

TWENTY-SEVENTH DAY

Friday, March 2, 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 Brother John McCluskey, S.M., Kieffer Marianist Community, after which the Roll was called showing all Senators present.

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

The following introductions were then made to the members of the Senate:

Senator Holt introduced a group of 125 second grade students from Kalihi-Kai Elementary School, accompanied by their teachers: Ms. Mildred Tokushige, Ms. Dagmar Uehara, Ms. Yvonne Kemp, Ms. Elsie Kobayashi and Ms. Ayako Shimizu.

Senator Kuroda then introduced Mr. Aaron Mahi, Bandmaster of the Royal Hawaiian Band, and stated as follows:

"Mr. President and members of the Senate, the Royal Hawaiian Band with the support of the Hawaii State Legislature, through the Hawaii Visitors Bureau, and the Friends of the Royal Hawaiian Band toured Europe in 1983 performing in 15 concerts before 17,000 people and over 24 million people viewed the performances on television.

"A report prepared on that trip reads: 'Wherever the Royal Hawaiian Band played there was, first, astonishment, quickly followed by delight that Hawaii was capable of so much culture. The prevailing European view of the Islands clearly have been that Hawaii was either quite unreal or else characterized by the type of sentimentality inspired by Hollywood.

The formal opening of the anthems, the high musical standards of the band, the impressive Hula Kahiko, the singing and dancing, all combined to render a performance unforgettable to those who had the opportunity to attend.

There can be little doubt that the Royal Hawaiian Band with a format such as was presented is one of the best instruments to promote the State

of Hawaii not only touristically but also culturally.

It has become clear that in the minds of those who witnessed the concerts or watched the performance on television, it placed Hawaii once again in its proper perspective to a continent which in the 19th century seemed to have been more closely linked. The band is at the center of all that is good about Hawaii and is ready to play a role in state, national and international levels.'

"In Germany, Mr. President, the schellenbaum was presented to Mr. Mahi. A schellenbaum is a bell tree which is awarded in Germany to bands of royal heritage. The schellenbaum that was presented to Mr. Mahi is a duplicate of a replica of one presented to King Kalakaua in 1881 by Kaiser Wilhelm II. It was destroyed during the revolutionary period in Hawaii but the Friends of the Royal Hawaiian Band and the German Benevolent Society provided the funds to produce this replica. I have a picture of the schellenbaum. The schellenbaum itself is too heavy for Mr. Mahi to bring it here."

Mr. Mahi was then asked to rise and be recognized and was presented with a Senate Certificate by Senator Kuroda and a lei by Senator Young.

Senator Kuroda also introduced Mr. Kurt Herrmann, guest of Mr. Mahi, and stated:

"Mr. President, Mr. Herrmann is the music director of the City of Heiterbach. Heiterbach is in Schwarzwald which is more commonly known as the Black Forest.

"Mr. Herrmann has been visiting Hawaii for the past four years, befriended Mr. Mahi, and when he learned that Mr. Mahi will be taking the Royal Hawaiian Band to Europe, Mr. Herrmann made many contacts for him. Mr. Mahi and the band were astounded when they approached Heiterbach and were greeted by 3,000 people. Truly, Mr. Herrmann is a friend of Hawaii."

Mr. Herrmann rose to be recognized and was presented with a lei by Senator Solomon.

At 11:48 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:51 o'clock a.m.

Senator Toguchi then introduced a group of students from BYU, Hawaii Campus -- Trudy Mailo, Jeannie Aiolutotea, Mele Cocker, Ana Hafoka, Elmer Mauga and Joseph Wong, accompanied by their teacher, Ms. Shirley Furuto.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 29 to 39) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 29), transmitting House Concurrent Resolution No. 41, H.D. 1, which was adopted by the House of Representatives on March 1, 1984, was placed on file.

By unanimous consent, H.C.R. No. 41, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING STATE ACQUISITION OF MAKENA BIG BEACH, MAUI," was referred to the Committee on Tourism.

