGING EMPLOYERS TO DEVELOP POLICIES TO RETAIN, HIRE, AND PROMOTE OLDER WORKERS," was adopted.

Senator Uwaine, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 849-82) recommending that Senate Concurrent Resolution No. 39 be adopted.

On motion by Senator Uwaine, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.C.R. No. 39, entitled: "SENATE CONCURRENT RESOLUTION URGING EMPLOYERS TO DEVELOP POLICIES TO RETAIN, HIRE, AND PROMOTE OLDER WORKERS," was adopted.

ORDER OF THE DAY

THIRD READING

House Bill No. 2027-82:

By unanimous consent, action on H.B. No. 2027-82, entitled: "A BILL FOR AN ACT RELATING TO PEDDLING CAKE," was deferred until Monday, April 19, 1982.

House Bill No. 2031-82:

By unanimous consent, action on H.B. No. 2031-82, entitled: "A BILL FOR AN ACT RELATING TO COUNTY LICENSES," was deferred until Monday, April 19, 1982.

House Bill No. 3053-82, H.D. 1:

By unanimous consent, action on H.B. No. 3053-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," was deferred until Monday, April 19, 1982.

House Bill No. 2071-82, H.D. 1:

By unanimous consent, action on H.B. No. 2071-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION; AMENDING OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES FOR THE PURPOSE OF CORRECTING ERRORS, CLARIFYING LANGUAGE, CORRECTING REFERENCES, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS," was deferred until Monday, April 19, 1982.

House Bill No. 1944-82:

By unanimous consent, action on H.B. No. 1944-82, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CODE OF MILITARY JUSTICE," was deferred until Monday, April 19, 1982.

ADVISE AND CONSENT

Standing Committee Report No. 835-82 (Gov. Msg. No. 211):

By unanimous consent, action on Stand. Com. Rep. No. 835-82 and Gov. Msg. No. 211 was deferred until Monday, April 19, 1982.

MATTERS DEFERRED FROM APRIL 15, 1982

THIRD READING

House Bill No. 2447-82:

By unanimous consent, action on H.B. No. 2447-82, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DISPENSING OPTICIANS," was deferred until Monday, April 19, 1982.

House Bill No. 2197-82, H.D. 1:

By unanimous consent, action on H.B. No. 2197-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DENTAL EXAMINERS," was deferred until Monday, April 19, 1982.

House Bill No. 2194-82:

By unanimous consent, action on H.B. No. 2194-82, entitled: "A BILL FOR AN ACT RELATING TO BOARDS AND COMMISSIONS," was deferred until Monday, April 19, 1982.

House Bill No. 2026-82, H.D. 1:

By unanimous consent, action on H.B. No. 2026-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SHOWS," was deferred until

Monday, April 19, 1982.

House Bill No. 2196-82, H.D. 1:

By unanimous consent, action on H.B. No. 2196-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONTRACTORS LICENSE LAW," was deferred until Monday, April 19, 1982.

FINAL READING

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 Monday, April 19, 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 Monday, April 19, 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 Monday, April 19, 1982.

At 11:50 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.

MISCELLANEOUS COMMUNICATION

A communication from the Office of the Honorable Spark M. Matsunaga, United States Senator (Misc. Com. No. 3), dated April 6, 1982, acknowledging receipt of Senate Resolution No. 38, Regular Session of 1982, relating to the shelling of Kahoolawe, was read by the Clerk and was placed on file.

ADJOURNMENT

At 12:00 o'clock noon, on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, April 19, 1982.