

SIXTY-THIRD DAY

Wednesday, April 28, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 2:00 o'clock p.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Norito Nagao, Pastor of Honpa Hongwanji Mission of Hawaii, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Sixty-Second Day.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 328), informing the Senate that on April 26, 1982, he signed the following bills into law:

H.B. No. 3142-82 as Act 34, entitled: "RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM";

H.B. No. 34 as Act 35, entitled: "RELATING TO GIFTED CHILDREN";

H.B. No. 2105-82 as Act 36, entitled: "RELATING TO THE TOWING OF ABANDONED VEHICLES";

H.B. No. 2175-82 as Act 37, entitled: "RELATING TO PUBLIC LANDS";

H.B. No. 2232-82 as Act 38, entitled: "RELATING TO THE DRIVING OF MOPEDS";

H.B. No. 2406-82 as Act 39, entitled: "RELATING TO INTOXICATING LIQUOR";

H.B. No. 2697-82 as Act 40, entitled: "RELATING TO PUBLIC LANDS";

H.B. No. 2902-82 as Act 41, entitled: "RELATING TO SAFETY DEPOSIT BOXES";

H.B. No. 3124-82 as Act 42, entitled: "RELATING TO AUTHORIZED ABSENCE FROM A PSYCHIATRIC FACILITY";

S.B. No. 2257-82 as Act 43, entitled: "RELATING TO INHERITANCE TAXATION";

S.B. No. 2377-82 as Act 44, entitled: "RELATING TO THE HAWAII PENAL CODE";

S.B. No. 2520-82 as Act 45, entitled: "RELATING TO NOTARIES PUBLIC";

S.B. No. 2993-82 as Act 46, entitled: "RELATING TO FATHER DAMIEN

DEVEUSTER DAY";

H.B. No. 3133-82 as Act 47, entitled: "RELATING TO THE FUNDING OF COUNTY EMERGENCY MEDICAL SERVICES DEFICITS"; and

H.B. No. 2629-82 as Act 48, entitled: "RELATING TO CUSTODIAL INTERFERENCE,"

was read by the Clerk and was placed on file.

At 2:17 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:19 o'clock p.m.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 142 to 150) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 142), entitled: "SENATE RESOLUTION RECOGNIZING WITH GRATITUDE EACH OF THE MINISTERS OF RELIGION WHO OPENED A DAY OF THE SENATE, ELEVENTH LEGISLATURE, 1982, STATE OF HAWAII, WITH AN INSPIRATIONAL INVOCATION," was offered by Senators Kuroda and Yee.

On motion by Senator Kuroda, seconded by Senator Yee and carried, S.R. No. 142 was adopted.

A resolution (S.R. No. 143), entitled: "SENATE RESOLUTION EXPRESSING DEEPEST APPRECIATION TO THE MEMBERS OF THE VARIOUS MEDIA FOR THEIR COVERAGE OF THE ACTIVITIES OF THE ELEVENTH LEGISLATURE, REGULAR SESSION OF 1982," was offered by Senators Kuroda and Yee.

On motion by Senator Kuroda, seconded by Senator Yee and carried, S.R. No. 143 was adopted.

A resolution (S.R. No. 144), entitled: "SENATE RESOLUTION RELATING TO THE PRINTING OF THE JOURNAL OF THE SENATE," was offered by Senators Kuroda and Yee.

On motion by Senator Kuroda, seconded by Senator Yee and carried, S.R. No. 144 was adopted.

A resolution (S.R. No. 145), entitled: "SENATE RESOLUTION RETURNING ALL BILLS, CONCURRENT RESOLUTIONS,

AND RESOLUTIONS TO THE CLERK'S DESK," was offered by Senators Kuroda and Yee.

On motion by Senator Kuroda, seconded by Senator Yee and carried, S.R. No. 145 was adopted.

A resolution (S.R. No. 146), entitled: "SENATE RESOLUTION REGARDING COMPLETION OF THE WORK OF THE ELEVENTH LEGISLATURE SUBSEQUENT TO THE ADJOURNMENT THEREOF," was offered by Senators Kuroda and Yee.

On motion by Senator Kuroda, seconded by Senator Yee and carried, S.R. No. 146 was adopted.

A resolution (S.R. No. 147), entitled: "SENATE RESOLUTION AUTHORIZING THE PRESIDENT TO DESIGNATE THE EMPLOYEES WHO WILL WORK AFTER ADJOURNMENT," was offered by Senators Kuroda and Yee.

On motion by Senator Kuroda, seconded by Senator Yee and carried, S.R. No. 147 was adopted.

A resolution (S.R. No. 148), entitled: "SENATE RESOLUTION AUTHORIZING THE PRESIDENT TO EXPEND FUNDS AFTER ADJOURNMENT," was offered by Senators Kuroda and Yee.

On motion by Senator Kuroda, seconded by Senator Yee and carried, S.R. No. 148 was adopted.

A resolution (S.R. No. 149), entitled: "SENATE RESOLUTION RELATING TO STANDING AND SPECIAL COMMITTEES AUTHORIZED TO CONDUCT HEARINGS DURING THE INTERIM BETWEEN THE ADJOURNMENT OF THE REGULAR SESSION OF 1982 AND THE CONVENING OF THE REGULAR SESSION OF 1983," was offered by Senators Kuroda and Yee.

On motion by Senator Kuroda, seconded by Senator Yee and carried, S.R. No. 149 was adopted.

A resolution (S.R. No. 150), entitled: "SENATE RESOLUTION AUTHORIZING THE PRESIDENT TO APPROVE THE JOURNAL OF THIS SENATE FOR THE SIXTY-THIRD DAY," was offered by Senators Kuroda and Yee.

On motion by Senator Kuroda, seconded by Senator Yee and carried, S.R. No. 150 was adopted.

FINAL READING

House Bill No. 2070-82, H.D. 1, S.D. 1, C.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 2070-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR THE FISCAL BIENNIUM JULY 1, 1981 TO JUNE 30, 1983," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Kawasaki).

At 2:20 o'clock p.m. the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:26 o'clock p.m.

House Bill No. 2838-82, H.D. 1, S.D. 1, C.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 2838-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Cayetano and Kawasaki).

House Bill No. 2359-82, H.D. 1, S.D. 2, C.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 2359-82, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WITNESS SECURITY AND PROTECTION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Cayetano and Kawasaki).

House Bill No. 2559-82, H.D. 1, S.D. 1, C.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 2559-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PAYMENT OF SETTLEMENT BETWEEN THE STATE OF HAWAII AND DILLINGHAM CORPORATION DBA HAWAIIAN DREDGING AND CONSTRUCTION COMPANY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Abercrombie and O'Connor). Excused, 2 (Cayetano

and Kawasaki).

House Bill No. 2679-82, S.D. 1, C.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 2679-82, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COUNSEL AND OTHER SERVICES FOR INDIGENT DEFENDANTS IN CRIMINAL AND RELATED CASES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Cayetano and Kawasaki).

House Bill No. 2947-82, H.D. 2, S.D. 1, C.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 2947-82, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AN AQUACULTURE AND LIVE-STOCK FEEDS PRODUCTION PROGRAM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Cayetano and Kawasaki).

House Bill No. 3136-82, H.D. 2, S.D. 1, C.D. 1:

On motion by Senator Kuroda, seconded by Senator Soares and carried, H.B. No. 3136-82, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 4 (Abercrombie, Anderson, Cobb and Wong). Excused, 2 (Cayetano and Kawasaki).

Senate Bill No. 2269-82, S.D. 2, H.D. 2, C.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, S.B. No. 2269-82, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A CRIMINAL JUSTICE TRAINING FUND," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Cayetano and Kawasaki).