A communication from the House (Hse. Com. No. 30), transmitting House Bill No. 787, H.D. 1, which passed Third Reading in the House of Representatives on March 1, 1984, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 787, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 31), transmitting House Bill No. 788, H.D. 1, which passed Third Reading in the House of Representatives on March 1, 1984, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 788, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NOTARIES PUBLIC," passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 32), transmitting House Bill No. 789, H.D. 1, which passed Third Reading in the House of Representatives on March 1, 1984, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 789, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 33), transmitting House Bill No. 1740-84, which passed Third Reading in the House of Representatives on March 1, 1984, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1740-84, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON THE HANDICAPPED," passed First Reading by title and was referred to the Committee on Health.

A communication from the House (Hse. Com. No. 34), transmitting House Bill No. 1766-84, which passed Third Reading in the House of Representatives on March 1, 1984, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1766-84, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 35), transmitting House Bill No. 1851-84, H.D. 1, which passed Third Reading in the House of Representatives on March 1, 1984, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1851-84, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 36), transmitting House Bill No. 1863-84, H.D. 1, which passed Third Reading in the House of Representatives on March 1, 1984, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1863-84, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY RESTRAINING ORDERS," passed First

Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 37), transmitting House Bill No. 1926-84, H.D. 1, which passed Third Reading in the House of Representatives on March 1, 1984, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1926-84, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 38), transmitting House Bill No. 1985-84, which passed Third Reading in the House of Representatives on March 1, 1984, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1985-84, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY," passed First Reading by title and was referred to the Committee on Housing and Urban Development.

A communication from the House (Hse. Com. No. 39), transmitting House Bill No. 2012-84, H.D. 1, which passed Third Reading in the House of Representatives on March 1, 1984, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 2012-84, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 35), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE TAX REVIEW COMMISSION TO EXAMINE MEASURES TO ENCOURAGE THE FLOW OF VENTURE CAPITAL INTO HAWAII," was offered by Senators Henderson, Soares, A. Kobayashi, Ajifu and George, and was read by the Clerk.

By unanimous consent, S.C.R. No. 35 was referred to the Committee on Ways and Means.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 40 and 41) were read by the

Clerk and were disposed of as follows:

A resolution (S.R. No. 40), entitled: "SENATE RESOLUTION URGING THE IMMEDIATE RELEASE OF FUNDS FOR THE CONSTRUCTION OF THE AHUKINI CUTOFF ROAD PROJECT," was offered by Senator Fernandes Salling.

By unanimous consent, S.R. No. 40 was referred to the Committee on Transportation.

A resolution (S.R. No. 41), entitled: "SENATE RESOLUTION REQUESTING THE STATE TAX REVIEW COMMISSION TO EXAMINE MEASURES TO ENCOURAGE THE FLOW OF VENTURE CAPITAL INTO HAWAII," was offered by Senators Henderson, Soares, A. Kobayashi, Ajifu and George.

By unanimous consent, S.R. No. 41 was referred to the Committee on Ways and Means, then to the Committee on Legislative Management.

At 11:53 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:59 o'clock a.m.

STANDING COMMITTEE REPORTS

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 48-84) recommending that Senate Bill No. 2230-84 pass Second Reading and be referred to the Committee on Ways and Means.

Senator Cobb moved that the report of the Committee be adopted and that S.B. No. 2230-84 pass Second Reading and be referred to the Committee on Ways and Means, seconded by Senator Soares.

Senator Kawasaki rose to speak against the measure and stated:

"Mr. President, I want to register a 'no' vote on this committee report as well as Stand. Com. Rep. Nos. 51, 55, 77, 79, 81, 92, 96, 119, 126, 127, 136, 137, and 139.

"Mr. President, I'm voting 'no' on these bills even on second reading because I generally find the subject matter and the contents of these bills to be such that I could not, in good conscience, vote for these bills.

"I'm particularly concerned about the revenue bonds that some of the medical institutions are asking for us to approve.

"As I predicted years ago when the very first request such as this came to us that it was going to open a Pandora's box of requests in the future, and that is exactly what has taken place.

