

## TWENTY-SIXTH DAY

Thursday, March 1, 1984

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1984, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Mr. Bob Anders, Pastor of the First Baptist Church of Nanakuli, after which the Roll was called showing all Senators present with the exception of Senators Chang and Machida who were excused.

The Chair announced that he had read and approved the Journal of the Twenty-Fifth Day.

## DEPARTMENTAL COMMUNICATION

A communication from the Office of the Auditor (Dept. Com. No. 23), transmitting copies of a report entitled, "Evaluation of Job Sharing in the Department of Education: Tenured Employee Pairings and Public Librarians," Report No. 84-15, February 1984, was read by the Clerk and was referred to the Committee on Education.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 20 to 28) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 20), transmitting House Concurrent Resolution No. 15, which was adopted by the House of Representatives on February 29, 1984, was placed on file.

By unanimous consent, H.C.R. No. 15, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES NAVY TO MAKE AVAILABLE A SMALL PART OF THE INNER HARBOR AND LAND OF MIDWAY ISLAND TO THE STATE OF HAWAII FOR USE AS A CIVILIAN FISHING BASE," was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 21), transmitting House Bill No. 1662-84, which passed Third Reading in the House of Representatives on February 29, 1984, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1662-84, entitled: "A BILL FOR AN ACT RELATING TO

CHILDREN'S MENTAL HEALTH SERVICES," passed First Reading by title and was referred to the Committee on Health.

A communication from the House (Hse. Com. No. 22), transmitting House Bill No. 1678-84, which passed Third Reading in the House of Representatives on February 29, 1984, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1678-84, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES FOR THE PURPOSE OF CORRECTING ERRORS, CLARIFYING LANGUAGE, CORRECTING REFERENCES, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS," passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 23), transmitting House Bill No. 1777-84, which passed Third Reading in the House of Representatives on February 29, 1984, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1777-84, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 26H, HAWAII REGULATORY LICENSING REFORM ACT," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 24), transmitting House Bill No. 1786-84, which passed Third Reading in the House of Representatives on February 29, 1984, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1786-84, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DENTAL EXAMINERS," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 25), transmitting House Bill No. 1788-84, which passed Third Reading in the House of Representatives on February 29, 1984, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1788-84, entitled: "A BILL FOR AN ACT RELATING TO ITINERANT VENDORS," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 26), transmitting House Bill No. 1799-84, which passed Third Reading in the House of Representatives on February 29, 1984, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1799-84, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASEHOLDS," passed First Reading by title and was referred to the Committee on Housing and Urban Development.

A communication from the House (Hse. Com. No. 27), transmitting House Bill No. 1818-84, which passed Third Reading in the House of Representatives on February 29, 1984, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1818-84, entitled: "A BILL FOR AN ACT RELATING TO NURSING," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 28), transmitting House Bill No. 1854-84, which passed Third Reading in the House of Representatives on February 29, 1984, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1854-84, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION," passed First Reading by title and was referred to the Committee on Judiciary.

#### SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 33 and 34) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 33), entitled: "SENATE CONCURRENT RESOLUTION INVESTIGATING THE EVENTS AT HILO HOSPITAL," was offered by Senators Henderson, Carpenter and Solomon.

By unanimous consent, action on

S.C.R. No. 33 was deferred until Friday, March 2, 1984.

A concurrent resolution (S.C.R. No. 34), entitled: "SENATE CONCURRENT RESOLUTION URGING THE RETURN OF THE NORTHERN TERRITORIES TO JAPAN," was offered by Senators Kuroda, Kawasaki, B. Kobayashi, Yamasaki, Chang, Mizuguchi, Uwaine, Ajifu, A. Kobayashi, Aki, Cobb, Cayetano, Fernandes Salling, Soares, Hagino, Young, Toguchi, Solomon, Abercrombie, Machida and Carpenter.

By unanimous consent, action on S.C.R. No. 34 was deferred until Friday, March 2, 1984.

#### SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 33 to 39) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 33), entitled: "SENATE RESOLUTION REQUESTING A FEASIBILITY STUDY FOR THE ESTABLISHMENT OF A CONVENTION CENTER," was offered by Senators Soares, A. Kobayashi, George, Henderson and Ajifu.

By unanimous consent, action on S.R. No. 33 was deferred until Friday, March 2, 1984.

A resolution (S.R. No. 34), entitled: "SENATE RESOLUTION INVESTIGATING THE EVENTS AT HILO HOSPITAL," was offered by Senators Henderson, Carpenter and Solomon.