Senate Bill No. 2926-82, S.D. 1, H.D. 2, C.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, S.B. No. 2926-82, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RELEASE OF MATCHING STATE FUNDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Cayetano and Kawasaki).

Senate Bill No. 2904-82, S.D. 1, H.D. 2, C.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, S.B. No. 2904-82, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A WATER COMMISSION AND FORMULATION OF STATE WATER CODE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Cayetano and Kawasaki).

Senate Bill No. 2760-82, S.D. 2, H.D. 1, C.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, S.B. No. 2760-82, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Cayetano and Kawasaki).

Senate Bill No. 2434-82, S.D. 2, H.D. 2, C.D. 1:

Senator Cobb moved that S.B. No. 2434-82, S.D. 2, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Soares.

Senator Ajifu then rose to speak in support of the measure and stated:

"Mr. President, I'd like to also make some comments regarding the recent action of the House on this bill.

"Mr. President, I have the sad news to report that the conference draft we have before us was never decked in the House, which kills the measure there and prevents its passage this year. While eight of the House conferees signed for the measure, I am now told that the House leadership decided

to kill the bill by preventing its being decked.

"Mr. President, I feel that it is a very poor practice to name conferees, let them meet, let them come to a compromise, let the staff prepare a committee report and conference draft of the bill, get the committee report signed, have not a single conferee on either side oppose the bill, and then to refuse to submit the matter to the floor for a vote.

"The tragedy, Mr. President, is not just that the normal procedures of the Legislature are being abused. The tragedy is that this backroom decision on the part of the House has killed the only measure before this Legislature which begins to address the vital matter of important agricultural lands.

"We have a mandate, Mr. President. The voters told us in the Con-Con election of 1978 that they wanted us to act on the matter of agricultural lands. Over the last legislative interim I studied the matter extensively and had prepared a package of bills addressing the matter from different vantage points. Based on the broad testimony we received I came to the conclusion that the consensus was in favor of this study embodied in Senate Bill 2434, S.D. 2, H.D. 2, C.D. 1.

"I think it's a dark day, Mr. President, when the electorate can express its feelings so clearly, when all major politicians in the state are taking positions on the matter and decrying our lack of action, when even the Land Use Commission is crying for legislative guidance, when all of these things are going on, and then we have let one more year go by with no action. And all because of a backroom action by the House leadership.

"Mr. President, I think we owe it to ourselves, to the Land Use Commission, to the counties, and to the citizens of this state to go ahead and approve this conference draft so that it is clear to all that your Committee on Agriculture and that this Senate have not been deficient in its responsibilities with regard to the identification, protection, and conservation of agricultural lands. Thank you, Mr. President."

Senator Cobb then rose on a point of parliamentary inquiry and said:

"Mr. President, the House is showing bad faith by not approving and submitting to the floor of the respective body for vote a conference draft. I question

very seriously whether we should be doing the same, and whether or not the leadership of the two bodies is in order to resolve this matter."

The Chair then remarked as follows:

"Senator Cobb, in the best interest of the Senate, I would advise that we vote on the measure since the bargaining in conference was done in good faith; both sides abided by that decision. I don't think the Senate should deviate from that position and that the measure should be acted upon."

The motion was put by the Chair and S.B. No. 2434-82, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2978-82, S.D. 1, H.D. 2, C.D. 1:

Senator Cobb moved that S.B. No. 2978-82, S.D. 1, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Soares.

Senator Kawasaki spoke in support of the bill and stated:

"Mr. President, just a brief discussion.

"Of course, this bill originated in the Senate here but only last night by coincidence I happened to be watching TV and there was a nationally televised news item showing some dramatic results of the application of interferon for certain categories of cancer, and what interested me most was that because of the promise interferon shows that there has been a request made to the Congress of the United States for a \$50 million funding from the Federal Government to intensify research in interferon.

"I think, again, Hawaii has led the nation in being progressive enough to enact a bill like this providing for a half a million dollar funding. I think this gives, as I said time and again, a glimmer of hope to cancer patients designated as terminal cases without any other hope.

"I urge the passage of this bill."

Senator Cobb then remarked: "Mr. President, I note that three of the House conferees signed with reservation.

Is there any assurance that this bill is going to be passed by the House?"

The Chair answered that the matter is before the Senate.

The motion was put by the Chair and S.B. No. 2978-82, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CANCER COMMISSION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2312-82, H.D. 1, S.D. 1, C.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 2312-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY BUDGET," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2907-82, H.D. 2, S.D. 2, C.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 2907-82, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2113-82, H.D. 2, S.D. 2, C.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 2113-82, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1061-82) informing the Senate that Stand. Com. Rep. Nos. 1059-82 to 1062-82 and Senate Resolution Nos. 142 to 151 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 Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1062-82) recommending that Senate Resolution No. 88 be referred to the Committee on Legislative Management.

By unanimous consent, action on Stand. Com. Rep. No. 1062-82 and S.R. No. 88 was deferred to the end of the calendar.

ORDER OF THE DAY

Conference Committee Report No. 92-82 (S.B. No. 732, S.D. 1, H.D. 1, C.D. 2):

By unanimous consent, action on Conf. Com. Rep. No. 92-82 and S.B. No. 732, S.D. 1, H.D. 1, C.D. 2, was deferred to the end of the calendar.

At 2:38 o'clock p.m. the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:43 o'clock p.m.

THIRD READING

House Bill No. 2316-82, H.D. 1:

Senator Kuroda moved that H.B. No. 2316-82, H.D. 1, having been read throughout, pass Third Reading, seconded by Senator Soares.

Senator Carpenter, although in favor of the measure, stated:

"Mr. President, I'm going to be voting against this bill because this bill, as far as I'm concerned, came out after midnight on Friday. I don't believe that we should be here now. I think that we did everything, as you iterated earlier, within the bounds of the Constitution and the only reason that I'm here today is, basically, in support of the bills that we passed prior to adjourning Friday evening. I don't have any philosophical differences with the bills before us, but I believe that they should not be voted upon at this time. I urge everyone to vote 'no.'"

At 2:45 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:46 o'clock p.m.

Senator Kawasaki then rose to speak against the measure and stated:

"Mr. President, I'm voting against

this bill primarily because in the wake of a great increase in the number of judges that we have effectuated in the last few years and a great increase in the Judiciary budget, great edifices coming up on Halekauwila Street and Punchbowl Street and Alakea Street, and a great increase in the total operational cost of the Judiciary, I'm not quite convinced that the Judiciary requires seven additional judges and, of course, the concomitant additional need for staffing and so forth that comes in subsequent years, I have not as yet been thoroughly convinced that we need seven new judges. For that reason, I'm going to vote against this bill."

Senator Campbell then inquired as follows:

"Mr. President, I rise on a point of parliamentary inquiry.

"Mr. President, I'm concerned that the chairman of the Judiciary Committee contends that this bill and probably some other bills should not be voted on at this time. And his contention, as I understand it, is that are not properly on this agenda. I'd like to have an opinion from the Chair, from your podium, as to whether or not we should be voting on these bills?"

The Chair responded: "The chairman of the Judiciary Committee has raised a personal point in that he feels that any bill which did not meet the 12:00 o'clock deadline on Friday he will vote against. He very sincerely feels that all matters should have ended on Friday. He was not questioning whether or not the bills were properly before the body."

The motion was put by the Chair and H.B. No. 2316-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Anderson, Carpenter, Cobb and Kawasaki).
Excused, 1 (Henderson).

House Bill No. 2540-82:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 2540-82, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Anderson, Carpenter and Kawasaki). Excused, 1 (Henderson).