"These special purpose revenue bonds for the hospitals, for the utilities, ostensibly were advocated by the proponents on the grounds that this might incur savings to these organizations and these savings would be passed on to the consumers, ultimately. Well, after several years of having passed these revenue bonds, we find that, really, savings didn't get passed on to the consumers at all; that this is just a gimmick for these organizations to take advantage of the fact that they would save in non-payment of taxes and the benefits did not accrue to the public as they had claimed it would some day.

"For this reason, I find that I cannot, even on second reading, vote for these bills. I will be a party to the discussions that will take place in Ways and Means on these bills."

The Chair then asked if there were "any further objections by members of the Senate with reference to the bills on lateral movement?"

Noting that there were no further objections, the Chair ordered the Clerk to record a 'no' vote for Senator Kawasaki on Stand. Com. Rep. Nos. 48-84, 51-84, 55-84, 77-84, 79-84, 81-84, 92-84, 96-84, 119-84, 126-84, 127-84, 136-84, 137-84, and 139-84; for Senator Abercrombie on Stand. Com. Rep. No. 92-84.

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 48-84 was adopted and S.B. No. 2230-84, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES TO THE GENERAL PUBLIC," passed Second Reading and was referred to the Committee on Ways and Means on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 49-84) recommending that Senate Bill No. 1514-84 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. 1514-84, entitled: "A BILL FOR AN ACT RELATING TO STATE COMPREHENSIVE EMERGENCY MEDICAL SERVICES SYSTEMS," 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. 50-84) recommending that Senate Bill No. 1600-84 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. 1600-84, entitled: "A BILL FOR AN ACT RELATING TO LIFE-SAVING SERVICES FOR STATE PARKS," 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. 51-84) recommending that Senate Bill No. 2229-84, 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. 2229-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS FOR HEALTH CARE FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 52-84) recommending that Senate Bill No. 2032-84 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. 2032-84, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR THE POHAI NANI GOOD SAMARITAN KAUHALE HEALTH CARE FACILITY FOR THE ELDERLY," passed Second Reading and was

referred to the Committee on Ways and Means.

Senator Kawasaki, for the Committee on Government Operations and County Relations, presented a report (Stand. Com. Rep. No. 53-84) recommending that Senate Bill No. 2209-84, 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. 2209-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GRANTS, SUBSIDIES, AND PURCHASES OF SERVICE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawasaki, for the Committee on Government Operations and County Relations, presented a report (Stand. Com. Rep. No. 54-84) recommending that Senate Bill No. 1668-84, as amended in S.D. 1, pass Second Reading and be referred to the Committee Transportation.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1668-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED VEHICLES," passed Second Reading and was referred to the Committee on Transportation.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 55-84) recommending that Senate Bill No. 2241-84, 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. 2241-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS FOR KUAKINI MEDICAL CENTER," passed Second Reading and was referred to the Committee on Ways and Means on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 56-84) recommending that Senate Bill No. 2052-84 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. 2052-84, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR OPERATION OF THE WAIANAE COAST COMPREHENSIVE HEALTH CENTER, OAHU, FOR 24-HOUR EMERGENCY HEALTH SERVICES," 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. 57-84) recommending that Senate Bill No. 1843-84 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. 1843-84, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HILO HOSPITAL, HILO, COUNTY OF HAWAII," 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. 58-84) recommending that Senate Bill No. 2189-84 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator and carried, the report of the Committee was adopted and S.B. No. 2189-84, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR STATE/COUNTY HOSPITALS," 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. 59-84) recommending that Senate Bill No. 2236-84 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. 2236-84, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE COMMUNITY MENTAL HEALTH SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 60-84)

