

## FIFTEENTH DAY

Tuesday, February 8, 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 Robert Midley, Senior Minister, Central Union Church, after which the Roll was called showing all Senators present with the exception of Senators Aki, Holt, Machida and Mizuguchi who were excused.

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

At this time, Senator Ajifu, on behalf of Senator Toguchi and himself, introduced a group of 55 gifted and talented students from Benjamin Parker Elementary School, Kaneohe Elementary School, Kapunahala Elementary School, and Puohala Elementary School, Windward District, accompanied by their teachers: Mrs. Evelyn Teramae, Mrs. Jean Yoshikane, Mrs. Mercedes Menor, and Mrs. Ruby Hiraishi.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 71 to 73) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 71) transmitting a report prepared by the Hawaiian Sugar Planters' Association, entitled: "Semi-Annual Report to the State of Hawaii," for the period July 1 - December 31, 1982, dated January 21, 1983, in fulfillment of contract 14978 with the State of Hawaii, was referred to the Committee on Agriculture.

A message from the Governor (Gov. Msg. No. 72) transmitting a report prepared by the Department of Land and Natural Resources on Land Disposition; Subleases Approved by the Board of Land and Natural Resources; Executive Orders; and Dispositions to Public Utilities, dated January 1983, in response to Section 171-29, Hawaii Revised Statutes, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 73) transmitting a report, entitled: "The State Plan Policy Council Progress Report on Activities Conducted in Furtherance of the Hawaii State Plan," dated January

1983, prepared by the Planning Division, Department of Planning and Economic Development, was referred to the Committee on Economic Development.

## DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 22 and 23) were read by the Clerk and were disposed of as follows:

A communication from the Department of the Attorney General (Dept. Com. No. 22), dated February 1, 1983, acknowledging receipt of Senate Resolution No. 4 (1983), requesting all law enforcement agencies in the State of Hawaii to delay issuance of citations against motor vehicles with tinted windows pending development of standards by the Legislature, was placed on file.

A report from the Department of Planning and Economic Development (Dept. Com. No. 23), entitled: "Bibliography of Tourism Projections Issued since 1976, Statistical Report 158," January 21, 1983, prepared by the Research and Economic Analysis Division of the Department of Planning and Economic Development, was referred to the Committee on Tourism.

## SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 19 and 20) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 19), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HOLDING OF A PUBLIC HEARING TO INVESTIGATE THE REASONS FOR THE DIFFICULTY OF MEMBERS WHO ARE ENROLLED WITH THE KAISER HEALTH PLAN IN OBTAINING APPOINTMENTS FOR EXAMINATIONS," was offered by Senators Kawasaki, Kuroda, Hagino, Cobb, Cayetano, Carpenter, A. Kobayashi, Mizuguchi, Fernandes Salling, Solomon, Machida, Ajifu and Holt.

By unanimous consent, S.C.R. No. 19 was referred to the Committee on Health.

A concurrent resolution (S.C.R. No. 20), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CONGRESS OF THE UNITED STATES AND THE PRESIDENT OF

THE UNITED STATES TO ENSURE THE RELEASE OF \$7,000,000 APPROPRIATED BY CONGRESS TO ASSIST HAWAII DAIRY FARMERS UNDER THE DAIRY INDEMNITY PROGRAM," was offered by Senators Toguchi and Aki.

By unanimous consent, S.C.R. No. 20 was referred to the Committee on Agriculture.

#### SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 16 and 17) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 16), entitled: "SENATE RESOLUTION REQUESTING THE HOLDING OF A PUBLIC HEARING TO INVESTIGATE THE REASONS FOR THE DIFFICULTY OF MEMBERS WHO ARE ENROLLED WITH THE KAISER HEALTH PLAN IN OBTAINING APPOINTMENTS FOR EXAMINATIONS," was offered by Senators Kawasaki, Cayetano, Holt, Ajifu, Mizuguchi, Machida, Carpenter, Hagino, Kuroda, Solomon, Fernandes Salling, Cobb and A. Kobayashi.

By unanimous consent, S.R. No. 16 was referred to the Committee on Health.