MATTERS DEFERRED
FROM APRIL 26, 1982

Conference Committee Report No. 87-82 (S.B. No. 2829-82, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 87-82 was adopted and S.B. No. 2829-82, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Henderson).

Conference Committee Report No. 91-82 (S.B. No. 2759-82, S.D. 1, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 91-82 and S.B. No. 2759-82, S.D. 1, H.D. 2, C.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 1053-82 (S.R. No. 80):

By unanimous consent, action on Stand. Com. Rep. No. 1053-82 and S.R. No. 80 was deferred to the end of the calendar.

THIRD READING

House Bill No. 1971-82, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1971-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Kawasaki).
Excused, 1 (Henderson).

Standing Committee Report No. 862-82 (H.B. No. 2010-82):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 862-82 was adopted and H.B. No. 2010-82, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused,

1 (Henderson).

At 2: 51 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2: 52 o'clock p.m.

FINAL READING

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

On motion by Senator Cobb, seconded by Senator Soares and carried, S.B. No. 1308, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Henderson).

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

On motion by Senator Cobb, seconded by Senator Soares and carried, S.B. No. 2470-82, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Henderson).

Standing Committee Report No. 1022-82 (S.R. No. 139, S.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1022-82 was adopted and S.R. No. 139, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING AN INVESTIGATION OF THE ALLEGATIONS OF BRUTALITY AGAINST INMATES OF THE OAHU COMMUNITY CORRECTIONAL CENTER ARISING FROM AND OF THE PROCEDURES UTILIZED IN THE PRISON SHAKEDOWN," was adopted.

Standing Committee Report No. 1060-82 (H.C.R. No. 108):

By unanimous consent, action on Stand. Com. Rep. No. 1060-82 and H.C.R. No. 108 was deferred to the end of the calendar.

THIRD READING

House Bill No. 2849-82, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 2849-82, H.D. 1, entitled: "A

BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Carpenter). Excused, 2 (Henderson and Yee).

At 2: 59 o'clock p.m., on motion by Senator Cobb, seconded by Senator Yee and carried, the Senate stood in recess until 7: 00 o'clock p.m.

EVENING SESSION

The Senate reconvened at 7: 30 o'clock p.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 329 and 330) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 329), transmitting copies of the Annual Report of the Hawaii State Advisory Council on Vocational Education (FY 1981), prepared by the State Commission on Manpower and Full Employment to fulfill the requirements of Title II of the Education Amendments of 1976, P.L. 94-382, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 330), dated April 28, 1982, returning Senate Bill No. 2198-82, entitled: "MAKING APPROPRIATIONS FOR COMPENSATION CLAIMS ADJUSTMENTS," pursuant to the Senate request, was placed on file.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 656 to 659) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 656), transmitting House Concurrent Resolution No. 137 which was adopted by the House of Representatives on April 27, 1982, was placed on file.

By unanimous consent, action on H.C.R. No. 137 was deferred to the end of the calendar.

A communication from the House (Hse. Com. No. 657), transmitting House Concurrent Resolution No. 151, H.D. 1, which was adopted by the House of Representatives on April 23, 1982, was placed on file.

By unanimous consent, action on H.C.R. No. 151, H.D. 1, was deferred to the end of the calendar.

A communication from the House (Hse. Com. No. 658), transmitting House Concurrent Resolution No. 158, H.D. 1, which was adopted by the House of Representatives on April 27, 1982, was placed on file.

By unanimous consent, action on H.C.R. No. 158, H.D. 1, was deferred to the end of the calendar.

A communication from the House (Hse. Com. No. 659), returning Senate Concurrent Resolution No. 57, which was adopted by the House of Representatives on April 23, 1982, was placed on file.

MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

Standing Committee Report No. 1062-82 (Senate Resolution No. 88):

Senator Cobb moved that Stand. Com. Rep. No. 1062-82 be received and placed on file, seconded by Senator Soares.

Senator Young then moved that the referral of S.R. No. 88 to the Committee on Legislative Management be waived, seconded by Senator George and carried.

On motion by Senator Cobb, seconded by Senator Soares and carried, S.R. No. 88, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE GENERAL EXCISE TAX ON SALES REPRESENTATIVES AND PURCHASING AGENTS," was adopted.

Conference Committee Report No. 92-82 (S.B. No. 732, S.D. 1, H.D. 1, C.D. 2):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 92-82 was adopted and S.B. No. 732, S.D. 1, H.D. 1, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. No, 1 (Kawasaki). Excused, 2 (Machida and Mizuguchi).

Conference Committee Report No. 91-82 (S.B. No. 2759-82, S.D. 1, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 91-82 and S.B. No. 2759-82, S.D. 1, H.D. 2, C.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 1053-82 (S.R. No. 80):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1053-82 was adopted and S.R. No. 80, entitled: "SENATE RESOLUTION URGING CONGRESS TO AMEND PRESIDENT REAGAN'S NEW FEDERALISM PROGRAM," was adopted on the following showing of Ayes and Noes:

Ayes, 17. Noes, 6 (Anderson, George, Henderson, Kobayashi, Saiki and Soares). Excused, 2 (Machida and Mizuguchi).

Standing Committee Report No. 1060-82 (H.C.R. No. 108):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1060-82 was adopted and H.C.R. No. 108, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE REPORT ON THE FINAL COMPENSATION PLAN AND THE COST THEREOF," was adopted.

MATTER DEFERRED FROM EARLIER ON THE EVENING CALENDAR

Conference Committee Report No. 91-82 (S.B. No. 2759-82, S.D. 1, H.D. 2, C.D. 1):

Senator Yamasaki, moved that Conf. Com. Rep. No. 91-82 be adopted and S.B. No. 2759-82, S.D. 1, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Yee.

Senator Kawasaki rose to speak against the measure and stated:

"Mr. President, as expected, I rise to speak against this bill primarily because if there ever was an inopportune time for this bill to pass (and its cost implication amount to about \$950,000, slightly less than a million dollars) I think this is the time.

"Mr. President, at a time when some 26,150 people are looking for jobs who are not able to look forward to the bright prospect of sitting down with their families for dinner tonight to know that there's a job waiting for them tomorrow, and at a time when some thousands of people are suffering the ill effects of the sugar industry having lost \$300 million this past year; at a time, literally, when hundreds of employees in the pineapple industry are suffering the ill effects of the pineapple industry losing about \$7.9 million; at a time

when the construction industry finds itself at possibly a new low within the last decade insofar as job opportunities are concerned, as a consequence there are tile setters, carpenters, masons, electricians, out of jobs today with no prospect of having a job next week; at a time when federal employees, generally, have had their pay frozen; at a time when the employees of Aloha Airlines have had to take a 8% cut in their salaries; at a time when the sugar workers have had to retrench on their wage negotiation and fringe benefit demands; at a time when there's been wholesale layoffs in the automobile industry; at a time when the airline industry finds itself in the dismal financial situation; at a time when these people, the unemployed as well as people who are fortunate enough to have jobs, cannot look forward to a brighter financial picture; at a time when your electrical rates that come to you every month are higher than ever; at a time when the breadwinner of the family finds his water rates have gone up; at a time when his gasoline prices are higher; at a time when people who of necessity have to borrow money just to keep the family together find that interest rates run 17% and 18% if they can borrow money at all. At these times, for us to propose here pay increases for that class of public employees who generally have a salary in excess of \$30,000 a year with their thirteen paid holidays, with their fringe benefits, generous retirement benefits, I think is unthinkable.