recommending that Senate Bill No. 1670-84, 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. 1670-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE APPOINTMENT OF INTERPRETERS FOR HEARING-IMPAIRED INDIVIDUALS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 61-84) recommending that Senate Bill No. 1736-84, 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. 1736-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIAL SALARY COMMISSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 62-84) recommending that Senate Bill No. 2137-84, 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. 2137-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AWARDS OF ATTORNEY'S FEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 63-84) recommending that Senate Bill No. 2141-84 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. 2141-84, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CRIME COMMISSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator B. Kobayashi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 64-84) recommending that Senate Bill No. 1706-84, 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. 1706-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator B. Kobayashi, for the majority of the Committee on Transportation, presented a report (Stand. Com. Rep. No. 65-84) recommending that Senate Bill No. 1638-84, 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 majority of the Committee was adopted and S.B. No. 1638-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator B. Kobayashi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 66-84) recommending that Senate Bill No. 535, 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. 535, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VEHICULAR TAXES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 67-84) recommending that Senate Bill No. 2031-84, 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. 2031-84, S.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO COMPENSATION FOR APPOINTED COUNSEL IN CRIMINAL CASES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 68-84) recommending that Senate Bill No. 1730-84, 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. 1730-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 69-84) recommending that Senate Bill No. 1947-84 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. 1947-84, entitled: "A BILL FOR AN ACT RELATING TO VICTIM-WITNESS ASSISTANCE PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 70-84) recommending that Senate Bill No. 2142-84 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. 2142-84, entitled: "A BILL FOR AN ACT RELATING TO A PRE-RELEASE FURLOUGH PROGRAM FOR INCARCERATED FEMALES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 71-84) recommending that Senate Bill No. 1946-84, 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. 1946-84, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE AID TO VICTIMS COORDINATOR PROGRAMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 72-84) recommending that Senate Bill No. 2149-84, 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 majority of the Committee was adopted and S.B. No. 2149-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX LAW," 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. 73-84) recommending that Senate Bill No. 1551-84, 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. 1551-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOARDS AND COMMISSIONS," 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. 74-84) recommending that Senate Bill No. 1541-84 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. 1541-84, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING," 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. 75-84) recommending that Senate Bill No. 1759-84 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. 1759-84, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," 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. 76-84) recommending that Senate Bill No. 1504-84, 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. 1504-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVOLUNTARY CIVIL COMMITMENT UNDER MENTAL HEALTH LAW," passed Second Reading and was referred to the Committee on Judiciary.

Senator Aki, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 77-84) recommending that Senate Bill No. 1950-84, 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 majority of the Committee was adopted and S.B. No. 1950-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," passed Second Reading and was referred to the Committee on Ways and Means on the following showing of Ayes and Noes:

Ayes, 24. Noes 1 (Kawasaki).

Senator Aki, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 78-84) recommending that Senate Bill No. 1879-84, 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 majority of the Committee was adopted and S.B. No. 1879-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 79-84) recommending that Senate Bill No. 1948-84, 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 majority of the Committee was adopted and S.B. No. 1948-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST UTILITIES SERVING THE GENERAL PUBLIC," passed Second Reading and was referred to the Committee on Ways and Means on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

Senator Aki, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 80-84) recommending that Senate Bill No. 1839-84 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. 1839-84, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 81-84) recommending that Senate Bill No. 1949-84 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, Roll Call vote having been requested, S.B. No. 1949-84, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF REFUNDING SPECIAL PURPOSE REVENUE BONDS FOR UTILITIES SERVING THE GENERAL PUBLIC," passed Second Reading and was referred to the Committee on Ways and Means on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 82-84)

recommending that Senate Bill No. 1503-84 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. 1503-84, entitled: "A BILL FOR AN ACT RELATING TO GASOHOL," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 83-84) recommending that Senate Bill No. 1888-84, 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 majority of the Committee was adopted and S.B. No. 1888-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL RESOURCES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 84-84) recommending that Senate Bill No. 1928-84, 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. 1928-84, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR KAWAINUI MARSH, OAHU," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 85-84) recommending that Senate Bill No. 1760-84 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. 1760-84, entitled: "A BILL FOR AN ACT RELATING TO BINGO," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 86-84) recommending that Senate Bill No. 1764-84, 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. 1764-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TUITION WAIVERS AT THE UNIVERSITY OF HAWAII FOR THE HAWAII NATIONAL GUARD AND MILITARY RESERVISTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 87-84) recommending that Senate Bill No. 1765-84, 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. 1765-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF REGENTS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 88-84) recommending that Senate Bill No. 1785-84 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. 1785-84, entitled: "A BILL FOR AN ACT RELATING TO SUMMER SCHOOL TUITION AND EXPENDITURES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 89-84) recommending that Senate Bill No. 1844-84, 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. 1844-84, S.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO THE UNIVERSITY OF HAWAII RESEARCH AND TRAINING REVOLVING FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 90-84) recommending that Senate Bill No. 1796-84 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. 1796-84, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PESTICIDE HAZARD ASSESSMENT PROJECT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 91-84) recommending that Senate Bill No. 1850-84, 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. 1850-84, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII AT MANOA," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 92-84) recommending that Senate Bill No. 1918-84, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

