

FIFTH DAY

Tuesday, January 25, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Dr. John T. Norris, Pastor, Waipahu United Church of Christ, after which the Roll was called showing all Senators present with the exception of Senator Kawasaki who was excused.

The Chair announced that he had read and approved the Journal of the Fourth Day.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 27 to 48) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 27) transmitting the 1982 Annual Report of the Foreign-Trade Zone No. 9, October 1, 1981 - September 30, 1982, prepared by the Department of Planning and Economic Development, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 28) transmitting the 1982 Annual Report of the Office of Collective Bargaining, Office of the Governor, January 7, 1983, pursuant to Chapter 89, HRS, as amended, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 29) transmitting a report prepared by the Insurance Division of the Department of Commerce and Consumer Affairs, Department of Transportation, and the Oahu Metropolitan Planning Organization, November 1982, in response to Senate Resolution No. 5 (1982), requesting a study of impediments to ridesharing with regard to the cost, availability, and adequacy of motor vehicle insurance, was referred to the Committee on Transportation.

A message from the Governor (Gov. Msg. No. 30) transmitting a report prepared by the Department of the Attorney General, in response to Senate Resolution No. 8 (1982), requesting the development of proposed bail reform legislation, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 31) transmitting a report prepared by the University of Hawaii, November 1982, in response to House Bill No. 2070, 1982 Supplemental Appropriations Act, Section 62A, Accounting System Covering Electricity Costs, and Section 62B, Salary and Other Savings to Pay for Electricity Costs, was referred to the Committee on Higher Education.

A message from the Governor (Gov. Msg. No. 32) transmitting the Fifteenth Annual Report (1982) of the Criminal Injuries Compensation Commission, pursuant to Chapter 351, HRS, as amended, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 33) transmitting a report, "Plan for Action, Implementation Strategies for Priority Recommendations Generated at the 1980 Governor's White House Conference on Aging and 1981 National White House Conference on Aging," prepared by the Hawaii State Executive Office on Aging, in cooperation with the County Area Agencies on Aging, was referred to the Committee on Youth and Elderly Affairs.

A message from the Governor (Gov. Msg. No. 34) transmitting a report, "The Elderly in Hawaii - A Data Digest of Persons 60 and Over," September 1982, prepared by the Executive Office on Aging, was referred to the Committee on Youth and Elderly Affairs.

A message from the Governor (Gov. Msg. No. 35) transmitting a report, "Evaluation of the Volunteer Friendly Visitor Program: The Concept of Friendship Is Relatable in Physiological Terms," June 1982, prepared by the Executive Office on Aging, was referred to the Committee on Youth and Elderly Affairs.

A message from the Governor (Gov. Msg. No. 36) transmitting a report of the "Compensation Plans for the State of Hawaii," July 1, 1982, prepared by the Department of Personnel Services, Classification and Compensation Review Division, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 37) transmitting the Annual Report, 1981-82, of the School Health Services Branch, Department of

Health, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 38) transmitting a report prepared by the Department of Health, in response to Act 201 (1982) on the Agent Orange Program, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 39) transmitting reports prepared by the Department of Transportation, December 1982, in response to the following respective resolutions adopted in 1982:

1. Senate Resolution No. 76, requesting the Department of Transportation to report to the Senate Committee on Transportation regarding merchandise delivery fees at Honolulu International Airport; and
2. House Resolution No. 186, requesting improvements to the Waiaka bridge and junction, Hawaii County;

was referred to the Committee on Transportation.

A message from the Governor (Gov. Msg. No. 40) transmitting a report prepared by the Department of Transportation, December 1982, in response to Senate Resolution No. 97 (1982), requesting the Department of Transportation to study federal and state regulations relating to tinted motor vehicle glazing material, was referred to the Committee on Transportation.

A message from the Governor (Gov. Msg. No. 41) transmitting the Annual Evaluation Report on the Driver Education and Training Program, November 1982, prepared by the Department of Transportation, in response to House Resolution No. 274 (1971), was referred to the Committee on Transportation.

A message from the Governor (Gov. Msg. No. 42) transmitting a report prepared by the Department of Transportation, November 1982, in response to Senate Resolution No. 131 (1982), requesting the state and the county of Hawaii to continue discussions regarding the Saddle Road, was referred to the Committee on Transportation.

A message from the Governor (Gov. Msg. No. 43) transmitting a report prepared by the Department of Transportation, January 1983, in response to House Resolution No. 206

(1982), commending the efforts of the Department of Transportation, the Department of Accounting and General Services, and the Department of Education on their program of independent random safety inspections of school buses, and requesting continued monitoring, was referred to the Committee on Transportation.