"It just appalls me to think that we don't feel for the people who are looking for jobs, people who have lost jobs, breadwinners of the family who are just about making ends meet, if at all. I can't see how we can propose, as provided in this bill, an \$8,000 pay increase for the federal program coordinator's position, an increase from \$29,900 to \$38,610 at a time interestingly enough when federal programs are being cut off by President Reagan and the Washington Administration... a bill that provides for the chief negotiator of the Office of Collective Bargaining and the stadium manager, and where the Hawaii Public Employment Relations Board chairman who today makes \$42,000 a year--each of these positions--we're proposing a salary increase of \$47,500.

"The bill also proposes that we raise the district court compensation from \$40,000 to \$47,520. You know, when the proposition was advanced to us that we should raise the district court judges' pay of roughly \$34,000 to \$40,000, almost unanimously, people

well acquainted with the workload and the compensation of district court judges had communicated with us here in the Legislature to say that \$40,000 for a district court judge is too much. As a matter of fact, someone very high placed in the Judiciary himself commented to me that we really can't justify raising district court judges to \$40,000. That was a few years ago.

"In the bill today, we are proposing that these people receive \$47,520. Again, something quite alarming to me. The Ombudsman's salary is proposed to be raised from \$42,000 a year to \$50,490 a year. In 1967 when we proposed the Ombudsman's Office, and I should know, I am the author of the bill, we never anticipated that the position would someday pay \$50,000 a year. This bill not only provides that kind of salary, it provides the compensation of \$44,000 for the deputy, and on and on it goes.

"The point here is that we're talking about pay raises for that class of public employees who least need this kind of help. I don't mind if pay increases were proposed for people who work in the Oahu penitentiary, for example, because there apparently seems to be a dearth of people looking for jobs as jail guards and people at that step level. I don't mind if we were proposing pay increases for the blue collar custodian, those category of government workers who are having a difficult time making ends meet. But this bill suggests that we increase these people at the higher level, and as I said whose salaries are running in excess of \$30,000 a year, at a time as I pointed out when literally thousands of people in this state are out of jobs. I cannot in good conscience support a bill like that.

"I think it behooves this Legislature to think about this pay raise proposition very carefully and perhaps reconsider some of these pay increase propositions later on in the following sessions. Now, I don't mind the circuit court judges' pay going up a bit because I think their workload justifies that, but so far as the rest of these positions go, I think we cannot in this economic climate justify what is proposed here. For that reason, I urge members to vote against this bill."

Senator Carpenter then said: "Mr. President, while I have no philosophical disagreements with this bill before us, for the reasons I 'mumbled' earlier

in this session today, I'm going to vote 'no' on this bill."

Senator Yee spoke in favor of the measure and stated:

"Mr. President, I rise to speak in favor of this bill. I know that this is a very controversial bill and it's very difficult to say that people in this category are entitled to any pay increase. But listening to the previous speaker when he was mentioning the pay that they were receiving today and the pay that they would receive after this bill, if it passes. There was one person that started off at \$42,000 and would be getting \$47,500 for a \$5500 difference, and based on that increase, the person is receiving only a 11.9% increase for a period of six years and divided by six, my calculator says it's 1.9% a year salary increase.

"Now, we know at 1.9% . . . let's take a round figure of 2% salary increase a year for executives . . . it's not a great increase. If we had passed the law which says that executives should receive compensation of 2%, 3%, 4% a year, I don't think anyone would criticize us for it. But these people who hold responsible positions face tremendous political pressure, tremendous community pressure and peer pressure, it's not an easy position; it's a difficult position; and they can be knocked off their positions as quickly as they're hired if they don't do a good job, whereas, other employees, they have security, they have union protection by labor agreements. But, the top executives do not have these kinds of privileges.

"We have seen our university professors move from the University of Hawaii and go elsewhere because compensation opportunities are greater than in Hawaii. And I for one who cares for Hawaii would not like to see mediocre people running this government.

"We spend nearly \$2 billion a year to manage the State of Hawaii and we need competent people; we need competent judges. I feel that when we're talking about 1.9% a year increase for these gentlemen, I think it's a very modest increase for the responsibility they have. And I always take the position that if they don't do their jobs, kick them out; and if we have not kicked them out, it's our responsibility, it's part of our fault, part of the Governor's fault for appointing mediocre people and part of our responsibility for confirming mediocre people. So, I think we have a responsibility to these people.

"What I like about this bill, outside of being what is fair, it is right. I maybe committing political suicide in taking this position, but this bill also has a provision in it that will freeze the salaries of the county executives throughout the state. I think it's ridiculous to have a county cabinet officer, a director of a county department making more money than a department head of the state whose responsibilities are greater.

"I like the idea of a salary study in this bill because salaries should be based on responsibility. I cannot see the director of the Hawaiian Homes Commission being paid the same salary as the director of transportation whose responsibility is much greater. The difference is too great. I think we should begin to address these things and come out with a fairer type of compensation for our executives.

"Mr. President, I feel that there is sufficient merit to justify a pay increase for these people. If they're not 'cutting the mustard' like in private business, you get them out; and I say the same thing with political servants . . . if they can't do their jobs, it's our responsibility to get them out. Thank you."

Senator Cobb spoke against the measure and stated:

"Mr. President, I'm going to be voting against the bill for two very basic reasons: One, there has been no consideration of the Governor and the president of the University of Hawaii's fringe benefits in computation of this bill. The philosophical objection to that is very simple . . . that as long as there is no consideration there, we will continue to peg the salary structure based on the Governor's being the ceiling. It will continue to hold down others, who I think might deserve more, particularly when they don't have the compensation of fringe benefits. That's one glaring error.

"The second is that the salary cuts going on in the private sector of our community, just for people to keep their jobs, I don't think we should be setting an example by voting a pay raise for our top executives when there are so many pay cuts going on in the private sector.

"I might add, Mr. President, with respect to the first issue of fringe benefits, I made a comparison, made available to every member of our Ways and Means Committee who was going

in to negotiations on this particular matter because I'd hoped that there would be some consideration of it, and if we're not willing to consider this issue, I hope the salary commission takes it up because I think the idea of a salary commission to study the plan is good.

"I have mixed feelings on the bill because, quite frankly, I agree with the cap on county salaries. I think it's been irresponsible that any mayor or any county executive could have their salary increased as a result of collective bargaining agreements. That removes all incentive to hold down the cost of a collective bargaining agreement.

"Despite the mixed feelings, Mr. President, on balance I'm going to vote 'no' because the first two considerations outweigh the latter. Thank you."

The motion was put by the Chair and Conf. Com. Rep. No. 91-82 was adopted and S.B. No. 2759-82, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES AND MAKING AN APPROPRIATION THEREFOR," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 16. Noes, 9 (Abercrombie, Anderson, Carpenter, Cayetano, Cobb, George, Henderson, Kawasaki and Saiki).

MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

House Concurrent Resolution No. 137:

Senator Cobb moved that H.C.R. No. 137 be adopted, seconded by Senator Soares.

Senator George then rose to ask if the chairman of Ways and Means would yield to a question and Senator Yamasaki answered in the affirmative.

Senator George asked: "Mr. President, H.C.R. 137, a resolution requesting a management audit review of the operations of the Department of Transportation's Airports Division in which the House is seeking our concurrence, requests a rather extensive management audit. As the chairman of Ways and Means will remember, last year when the Senate was deeply inquisitive about an audit of just the duty-free operation of this particular division, the price tag of \$50,000 was put on

the cost of such an audit by the Legislative Auditor. I am wondering if the chairman of Ways and Means can advise me whether or not money has been allocated for the Legislative Auditor to undertake this more extensive management audit?"

Senator Yamasaki answered: "There isn't any specific appropriation to the Auditor's office such as the amount requested for the study requested by the concurrent resolution. However, I see in the appropriation, Act 1, I believe, there is an amount of about \$150,000 for studies to be requested by the Speaker and the President of the Senate...to conduct such studies as necessary as the Speaker and the President of the Senate might request or authorize."