By unanimous consent, action on S.R. No. 34 was deferred until Friday, March 2, 1984.

A resolution (S.R. No. 35), entitled: "SENATE RESOLUTION URGING THE RETURN OF THE NORTHERN TERRITORIES TO JAPAN," was offered by Senators Kuroda, Kawasaki, B. Kobayashi, Yamasaki, Mizuguchi, Uwaine, Ajifu, A. Kobayashi, Aki, Fernandes Salling, Cobb, Chang, Soares, Hagino, Young, Abercrombie, Toguchi, Solomon, Machida, Carpenter and Cayetano.

By unanimous consent, action on S.R. No. 35 was deferred until Friday, March 2, 1984.

A resolution (S.R. No. 36), entitled: "SENATE RESOLUTION REQUESTING THE DOE TO ESTABLISH A NEW PUBLIC LIBRARY FOR

KAILUA-KONA AS SOON AS POSSIBLE," was offered by Senators Henderson, Solomon, Carpenter, Abercrombie, A. Kobayashi, Aki, Kuroda, Cayetano, Toguchi, Mizuguchi and Young.

By unanimous consent, action on S.R. No. 36 was deferred until Friday, March 2, 1984.

A resolution (S.R. No. 37), entitled: "SENATE RESOLUTION REQUESTING HONOLULU COMMUNITY COLLEGE TO IMPLEMENT A PILOT PROGRAM ON NON-CREDIT COURSES FOR SMALL BUSINESS," was offered by Senators Holt, Chang, Abercrombie, Kuroda, Aki, Cobb, Uwayne, A. Kobayashi, Machida, Ajifu, Mizuguchi, George, Carpenter, Hagino, Solomon, Henderson, Yamasaki, Young, Fernandes Salling, Toguchi and Cayetano.

By unanimous consent, action on S.R. No. 37 was deferred until Friday, March 2, 1984.

A resolution (S.R. No. 38), entitled: "SENATE RESOLUTION REQUESTING THE BOARD OF REGENTS AND THE UNIVERSITY OF HAWAII TO SUBMIT A COMPREHENSIVE REPORT ON ITS ASSESSMENT OF THE NEED AND SUBSEQUENT IMPACT OF ADOPTING AND IMPLEMENTING MORE RIGOROUS STANDARDS FOR ADMISSION," was offered by Senators Holt, A. Kobayashi, Mizuguchi, Solomon, Young, Yamasaki, Cayetano, Toguchi, Abercrombie, Uwayne, Henderson, Aki, Cobb, Kuroda, Machida, George, Kawasaki, Chang, Carpenter, Fernandes Salling and Ajifu.

By unanimous consent, action on S.R. No. 38 was deferred until Friday, March 2, 1984.

A resolution (S.R. No. 39), entitled: "SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII WITH THE ASSISTANCE OF THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO EXPEDITIOUSLY IMPLEMENT A PROGRAM TO BUY USED BOOKS DIRECTLY FROM AND TO INSURE A REASONABLE PRICE FOR STUDENTS," was offered by Senators Holt, A. Kobayashi, Mizuguchi, Hagino, Solomon, Young, Yamasaki, Cayetano, Toguchi, Abercrombie, Uwayne, Henderson, Aki, Cobb, Kuroda, Machida, George, Kawasaki, Chang, Carpenter, Fernandes Salling and Ajifu.

By unanimous consent, action on

S.R. No. 39 was deferred until Friday, March 2, 1984.

#### STANDING COMMITTEE REPORTS

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 30-84) recommending that Senate Bill No. 1493-84, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1493-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 31-84) recommending that Senate Bill No. 1520-84, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1520-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATEWIDE TRANSITION TO WORK SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 32-84) recommending that Senate Bill No. 1524-84, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1524-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MANDATORY RETIREMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand., Com. Rep. No. 33-84) recommending that Senate Bill No. 1525-84, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee

was adopted and S.B. No. 1525-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kuroda, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 34-84) recommending that Senate Bill No. 928, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 928, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIKING TRAILS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kuroda, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 35-84) recommending that Senate Bill No. 1927-84 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1927-84, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PROMOTING AND ADVERTISING OF THE ISLAND OF MOLOKAI AS A VISITOR DESTINATION AREA," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 36-84) recommending that Senate Bill No. 1546-84, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1546-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICE FEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Young and Cobb, for the Committee on Housing and Urban Development and the Committee on Consumer Protection and Commerce, presented a joint report (Stand. Com. Rep. No. 37-84) recommending that Senate Bill No. 1564-84, as amended

in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the joint report of the Committees was adopted and S.B. No. 1564-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FACTORY BUILT HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 38-84) recommending that Senate Bill No. 1847-84 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1847-84, entitled: "A BILL FOR AN ACT RELATING TO THE PATIENT EMPLOYMENT PROGRAM AT FACILITIES FOR THE TREATMENT OF PERSONS SUFFERING FROM HANSEN'S DISEASE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 39-84) recommending that Senate Bill No. 1532-84, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1532-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 5, 1984.