Senator Abercrombie asked for a ruling of the Chair as follows:

"Mr. President, I want a ruling from you on a possible conflict on Stand. Com. Rep. 92-84, Senate Bill 1918, relating to the University of Hawaii. I'm submitting my name to the regents of the University of Hawaii."

The Chair ruled that Senator Abercrombie was not in conflict.

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

"Mr. President, I would like to speak against moving 92-84 (S.B. No. 1918-84) on second reading to indicate to you why I want to register a 'no' vote. The reason being that while I understand the chairman's rationale for making the figure in the bill, I nonetheless feel that it was clearly established at the committee hearing and, I think, agreed to by the regents and no arguments to the contrary, that from a constitutional point of view and from a policy point of view, it should be the prerogative of the Board of Regents to set the salary for the president, regardless of what that amount might be or not be, and that the regents agreed at our hearing that whatever the amount was, it would have to be paid to whoever is president out of the funding given to the University of Hawaii as a system-wide institution; that is to say, the regents, should they establish a salary above that which is currently in place, for example, would not come to the Legislature and ask for extra funds to accomplish that, but rather they reallocate their funds within their budget ceiling, their operating budget ceiling to accommodate that salary figure.

"That being the case, it would seem to me that the argument against doing that resides here in the Legislature; that is to say, that some members of the Legislature may feel that they want to set the salary and that somehow the setting of the salary diminishes the autonomy of the Legislature as opposed to increasing the autonomy of the Board of Regents. I don't see the logic of that argument. It's a policy matter.

"It seems to me, especially in the light of the constitutional amendments in 1978, a policy matter clearly within the purview of the Board of Regents, and does no violence in any way, shape, or form to the capacity of the Legislature to control the budget process as such or to retain a check and balance in terms of policy autonomy in those areas that the Legislature is not only capable of dealing with but is obligated to do so under the law as written in the Constitution; therefore, I wish to register a 'no' vote on Senate Bill 1918."

The motion was put by the Chair and Stand. Com. Rep. No. 92-84 was adopted and S.B. No. 1918-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and

was referred to the Committee on Ways and Means on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Abercrombie and Kawasaki).