Senator George then rose to speak against the adoption of the resolution and stated:

"Mr. President, in view of the fact that the Legislative Auditor indicated that a study of simply a duty-free operation would run to some \$50,000 and would entail making an assignment of such a study or studies, as a matter of fact, were finally undertaken, I believe due to the problem of separation of powers it was finally assigned by the Department of Transportation to an outside consultant for \$50,000, I'm sorry, that was \$75,000, and one of the parties to this particular problem undertook a complementary study costing \$50,000. I simply don't feel that the Legislative Auditor is capable of undertaking the enormous assignment which is outlined in H.C.R. No. 137.

"I offer the additional thought that one of the aspects of H.C.R. No. 137 refers to the master lease which is to be renewed in July. I don't see there's any way that any study undertaken by the Legislative Auditor which has to be reported back to us can have any effect at all on a master lease which will be negotiated and renewed long before we come back into session. I have no particular objection to passing this as a hollow resolution which I believe can be referred and never undertaken. But I feel kind of silly doing it, and I'm going to vote against our concurrence with this resolution simply because I feel it isn't going to do any good to anybody."

At 7:52 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 7:53 o'clock

p.m.

By unanimous consent, H.C.R. No. 137, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AUDIT AND REVIEW OF THE OPERATIONS OF THE DEPARTMENT OF TRANSPORTATION'S AIRPORTS DIVISION, was referred to the Committee on Transportation.

House Concurrent Resolution No. 151, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.C.R. No. 151, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A SMALL BUSINESS ADVISORY COMMITTEE AND REQUESTING THE GOVERNOR TO APPOINT ITS MEMBERS," was adopted.

House Concurrent Resolution No. 158, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.C.R. No. 158, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING ACCELERATION AND BROADENING OF ECONOMIC TRADE RELATIONS BETWEEN CANADA AND HAWAII, REQUESTING THE GOVERNOR OF HAWAII TO PROCLAIM 'CANADA-HAWAII WEEK,' AND REQUESTING A REPORT FROM THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT (DPED) AS TO THE FEASIBILITY OF ESTABLISHING A 'CANADA-HAWAII TRADE ASSOCIATION,'" was adopted.

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

"Mr. President, there was a plane crash in China yesterday and all of the persons aboard were killed. Two of the Americans aboard were long time residents of this state and I refer to Dr. J. Linsley and Margaret K. Gressitt. They have both made outstanding contributions to this state in the field of education as it relates to our life style. Thank you."

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 331 to 336) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 331), informing the Senate of the withdrawal of the nomination of Nicholas W. Teves, Jr., to the Board of Electricians and Plumbers, term to expire December 31, 1985, was placed on file.

In compliance with Gov. Msg. No. 331, the nomination listed under Gov. Msg. No. 109, dated February 3, 1982, was returned.

A message from the Governor (Gov. Msg. No. 332), informing the Senate of the withdrawal of the nomination of Roland Higashi to the Board of Land and Natural Resources, term to expire December 31, 1985, was placed on file.

In compliance with Gov. Msg. No. 332, the nomination listed under Gov. Msg. No. 246, dated February 3, 1982, was returned.

A message from the Governor (Gov. Msg. No. 333), informing the Senate of the withdrawal of the nominations to the Commission on Population and the Hawaiian Future, of Hitoshi Mogi, Marc E. Duncan, Evelyn Olores and Jane H. Fukunaga, terms to expire December 31, 1985, and James E. Dannemiller, term to expire December 31, 1983, was placed on file.

In compliance with Gov. Msg. No. 333, the nominations listed under Gov. Msg. No. 134, dated February 3, 1982, and Gov. Msg. No. 248, dated March 23, 1982, were returned.

A message from the Governor (Gov. Msg. No. 334), informing the Senate of the withdrawal of the nomination of Thomas T. Nakahara to the Real Estate Commission, term to expire December 31, 1985, was placed on file.

In compliance with Gov. Msg. No. 334, the nomination listed under Gov. Msg. No. 243, dated April 1, 1982, was returned.

A message from the Governor (Gov. Msg. No. 335), informing the Senate of the withdrawal of the nomination of Vernon K. White to the King Kamehameha Celebration Commission, term to expire December 31, 1985, was placed on file.

In compliance with Gov. Msg. No. 335, the nomination listed under Gov. Msg. No. 136, dated February 3, 1982, was returned.

A message from the Governor (Gov. Msg. No. 336), informing the Senate of the withdrawal of the nomination of Shigeto Murayama to the 1984 Hawaii Statehood Silver Jubilee Committee, term to expire June 30, 1986, was placed on file.

In compliance with Gov. Msg.

No. 336, the nomination listed under Gov. Msg. No. 249, dated March 30, 1982, was returned.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 660 to 736) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 660), informing the Senate that the following House bills passed Final Reading in the House of Representatives on April 23, 1982:

House Bill No.

509, H.D. 1, S.D. 1, C.D. 1;
 791, H.D. 1, S.D. 1, C.D. 1;
 1553, H.D. 1, S.D. 1, C.D. 1;
 1653, H.D. 1, S.D. 1, C.D. 1;
 1948-82, H.D. 2, S.D. 1, C.D. 1;
 2057-82, H.D. 1, S.D. 1, C.D. 1;
 2092-82, H.D. 2, S.D. 1, C.D. 1;
 2176-82, H.D. 2, S.D. 1, C.D. 1;
 2177-82, H.D. 1, S.D. 1, C.D. 1;
 2183-82, H.D. 1, S.D. 1, C.D. 1;
 2192-82, S.D. 1, C.D. 1;
 2215-82, H.D. 1, S.D. 1, C.D. 1;
 2230-82, H.D. 1, S.D. 1, C.D. 1;
 2295-82, H.D. 1, S.D. 1, C.D. 1;
 2318-82, S.D. 1, C.D. 1;
 2331-82, H.D. 1, S.D. 1, C.D. 1;
 2332-82, H.D. 1, S.D. 1, C.D. 1;
 2348-82, H.D. 1, S.D. 2, C.D. 1;
 2377-82, H.D. 1, S.D. 1, C.D. 1;
 2407-82, H.D. 1, S.D. 1, C.D. 1;
 2408-82, H.D. 1, S.D. 1, C.D. 1;
 2444-82, S.D. 1, C.D. 1;
 2477-82, H.D. 1, S.D. 1, C.D. 1;
 2585-82, H.D. 1, S.D. 1, C.D. 1;
 2606-82, H.D. 2, S.D. 1, C.D. 1;
 2778-82, H.D. 2, S.D. 1, C.D. 1;
 2813-82, H.D. 1, S.D. 1, C.D. 1;
 2815-82, H.D. 1, S.D. 1, C.D. 1;
 2817-82, H.D. 2, S.D. 1, C.D. 1;
 2826-82, H.D. 1, S.D. 1, C.D. 1;
 2836-82, H.D. 1, S.D. 1, C.D. 1;
 2870-82, H.D. 1, S.D. 1, C.D. 1;
 2888-82, H.D. 1, S.D. 1, C.D. 1;
 2890-82, S.D. 1, C.D. 1;
 2936-82, H.D. 1, S.D. 1, C.D. 1; and
 3119-82, H.D. 1, S.D. 1, C.D. 1,

was placed on file.

A communication from the House (Hse. Com. No. 661), informing the Senate that the following Senate bills passed Final Reading in the House of Representatives on April 23, 1982:

Senate Bill No.