A resolution (S.R. No. 17), entitled: "SENATE RESOLUTION REQUESTING A FEASIBILITY STUDY FOR CONSTRUCTION OF A CONVENTION CENTER," was offered by Senators Kuroda, Aki, Fernandes Salling, Uwaine, Hagino, Holt, Soares, Solomon, Cobb, B. Kobayashi, Abercrombie, Toguchi and Chang.

By unanimous consent, S.R. No. 17 was referred to the Committee on Tourism.

#### INTRODUCTION OF SENATE BILLS

On motion by Senator Cobb, seconded by Senator Soares and carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Wednesday, February 9, 1983:

#### Senate Bills

No. 450 "A BILL FOR AN ACT RELATING TO CONDOMINIUM MANAGEMENT."

Introduced by: Senators Fernandes Salling, Aki, A. Kobayashi, Ajifu, Cobb, Kawasaki, Hagino, Kuroda, Solomon, Cayetano, Toguchi and Carpenter.

No. 451 "A BILL FOR AN ACT RELATING TO CONDOMINIUM MANAGEMENT."

Introduced by: Senators Fernandes Salling, Aki, A. Kobayashi, Ajifu, Kuroda, Carpenter, Solomon, Cayetano, Toguchi and Kawasaki.

No. 452 "A BILL FOR AN ACT RELATING TO CONDOMINIUM MANAGEMENT."

Introduced by: Senators Fernandes Salling, Carpenter, Kawasaki, Aki, Cayetano, Toguchi, Ajifu, Solomon, Kuroda and Hagino.

No. 453 "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS."

Introduced by: Senator Ajifu.

No. 454 "A BILL FOR AN ACT RELATING TO FILM MAKING."

Introduced by: Senator Uwaine.

No. 455 "A BILL FOR AN ACT RELATING TO THE VISITOR INDUSTRY."

Introduced by: Senator Uwaine.

No. 456 "A BILL FOR AN ACT RELATING TO WATER CARRIERS."

Introduced by: Senators Yamasaki, Machida, Toguchi, Aki, B. Kobayashi, Soares, Holt, Ajifu, Henderson, George, Solomon, A. Kobayashi, Fernandes Salling, Uwaine, Kuroda, Mizuguchi, Carpenter, Chang, Abercrombie and Cayetano.

No. 457 "A BILL FOR AN ACT RELATING TO INCOME TAX."

Introduced by: Senators Yamasaki, Holt, Hagino, B. Kobayashi, Kawasaki, Young, Solomon, Soares, Henderson, George, Aki, Fernandes Salling, Uwaine, Kuroda, Mizuguchi, Toguchi, Carpenter, Chang, Machida, Ajifu and A. Kobayashi.

No. 458 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ASSISTANCE TO OPERATORS OF ADULT BOARDING HOMES AND CARE HOMES."

Introduced by: Senators Fernandes Salling, Young, Solomon, Chang, Yamasaki, A. Kobayashi and Cayetano.

No. 459 "A BILL FOR AN ACT

RELATING TO TAXATION."

Introduced by: Senators Chang, Hagino, Yamasaki, Aki, Abercrombie, Holt, Uwaine, Carpenter, Fernandes Salling, Kuroda, Cobb, Ajifu, Kawasaki, A. Kobayashi, Mizuguchi, Toguchi, Machida, Solomon, Cayetano, Soares and Wong.

No. 460 "A BILL FOR AN ACT RELATING TO RESIDENTIAL LANDLORD-TENANT CODE."

Introduced by: Senators Young and Fernandes Salling.

No. 461 "A BILL FOR AN ACT RELATING TO ZONING."

Introduced by: Senator Young.

No. 462 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Young, by request.

No. 463 "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY."

Introduced by: Senator Young, by request.

No. 464 "A BILL FOR AN ACT RELATING TO SALES OF REAL PROPERTY."

Introduced by: Senator Young, by request.

No. 465 "A BILL FOR AN ACT RELATING TO THE COUNCIL OF HOUSING AND CONSTRUCTION INDUSTRY."

Introduced by: Senator Young, by request.

No. 466 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Senators Young and Fernandes Salling.

No. 467 "A BILL FOR AN ACT RELATING TO MARRIAGE."

Introduced by: Senators Young and Fernandes Salling.

No. 468 "A BILL FOR AN ACT RELATING TO THE HAWAII HOME EQUITY BANK."