A message from the Governor (Gov. Msg. No. 44) transmitting a report prepared by the Department of Transportation, January 10, 1983, in response to Senate Resolution No. 82 (1982), requesting the state Department of Transportation to conduct a study of the recreational boating program, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 45) transmitting the 1981 Annual Report of the State Energy Resources Coordinator, prepared by the Department of Planning and Economic Development, in compliance with Section 196-4(11), HRS, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 46) transmitting the 1982 Annual Report of the Research Corporation of the University of Hawaii, mandated by Section 307-6, HRS, was referred to the Committee on Higher Education.

A message from the Governor (Gov. Msg. No. 47) transmitting the Annual Financial Report of the State of Hawaii, Fiscal Year Ended June 30, 1982, prepared by the Comptroller, in response to Section 40-5, HRS, was referred to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 48) transmitting reports prepared by H. Mogi Planning and Research, Inc. under contract with the Department of Agriculture, November 1982, in response to the following respective resolutions adopted in 1982:

1. Senate Resolution No. 45, requesting a review of state and county land use and zoning laws and rules which impede the development of agriculture; and
2. House Resolution No. 235, requesting the preservation of watercress farmlands on Oahu;

was referred to the Committee on Agriculture.

DEPARTMENTAL COMMUNICATIONS

The following communications and publications (Dept. Com. Nos. 1 to 17) were read by the Clerk and were disposed of as follows:

A publication, entitled: "Hawaii Construction Model Further Developments," (Dept. Com. No. 1), prepared by the Department of Planning and Economic Development, 1982, was referred to the Committee on Housing and Urban Development.

A publication, entitled: "Hawaii Economic Research Reports," (Dept. Com. No. 2), Quarterly Statistical and Economic Report, Fourth Quarter 1982, prepared by the Research and Economic Analysis Division, Department of Planning and Economic Development, was referred to the Committee on Economic Development.

A communication from the University of Hawaii, John A. Burns School of Medicine, (Dept. Com. No. 3) transmitting copies of a new publication, "A Modest Miracle in the Pacific," was referred to the Committee on Higher Education.

A communication from the Department of Budget and Finance (Dept. Com. No. 4), dated November 29, 1982, transmitting certified statements and supporting schedules on the debt limit and total outstanding indebtedness of the State of Hawaii as of July 1, 1982, was referred to the Committee on Ways and Means.

A communication from the Department of Budget and Finance (Dept. Com. No. 5), dated December 8, 1982, transmitting the "Plan of Organization of the Executive Branch of the Hawaii State Government," Sixth Revised Edition, December 1982, was referred to the Committee on Ways and Means.

A publication, entitled: "The Economy of Hawaii 1982," (Dept. Com. No. 6), Annual Economic Report and Outlook with Forecasts for 1983 and 1984, prepared by the Department of Planning and Economic Development, was referred to the Committee on Economic Development.

A communication from the Department of Planning and Economic Development (Dept. Com. No. 7), dated December 16, 1982, transmitting copies of the Findings and Recommendations (dated December 13, 1982) of the State Plan Policy Council on the following twelve State

Functional Plans:

1. State Agriculture Plan, referred to the Committee on Agriculture;

2. State Conservation Lands Plan, referred to the Committee on Ecology, Environment and Recreation;

3. State Education Plan, referred to the Committee on Education;

4. State Energy Plan, referred to the Committee on Economic Development;

5. State Health Plan, referred to the Committee on Health;

6. State Higher Education Plan, referred to the Committee on Higher Education;

7. State Historic Preservation Plan, referred to the Committee on Ecology, Environment and Recreation;

8. State Housing Plan, referred to the Committee on Housing and Urban Development;

9. State Recreation Plan, referred to the Committee on Ecology, Environment and Recreation;

10. State Tourism Plan, referred to the Committee on Tourism;

11. State Transportation Plan, referred to the Committee on Transportation; and

12. State Water Resources Development Plan, referred to the Committee on Economic Development.

A communication from the Supreme Court of Hawaii (Dept. Com. No. 8), dated December 29, 1982, transmitting copies of "The Multi-Year Program and Financial Plan (1983-1989); Budget (1983-1985); and Variance Report (1981-1983)", dated December 1982, in compliance with Sections 601-2 and 37-92, HRS, was referred to the Committee on Judiciary.

A communication from the Office of the Auditor (Dept. Com. No. 9), dated January 3, 1983, transmitting copies of reports, entitled: "Sunset Evaluation Report, Elevator Mechanics, Chapter 448H, Hawaii Revised Statutes," Report No. 83-1, January 1983, and "Sunset Evaluation Report, Electricians and Plumbers, Chapter 448E, Hawaii Revised Statutes," Report No. 83-2, January 1983, was referred to the Committee

on Consumer Protection and Commerce.