65, S.D. 1, H.D. 1, C.D. 1;
 400, S.D. 1, H.D. 1, C.D. 1;
 2145-82, S.D. 1, H.D. 1, C.D. 1;
 2147-82, S.D. 2, H.D. 1, C.D. 1;

2379-82, H.D. 1, C.D. 1;
 2388-82, S.D. 1, H.D. 1, C.D. 1;
 2467-82, S.D. 1, H.D. 1, C.D. 1;
 2531-82, S.D. 1, H.D. 1, C.D. 1;
 2550-82, S.D. 1, H.D. 1, C.D. 1;
 2561-82, S.D. 1, H.D. 1, C.D. 1;
 2638-82, S.D. 1, H.D. 1, C.D. 1;
 2642-82, H.D. 1, C.D. 1; and
 2350-82, H.D. 2, C.D. 1,

was placed on file.

A communication from the House (Hse. Com. No. 662), returning Senate Bill No. 2198-82 which passed Third Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 663), informing the Senate that the following Senate bills passed Final Reading in the House of Representatives on April 28, 1982:

Senate Bill No.

544, S.D. 2, H.D. 1, C.D. 1;
 1287, S.D. 1, H.D. 1, C.D. 1;
 1697, S.D. 1, H.D. 2, C.D. 1;
 2269-82, S.D. 2, H.D. 2, C.D. 1;
 2346-82, S.D. 2, H.D. 2, C.D. 1;
 2353-82, S.D. 1, H.D. 2, C.D. 1;
 2399-82, S.D. 2, H.D. 2, C.D. 1;
 2513-82, S.D. 1, H.D. 2, C.D. 1;
 2759-82, S.D. 1, H.D. 2, C.D. 1;
 2765-82, S.D. 1, H.D. 2, C.D. 1;
 2904-82, S.D. 1, H.D. 2, C.D. 1;
 2926-82, S.D. 1, H.D. 2, C.D. 1;
 732, S.D. 1, H.D. 1, C.D. 2;
 2816-82, S.D. 2, H.D. 2, C.D. 1;
 2829-82, H.D. 1, C.D. 1; and
 2978-82, S.D. 1, H.D. 2, C.D. 1,

was placed on file.

A communication from the House (Hse. Com. No. 664), informing the Senate that the following House bills passed Final Reading in the House of Representatives on April 28, 1982:

House Bill No.

1988-82, H.D. 1, S.D. 1, C.D. 1;
 2070-82, H.D. 1, S.D. 1, C.D. 1;
 2201-82, H.D. 2, S.D. 1, C.D. 1;
 2313-82, H.D. 2, S.D. 1, C.D. 1;
 2359-82, H.D. 1, S.D. 2, C.D. 1;
 2511-82, H.D. 2, S.D. 2, C.D. 1;
 2559-82, H.D. 1, S.D. 1, C.D. 1;
 2679-82, S.D. 1, C.D. 1;
 2767-82, H.D. 3, S.D. 2, C.D. 1;
 2838-82, H.D. 1, S.D. 1, C.D. 1;
 2947-82, H.D. 2, S.D. 1, C.D. 1;
 3136-82, H.D. 2, S.D. 1, C.D. 1;
 2113-82, H.D. 2, S.D. 2, C.D. 1;
 2312-82, H.D. 1, S.D. 1, C.D. 1;
 2400-82, S.D. 1, C.D. 1;

2907-82, H.D. 2, S.D. 2, C.D. 1;
3078-82, H.D. 1, S.D. 1, C.D. 2;
3092-82, H.D. 1, S.D. 1, C.D. 2; and
3143-82, H.D. 2, S.D. 1, C.D. 1,

was placed on file.

A communication from the House (Hse. Com. No. 665), returning Senate Bill No. 2201-82, S.D. 1, which passed Third Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 666), informing the Senate that the amendments proposed by the Senate to House Bill No. 161, H.D. 1, were agreed to by the House; and H.B. No. 161, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 667), informing the Senate that the amendments proposed by the Senate to House Bill No. 1488, H.D. 1, were agreed to by the House; and H.B. No. 1488, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 668), informing the Senate that the amendments proposed by the Senate to House Bill No. 1489, H.D. 1, were agreed to by the House; and H.B. No. 1489, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 669), informing the Senate that the amendments proposed by the Senate to House Bill No. 1882, H.D. 1, were agreed to by the House; and H.B. No. 1882, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 670), informing the Senate that the amendments proposed by the Senate to House Bill No. 1963-82, H.D. 1, were agreed to by the House; and H.B. No. 1963-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 671), informing the Senate that the amendments proposed by the Senate to House Bill No. 2125-82, H.D. 1, were agreed to by the House; and H.B. No. 2125-82, H.D. 1, S.D. 1, passed Final Reading in the

House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 672), informing the Senate that the amendments proposed by the Senate to House Bill No. 2148-82 were agreed to by the House; and H.B. No. 2148-82, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 673), informing the Senate that the amendments proposed by the Senate to House Bill No. 2161-82, H.D. 1, were agreed to by the House; and H.B. No. 2161-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 674), informing the Senate that the amendments proposed by the Senate to House Bill No. 2190-82, H.D. 1, were agreed to by the House; and H.B. No. 2190-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 675), informing the Senate that the amendments proposed by the Senate to House Bill No. 2193-82 were agreed to by the House; and H.B. No. 2193-82, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 676), informing the Senate that the amendments proposed by the Senate to House Bill No. 2198-82 were agreed to by the House; and H.B. No. 2198-82, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 677), informing the Senate that the amendments proposed by the Senate to House Bill No. 2199-82, H.D. 1, were agreed to by the House; and H.B. No. 2199-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 678), informing the Senate that the amendments proposed by the Senate to House Bill No. 2243-82, H.D. 1, were agreed

to by the House; and H.B. No. 2243-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 679), informing the Senate that the amendments proposed by the Senate to House Bill No. 2270-82, H.D. 1, were agreed to by the House; and H.B. No. 2270-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 680), informing the Senate that the amendments proposed by the Senate to House Bill No. 2385-82, H.D. 1, were agreed to by the House; and H.B. No. 2385-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 681), informing the Senate that the amendments proposed by the Senate to House Bill No. 2434-82, H.D. 1, were agreed to by the House; and H.B. No. 2434-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 682), informing the Senate that the amendments proposed by the Senate to House Bill No. 2446-82 were agreed to by the House; and H.B. No. 2446-82, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 683), informing the Senate that the amendments proposed by the Senate to House Bill No. 2489-82, H.D. 1, were agreed to by the House; and H.B. No. 2489-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 684), informing the Senate that the amendments proposed by the Senate to House Bill No. 2550-82 were agreed to by the House; and H.B. No. 2550-82, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 685), informing the Senate that the amendments proposed by the Senate to House Bill No. 2560-82, H.D. 1, were agreed to by the

House; and H.B. No. 2560-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 686), informing the Senate that the amendments proposed by the Senate to House Bill No. 2565-82, were agreed to by the House; and H.B. No. 2565-82, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 687), informing the Senate that the amendments proposed by the Senate to House Bill No. 2573-82, were agreed to by the House; and H.B. No. 2573-82, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 688), informing the Senate that the amendments proposed by the Senate to House Bill No. 2624-82, H.D. 1, were agreed to by the House; and H.B. No. 2624-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 689), informing the Senate that the amendments proposed by the Senate to House Bill No. 2669-82, H.D. 1, were agreed to by the House; and H.B. No. 2669-82, H.D. 1, S.D. 2, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 690), informing the Senate that the amendments proposed by the Senate to House Bill No. 2866-82, H.D. 1, were agreed to by the House; and H.B. No. 2866-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 691), informing the Senate that the amendments proposed by the Senate to House Bill No. 2889-82, H.D. 1, were agreed to by the House; and H.B. No. 2889-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House

(Hse. Com. No. 692), informing the Senate that the amendments proposed by the Senate to House Bill No. 2933-82, H.D. 1, were agreed to by the House and H.B. No. 2933-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 693), informing the Senate that the amendments proposed by the Senate to House Bill No. 2980-82, H.D. 1, were agreed to by the House; and H.B. No. 2980-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 694), informing the Senate that the amendments proposed by the Senate to House Bill No. 3072-82, H.D. 1, were agreed to by the House; and H.B. No. 3072-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 695), informing the Senate that the amendments proposed by the Senate to House Bill No. 3091-82 were agreed to by the House; and H.B. No. 3091-82, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 696), informing the Senate that the amendments proposed by the Senate to House Bill No. 3117-82, H.D. 1, were agreed to by the House; and H.B. No. 3117-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 697), informing the Senate that the amendments proposed by the Senate to House Bill No. 3140-82, H.D. 1, were agreed to by the House; and H.B. No. 3140-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 23, 1982, was placed on file.