Introduced by: Senator Cayetano, by request.

No. 469 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Senator Cobb.

No. 470 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL."

Introduced by: Senators Carpenter, Cayetano, Abercrombie, Yamasaki, A. Kobayashi, Soares, Aki and Cobb.

No. 471 "A BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION."

Introduced by: Senators Carpenter, Yamasaki, A. Kobayashi, Soares, Aki and Cayetano.

No. 472 "A BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION."

Introduced by: Senators Carpenter, Yamasaki, A. Kobayashi, Soares, Aki, Cayetano and Cobb.

No. 473 "A BILL FOR AN ACT RELATING TO PHYSICAL THERAPY."

Introduced by: Senators Machida, Fernandes Salling, Solomon, Hagino, Kawasaki, Uwaine, Soares, George, Yamasaki, Kuroda, B. Kobayashi, Young, Chang, Cobb, Aki and Cayetano.

#### STANDING COMMITTEE REPORT

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 13) informing the Senate that Senate Concurrent Resolution Nos. 19 and 20, Senate Resolution Nos. 16 and 17, and Senate Bill Nos. 419 to 449 have been printed and have been distributed to the members of the Senate.

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

#### ORDER OF THE DAY

#### REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Monday, February 7, 1983:

Senate Bills Referred to:

- |         |                                                                                                 |         |                                                                                                               |
|---------|-------------------------------------------------------------------------------------------------|---------|---------------------------------------------------------------------------------------------------------------|
| No. 419 | Committee on Govern-<br>ment Operations and County<br>Relations                                 | No. 435 | Committee on Consumer<br>Protection and Commerce                                                              |
| No. 420 | Committee on Housing<br>and Urban Development, then to the<br>Committee on Ways and Means       | No. 436 | Committee on Judiciary                                                                                        |
| No. 421 | Committee on Human<br>Resources                                                                 | No. 437 | Committee on Judiciary,<br>then to the Committee on Ways and<br>Means                                         |
| No. 422 | Committee on Judiciary                                                                          | No. 438 | Committee on Consumer<br>Protection and Commerce                                                              |
| No. 423 | Committee on Health,<br>then to the Committee on Ways and<br>Means                              | No. 439 | Committee on Trans-<br>portation, then to the Committee on<br>Judiciary                                       |
| No. 424 | Committee on Ecology,<br>Environment and Recreation, then<br>to the Committee on Ways and Means | No. 440 | Committee on Judiciary                                                                                        |
| No. 425 | Committee on Judiciary,<br>then to the Committee on Ways and<br>Means                           | No. 441 | Committee on Judiciary                                                                                        |
| No. 426 | Committee on Youth and<br>Elderly Affairs, then to the Commit-<br>tee on Ways and Means         | No. 442 | Committee on Govern-<br>ment Operations and County Re-<br>lations, then to the Committee on<br>Ways and Means |
| No. 427 | Committee on Tourism,<br>then to the Committee on Ways and<br>Means                             | No. 443 | Committee on Judiciary                                                                                        |
| No. 428 | Committee on Consumer<br>Protection and Commerce                                                | No. 444 | Committee on Judiciary                                                                                        |
| No. 429 | Committee on Education,<br>then to the Committee on Ways and<br>Means                           | No. 445 | Committee on Judiciary                                                                                        |
| No. 430 | Committee on Culture<br>and Arts                                                                | No. 446 | Committee on Judiciary                                                                                        |
| No. 431 | Committee on Human<br>Resources, then to the Committee<br>on Ways and Means                     | No. 447 | Committee on Judiciary                                                                                        |
| No. 432 | Committee on Economic<br>Development, then to the Committee<br>on Ways and Means                | No. 448 | Committee on Judiciary                                                                                        |
| No. 433 | Committee on Agri-<br>culture, then to the Committee on<br>Ways and Means                       | No. 449 | Committee on Legisla-<br>tive Management                                                                      |
| No. 434 | Committee on Judiciary                                                                          |         |                                                                                                               |

The President then announced that a memo will be sent out by his office to all members of the Senate, sometime this afternoon, on guidelines regarding the introduction of appropriation and CIP bills.

#### ADJOURNMENT

At 11:46 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, February 9, 1983.