A communication from the Department of Labor and Industrial Relations (Dept. Com. No. 10), dated December 29, 1982, transmitting copies of "A Study of Displaced Sugar Workers Focuses on Puna Sugar Company, Ltd.," December 1982, conducted at the urging of the 1981 State Legislature, was referred to the Committee on Human Resources.

A communication from the Office of the Auditor (Dept. Com. No. 11), dated January 5, 1983, transmitting copies of "Sunset Evaluation Report, Contractors, Chapter 444, Hawaii Revised Statutes," Report No. 83-3, January 1983, was referred to the Committee on Consumer Protection and Commerce.

A communication from the Office of the Auditor (Dept. Com. No. 12), dated January 7, 1983, transmitting copies of "Status Report, Grants, Subsidies, and Purchases of Service, Chapter 42, Hawaii Revised Statutes," Report No. 83-4, January 1983, was referred to the Committee on Government Operations and County Relations.

A communication from the Office of the Auditor (Dept. Com. No. 13), dated January 10, 1983, transmitting copies of "Sunset Evaluation Report, Professional Engineers, Architects, Surveyors and Landscape Architects, Chapter 464, Hawaii Revised Statutes," Report No. 83-5, January 1983, was referred to the Committee on Consumer Protection and Commerce.

A communication from the Office of the Administrative Director of the Courts, the Judiciary, (Dept. Com. No. 14), dated January 10, 1983, transmitting copies of the Judiciary's Annual Report, Fiscal Year 1981-82, together with a Statistical Supplement, was referred to the Committee on Judiciary.

A publication from the Office of the Superintendent, Department of Education, (Dept. Com. No. 15) entitled: "The Superintendent's Directions 1982-1983," was referred to the Committee on Education.

A communication from the Office of the Auditor (Dept. Com. No. 16), dated January 18, 1983, transmitting copies of "Sunset Evaluation Report, Public Accountancy, Chapter 466, Hawaii Revised Statutes," Report No. 83-6, January 1983, and "Sunset

Evaluation Report, Real Estate Brokers and Salesmen, Chapter 467, Hawaii Revised Statutes," Report No. 83-7, January 1983, was referred to the Committee on Consumer Protection and Commerce.

A communication from the Office of the Ombudsman (Dept. Com. No. 17), dated January 21, 1983, transmitting copies of the Annual Report of the Office of the Ombudsman, Fiscal Year 1981-1982, Report Number 13, January 1983, was referred to the Committee to the Committee on Legislative Management.

At 11:37 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:38 o'clock a.m.

The Chair, at this time, made the following announcement:

"The Chair would like to announce that bill introduction will begin tomorrow (Wednesday, January 26th), starting at 9:00 a.m.

"Just as a reminder, Senators are requested to observe the following guidelines: (1) Do not introduce any short form bills. The Minority Leader and I will be developing a short form bill package for introduction and you are asked to present any requests for short form bill titles for inclusion in the package; (2) Do not introduce any bills, the purpose of which is to appropriate money. Here again, the Minority Leader and I will be developing an appropriation bill package. Procedures will be established to assure all Senators the opportunity to present any appropriation recommendations that they may have. Each Senator, of course, may introduce one bill for CIP projects for his or her district; and (3) Please remember that the Senate shall not introduce any congratulatory or condolence resolutions and that we issue certificates instead.

"Thank you."

Senator Abercrombie then queried as follows:

"Mr. President, just a question, please.

"With respect to the announcement about appropriation bills, that is to say a bill introduced solely for the appropriation of money, does that mean a short form bill which merely

states that there is such and such an appropriation or blank amount of money for a particular project? Is that what you mean by such a bill which may not be introduced?"

The Chair answered that "it would cover a wider, broader subject matter area than a bill, for example, relating to economic development with a short purpose clause with a 'blank' for the amount."

Senator Abercrombie continued: "You do not want that kind of bill?"

The Chair replied: "No, the Minority Leader and I will be introducing several bills to be used as vehicles, should the need arise, for processing legislation."

Senator Abercrombie then stated and asked: "I understand that but I want to make sure. I have several bills that I have been working a long time on that have purpose clauses,

that have specific projects in mind and have appropriations associated with them. Are those bills appropriate to introduce?"

The Chair answered: "No. Before you do that, can we sit down and talk about it first?"

Senator Abercrombie replied: "What if I say no?"

The Chair answered: "Then, I guess we don't talk about it."

Senator Abercrombie then said: "Mr. President, I'm always happy to speak with you. Of course, I'm not allowed in very often to do it but..."

ADJOURNMENT

At 11:44 o'clock a.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, January 26, 1933.