A communication from the House (Hse. Com. No. 698), informing the Senate that the amendments proposed by the Senate to House Bill No. 76, H.D. 2, were agreed to by the House; and H.B. No. 76, H.D. 2, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House

(Hse. Com. No. 699), informing the Senate that the amendments proposed by the Senate to House Bill No. 329, H.D. 1, were agreed to by the House; and H.B. No. 329, H.D. 1, S.D. 2, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 700), informing the Senate that the amendments proposed by the Senate to House Bill No. 765, H.D. 2, were agreed to by the House; and H.B. No. 765, H.D. 2, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 701), informing the Senate that the amendments proposed by the Senate to House Bill No. 804 were agreed to by the House; and H.B. No. 804, S.D. 2, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 702), informing the Senate that the amendments proposed by the Senate to House Bill No. 1515, H.D. 2, were agreed to by the House; and H.B. No. 1515, H.D. 2, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 703), informing the Senate that the amendments proposed by the Senate to House Bill No. 1642, H.D. 2, were agreed to by the House; and H.B. No. 1642, H.D. 2, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 704), informing the Senate that the amendments proposed by the Senate to House Bill No. 1949-82, H.D. 2, were agreed to by the House; and H.B. No. 1949-83, H.D. 2, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 705), informing the Senate that the amendments proposed by the Senate to House Bill No. 1970-82, H.D. 1, were agreed to by the House; and H.B. No. 1970-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 706), informing the Senate that the amendments proposed by the Senate to House Bill No. 1974-82, H.D. 2, were agreed to by the House; and H.B. No. 1974-82, H.D. 2, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 707), informing the Senate that the amendments proposed by the Senate to House Bill No. 2086-82, H.D. 1, were agreed to by the House; and H.B. No. 2086-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 708), informing the Senate that the amendments proposed by the Senate to House Bill No. 2095-82, H.D. 1, were agreed to by the House; and H.B. No. 2095-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 709), informing the Senate that the amendments proposed by the Senate to House Bill No. 2155-82, H.D. 2, were agreed to by the House; and H.B. No. 2155-82, H.D. 2, S.D. 2, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 710), informing the Senate that the amendments proposed by the Senate to House Bill No. 2165-82 were agreed to by the House; and H.B. No. 2165-82, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 711), informing the Senate that the amendments proposed by the Senate to House Bill No. 2205-82, were agreed to by the House; and H.B. No. 2205-82, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 712), informing the Senate that the amendments proposed by the Senate to House Bill No. 2206-82 were agreed to by the House; and H.B. No. 2206-82, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 713), informing the Senate that the amendments proposed by the Senate to House Bill No. 2210-82, H.D. 1, were agreed to by the House; and H.B. No. 2210-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 714), informing the Senate that the amendments proposed by the Senate to House Bill No. 2240-82, H.D. 1, were agreed to by the House; and H.B. No. 2240-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 715), informing the Senate that the amendments proposed by the Senate to House Bill No. 2241-82, H.D. 1, were agreed to by the House; and H.B. No. 2241-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 716), informing the Senate that the amendments proposed by the Senate to House Bill No. 2244-82, H.D. 2, were agreed to by the House; and H.B. No. 2244-82, H.D. 2, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 717), informing the Senate that the amendments proposed by the Senate to House Bill No. 2336-82, H.D. 2, were agreed to by the House; and H.B. No. 2336-82, H.D. 2, S.D. 2, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 718), informing the Senate that the amendments proposed by the Senate to House Bill No. 2355-82, H.D. 1, were agreed to by the House; and H.B. No. 2355-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 719), informing the Senate that the amendments

proposed by the Senate to House Bill No. 2430-82 were agreed to by the House; and H.B. No. 2430-82, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 720), informing the Senate that the amendments proposed by the Senate to House Bill No. 2438-82, H.D. 1, were agreed to by the House; and H.B. No. 2438-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 721), informing the Senate that the amendments proposed by the Senate to House Bill No. 2561-82, H.D. 1, were agreed to by the House; and H.B. No. 2561-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 722), informing the Senate that the amendments proposed by the Senate to House Bill No. 2640-82, H.D. 1, were agreed to by the House; and H.B. No. 2640-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 723), informing the Senate that the amendments proposed by the Senate to House Bill No. 2674-82, H.D. 1, were agreed to by the House; and H.B. No. 2674-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 724), informing the Senate that the amendments proposed by the Senate to House Bill No. 2742-82, H.D. 1, S.D. 1, were agreed to by the House; and H.B. No. 2742-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 725), informing the Senate that the amendments proposed by the Senate to House Bill No. 2765-82, H.D. 1, were agreed to by the House; and H.B. No. 2765-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 726), informing the Senate that the amendments proposed

by the Senate to House Bill No. 2879-82, H.D. 2, were agreed to by the House; and H.B. No. 2879-82, H.D. 2, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 727), informing the Senate that the amendments proposed by the Senate to House Bill No. 2969-82 were agreed to by the House; and H.B. No. 2969-82, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 728), informing the Senate that the amendments proposed by the Senate to House Bill No. 3178-82, H.D. 1, were agreed to by the House; and H.B. No. 3178-82, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 729), returning Senate Bill No. 2909-82, S.D. 1, which passed Third Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 730), returning Senate Bill No. 2607-82, S.D. 2, which passed Third Reading in the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 731), returning Senate Concurrent Resolution No. 39, which was adopted by the House of Representatives on April 28, 1982, was placed on file.

A communication from the House (Hse. Com. No. 732), returning Senate Concurrent Resolution No. 60, S.D. 1, which was adopted by the House of Representatives on April 27, 1982, was placed on file.

A communication from the House (Hse. Com. No. 733), returning Senate Concurrent Resolution No. 71, S.D. 1, which was adopted by the House of Representatives on April 27, 1982, was placed on file.

A communication from the House (Hse. Com. No. 734), returning Senate Concurrent Resolution No. 74, S.D. 1, which was adopted by the House of Representatives on April 27, 1982, was placed on file.

A communication from the House (Hse. Com. No. 735), returning Senate Concurrent Resolution No. 90 which was adopted by the House of Representatives on April 27, 1982, was placed on file.

A communication from the House (Hse. Com. No. 736), dated April 28, 1982, requesting the return of Senate Bill No. 2198-82 for further consideration by the House of Representatives, was placed on file.

At 7:57 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:06 o'clock p.m.

The Chair then addressed the members of the Senate as follows:

"Members of the Senate, today marks the close of the 1982 legislative session. The last 15 weeks have been sometimes arduous and sometimes trying but I believe the time has been spent productively.

"We have passed a solid, meaningful package of legislation this year:

We passed a fiscally and socially responsible supplemental budget bill through which we have met the essential needs of the state and have done so within the state's constitutional spending ceiling. It was not an easy bill to develop; many worthwhile programs were not funded or given only limited funding because we felt it was essential for the state to be fiscally prudent in the face of the uncertain economic outlook.