Senator Young, for the Committee on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 40-84) recommending that Senate Bill No. 1533-84 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1533-84, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF IMPROVEMENT DISTRICT BONDS FOR HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Second Reading

and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 41-84) recommending that Senate Bill No. 1536-84 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1536-84, entitled: "A BILL FOR AN ACT RELATING TO HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the majority of the Committee on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 42-84) recommending that Senate Bill No. 1570-84 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.B. No. 1570-84, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASEHOLDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 43-84) recommending that Senate Bill No. 1572-84 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1572-84, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASEHOLDS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 5, 1984.

Senator Young, for the Committee on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 44-84) recommending that Senate Bill No. 1573-84 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1573-84, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN

AND MORTGAGE PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 45-84) recommending that Senate Bill No. 2098-84, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 2098-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ETHICS," passed Second Reading and was referred to the Committee on Judiciary.

Senator B. Kobayashi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 46-84) recommending that Senate Bill No. 1583-84, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1583-84, S. D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Second Reading and was referred to the Committee on Judiciary.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 47-84) recommending that Senate Bill No. 2091-84, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 2091-84, S. D. 1, entitled: "A BILL FOR AN ACT MAKING VARIOUS APPROPRIATIONS," passed Second Reading and was referred to the Committee on Ways and Means.

#### ORDER OF THE DAY

#### MISCELLANEOUS COMMUNICATION

A communication from the Chairman of the Association of Depositors of Manoa Finance and Great Hawaiian Legal Fund, dated March 1, 1984 (Misc. Com. No. 4), entitled: "An Appeal to 1984 State Legislature Now in Session to Take Immediate Action to Enforce the 1977 Law to Pay

\$10,000 Guarantee to Manoa Finance and Great Hawaiian Depositors," was read by the Clerk and was placed on file.

At 11:42 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:44 o'clock a.m.

At this time, Senator Abercrombie rose and stated:

"Mr. President, in the way of an announcement, may I solicit the members' attention to the fact that at this time there is quite a large group of people in the rotunda who are having a rally today, representing those people who had funds deposited with Manoa Finance and Great Hawaiian. They are here seeking to have the Thrift Guaranty Corporation meet their \$10,000 obligation, commonly known as the guarantee, and they would certainly appreciate the opportunity to speak with the members here to seek their support in turn for their quest to have Thrift Guaranty Corporation make good on the guarantee.

"Many of these people are in their 70's and 80's. Life savings were involved in this and I hope that the members would take just a few minutes to go out and express their concern."

Senator Kawasaki rose on a point of personal privilege and stated:

"Mr. President, I'd like to correct, for the record, a very erroneous impression which, if it wasn't for the fact that I consider it an inadvertent error, I consider highly insulting. An article that appeared in the "Honolulu" magazine, written by Mr. Richard Borreca, stating that I was once the Executive Director of the HGEA. I plead guilty to having served as a director, not as the executive, paid director.

"As a director of HGEA in the years 1958 to 1960, we moved to bring about quite a bit of reforms in the organization, including bringing in nine new directors, completely overturning at that time what was the statewide directorship. We instituted a number of reforms. As a matter of record, if anybody is interested, I'd be glad to recite some of these reforms.

"To say that I was the executive director is highly insulting to me. I would not take that position for half-a-million dollars per year, and if HGEA doesn't believe me, try me.

"Also, I was a little concerned because the article apparently created an inference that a lot of us here, including myself, are beholden to the organization, that we're controlled and they dictate to us what our action should be here. Now, this is far from the truth. The HGEA has never in the past; and never will in the future, dictate to me what my action should be here. I'd like that fact to be established."

At this time, the President made an announcement as follows:

"The Chair would like to ask all Senators to remain in the building for the good part of the day in order to be available to sign committee reports. Secondly, the Chair would also like to remind the chairmen of the respective committees that the reports are due on the Clerk's desk by 4:30 p.m., today.

"And, with reference to the caucus for the Majority tomorrow morning, please bring the bills that are to be voted upon."

#### ADJOURNMENT

At 11:50 o'clock a.m., on motion by Senator Cobb and seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m, Friday, March 2, 1984.