We have provided assistance to Hawaii's troubled sugar industry-- assistance in the form of tax relief, funds for research, loan funds for sugar growers. We recognize that sugar's problems are tied in to national and even international issues far beyond the limit of the state's capabilities to resolve but we hope that our efforts combined with the efforts of our congressional delegation can help prolong the viability of sugar in Hawaii.

We have passed a tough new law against drunk driving, a law which I hope will help significantly in reducing the human tragedies and loss of life caused by the drunken drivers.

We have addressed a major problem confronting the Department of Education, namely, the cutback in federal impact aid funds. Legislation has been passed to enable the state to go

after the Federal Government to face up to one of its basic responsibilities, paying its fair share for the education of federally-connected students. The significance of this bill may be tremendous in terms of revenue impact to the state.

Conventional political wisdom has it that we would not pass a pay bill for top government officials in an election year because we would be too sensitive and nervous. Well, we have bitten the bullet and have passed a bill to bring top state salaries closer in line with county and private sector pay levels. The bill also provides for a blue-ribbon commission to make a comprehensive review of state and county salaries so that, hopefully, we can eventually come up with a rational total salary policy.

We have passed a comprehensive set of bills designed to assist and develop Hawaii's agricultural sector. Strong legislative focus has been placed in agriculture-- especially diversified agriculture-- and I am very hopeful of a real boost coming about in agriculture's future.

We have strengthened our laws against crime; stiffened penalties, tightened the law on child pornography, made it more difficult for abuse of the insanity defense, allowed judges to hand out consecutive sentences, established a new witness protection program. Addressing the problems of crime is a difficult proposition; there are no easy answers-- as some demagogues may suggest. Our efforts in developing crime legislation has taken place deliberately and thoughtfully, rather than shrilly or sensationalistically.

"Today also marks the close of a unique chapter in the history of the Hawaii State Senate. For the past two years, the Senate has been organized under a bipartisan coalition. There have been some strains and difficulties but I believe the coalition has worked out well. I'm proud of the fact that we've managed to survive two years despite all the periodic reports on how 'tenuous' or 'fragile' the coalition was and how it was about ready to collapse at any moment.

"The fact that the coalition survived is testimony to the sincere efforts made by all coalition members to keep the coalition going, to be flexible, to be willing to give-and-take.

"There have been accusations

that the coalition has tended to submerge consideration of difficult issues because nobody wanted to 'make waves.'

"I don't agree with that assessment.

"Just look at some of the bills the Senate has passed over the last two years: indirect initiative, capital punishment, state lottery, total ban on time-sharing, total ban on fireworks. Whether or not you agree with any of these bills, you must admit that they are hardly routine or noncontroversial. The Senate passed them; unfortunately, the House was the timid body. It was not even prepared to seriously consider these bills. So, the coalition has not been a protectionist, self-serving entity; it has been willing to move creatively and boldly.

"At this time, I would like to say to my Republican colleagues: it's been nice working with you. My respect and affection for you has been strengthened over the past two years.

"However, as a Democrat, I must say right now that if I'm still here by the grace of the three-judge federal court, it is my intent to organize the Senate for the Twelfth State Legislature with my fellow Democrats. I hope to be able to get together at least thirteen votes among the Democrats to accomplish this. So to my Democratic colleagues, let me say that I'll be calling on you.

"To all of my fellow Senators--those who are seeking re-election, those who may be seeking other political office, those who may decide to retire, let me extend to you my best wishes. It has been my privilege to have been able to serve together with you. May the Lord be with you all."

Senator Yee then responded to the Chair remarks and stated:

"Mr. President, as is customary, as Minority Leader I would like to respond to your remarks.

"We Republicans thank you and the Democrats for the service we were able to offer the past two years. I think in our history as Republicans in the House or in the Senate it was the first time that we have had the opportunity to serve as chairmen and I think the Republican chairmen have done excellent jobs.

"To the coalition Democrats, we wish you well. I ask that the voting public judge us not by our party label but judge us by our accomplishments. If you feel that we have done a lousy

job then vote against us. If you feel that we have done well for the people of this state then I ask that you support the Democrats who have joined us in the coalition because I know that they are under a greater strain in running for re-election than we as Republicans.

"Mr. President, I also want to thank Senator Anderson and Senator Saiki for the years that they have dedicated to the state as members of the House and the Senate. I served with Senator Anderson for the past sixteen years in this body. So, while they go on to higher endeavors, I've also informed my Republican colleagues that after serving twelve years as Republican leader in the Senate it's time for me to take a little break. If I'm fortunate to get re-elected again I'm choosing a seat in the back row some place and will let new leadership emerge during the next session.

"All in all, it was a good session. I want also to thank the 'seven samurai' Democrat friends who were out in the cold getting frostbitten and everything else. Don't feel so bad, I had twenty years of that, and it might make you a little bit more humble.

"Mr. President, thank you very much."

Senator Carpenter then rose on a point of personal privilege and stated:

"Mr. President, a couple of years ago, I took the helm of the Judiciary Committee and I think I said some words relating to accepting the challenge and looking forward to it with relish and I quoted a naval hero whose words went, and these are my favorite words: 'Damn the torpedoes, full speed ahead.' I want to extend at this time a hearty mahalo to all the members of the Judiciary Committee and to this entire body who helped to pass out of this Senate what I consider to be substantial pieces of legislation, and I ask your help as we go into the interim, that we proceed full speed ahead and continue to do our jobs.

"Thank you very much."

SENATE RESOLUTION

A resolution (S.R. No. 151), informing the House and the Governor that the Senate is ready to adjourn sine die, was offered by Senators Kuroda and Yee, and was read by the Clerk.

On motion by Senator Cobb, seconded by Senator Soares and carried, S.R. No. 151 was adopted.

In accordance therewith, the President appointed Senators Kuroda, Cobb and Yee as a Committee to inform the Governor and the House of Representatives that the Senate stands ready to adjourn sine die.

At 8:17 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:33 o'clock p.m.

Senator Kuroda, for the Special Committee, reported orally that it has informed the Governor and the House of Representatives that the Senate is ready to adjourn sine die.

The President then discharged the Committee with thanks.

PETITION

A petition to the President of the Senate, dated April 28, 1982, requesting that a special session of the Senate of the Eleventh Legislature of the State of Hawaii be convened on Wednesday, May 5, 1982, at 10:00 o'clock a.m., for a period of two days exclusive of Saturdays and Sundays, was offered by Senators Kuroda, Uwaine, Saiki, Carpenter, Anderson, Yee, Cayetano, Kobayashi, Soares, Cobb, Young, Ajifu, George, Yamasaki, Wong, Abercrombie, Henderson and Kawasaki, was read by the Clerk and was placed

on file.

The following proclamation was then read by the Clerk:

"PROCLAMATION

"I, RICHARD S.H. WONG, President of the Senate of the Eleventh Legislature of the State of Hawaii, pursuant to the power vested in me by Section 10, Article III of the Constitution of the State of Hawaii, and at the written request of two-thirds of the members to which the Senate is entitled, do hereby convene the Special Session of 1982, of the Eleventh Legislature of the State of Hawaii for a period of two (2) days, commencing on Wednesday, May 5, 1982.

/s/ Richard S.H. Wong

RICHARD S.H. WONG
President of the Senate"

and was placed on file.

ADJOURNMENT

Senator Cobb moved that the Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, adjourn Sine Die, seconded by Senator Yee and carried.

At 8:35 o'clock p.m., the President rapped his gavel and declared the Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, adjourned Sine Die.