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 93-84) recommending that Senate Bill No. 1929-84 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. 1929-84, entitled: "A BILL FOR AN ACT RELATING TO DENTAL EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 94-84) recommending that Senate Bill No. 2181-84, 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. 2181-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENTERPRISE ZONES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 95-84) recommending that Senate Bill No. 1931-84 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. 1931-84, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE COLLEGE OF ENGINEERING, UNIVERSITY OF HAWAII AT MANOA," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 96-84) recommending that Senate Bill No. 2096-84 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, Roll Call vote having been requested, S.B. No. 2096-84, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR KUAKINI MEDICAL CENTER, MEDICAL SCHOOL DEVELOPMENT, MANOA CAMPUS, OAHU," passed Second Reading and was referred to the Committee on Ways and Means on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 97-84) recommending that Senate Bill No. 2097-84 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. 2097-84, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR HONOLULU COMMUNITY COLLEGE, OAHU," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Solomon, for the Committee on Education, presented a report (Stand. Com. Rep. No. 98-84) recommending that Senate Bill No. 1795-84 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. 1795-84, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO FUND AN ADDITION TO THE RUGER THEATER," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Solomon, for the Committee on Education, presented a report (Stand. Com. Rep. No. 99-84) recommending that Senate Bill No. 1801-84 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. 1801-84, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE A GRANT-IN-AID TO THE HAWAII PERFORMING ARTS COMPANY," 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. 100-84) recommending that Senate Bill No. 1809-84 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. 1809-84, entitled: "A BILL FOR AN ACT RELATING TO THE 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. 101-84) recommending that Senate Bill No. 1925-84 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. 1925-84, entitled: "A BILL FOR AN ACT RELATING TO TAX INCREMENT FINANCING," 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. 102-84) recommending that Senate Bill No. 1890-84 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. 1890-84, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," 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. 103-84) recommending that Senate Bill No. 2249-84, 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. 2249-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," 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. 104-84) recommending that Senate Bill No. 1810-84 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. 1810-84, entitled: "A BILL FOR AN ACT RELATING TO THE 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. 105-84) recommending that Senate Bill No. 1885-84, 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. 1885-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RIGHT TO SUE BY NATIVE HAWAIIAN INDIVIDUALS AND ORGANIZATIONS IN AN ACTION RELATING TO THE NATIVE HAWAIIAN LAND TRUSTS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Young, for the Committee on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 106-84) recommending that Senate Bill No. 2067-84 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. 2067-84, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF HAWAIIAN HOME LANDS," 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. 107-84) recommending that Senate Bill No. 1718-84, 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. 1718-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Solomon, for the Committee on Education, presented a report (Stand. Com. Rep. No. 108-84) recommending that Senate Bill No. 1935-84, 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. 1935-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JOB SHARING PILOT PROJECT IN THE PUBLIC LIBRARY 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. 109-84) recommending that Senate Bill No. 1526-84, 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. 1526-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SHARING OCCUPATIONAL AND CAREER INFORMATION," 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. 110-84) recommending that Senate Bill No. 2240-84, 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. 2240-84,

S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the majority of the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 111-84) recommending that Senate Bill No. 1522-84, 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 majority of the Committee was adopted and S.B. No. 1522-84, 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 Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 112-84) recommending that Senate Bill No. 2182-84, 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. 2182-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT 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. 113-84) recommending that Senate Bill No. 1691-84, 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. 1691-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CHILDREN'S TRUST FUND," 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. 114-84) recommending that Senate Bill No. 2183-84, 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. 2183-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT 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. 115-84) recommending that Senate Bill No. 2125-84, 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. 2125-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENSIONER'S BONUS," 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. 116-84) recommending that Senate Bill No. 2126-84, 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. 2126-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT 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. 117-84) recommending that Senate Bill No. 2213-84 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. 2213-84, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," 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. 118-84) recommending that Senate Bill No. 2119-84, 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. 2119-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMPARABLE WORTH," 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. 119-84) recommending that Senate Bill No. 108 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. 108, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 120-84) recommending that Senate Bill No. 1841-84, 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. 1841-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT 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. 121-84) recommending that Senate Bill No. 2199-84, 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. 2199-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," passed

Second Reading and was referred to the Committee on Ways and Means.

Senator Hagino, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 122-84) recommending that Senate Bill No. 1926-84 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. 1926-84, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CONSTRUCTION OF PHASE II OF THE MOLOKAI AGRICULTURAL PARK," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hagino, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 123-84) recommending that Senate Bill No. 2046-84 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. 2046-84, entitled: "A BILL FOR AN ACT RELATING TO WATER RATES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hagino, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 124-84) recommending that Senate Bill No. 1799-84, 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. 1799-84, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PROMOTION OF PINEAPPLES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hagino, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 125-84) recommending that Senate Bill No. 1798-84 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. 1798-84, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL PRODUCTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hagino, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 126-84) recommending that Senate Bill No. 1800-84, 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. 1800-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR ASSISTING PROCESSING ENTERPRISES," passed Second Reading and was referred to the Committee on Ways and Means on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

Senator Hagino, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 127-84) recommending that Senate Bill No. 1797-84 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. 1797-84, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SUGAR RESEARCH AND DEVELOPMENT," passed Second Reading and was referred to the Committee on Ways and Means on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

Senator Hagino, for the majority of the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 128-84) recommending that Senate Bill No. 1502-84, 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 majority of the Committee was adopted and S.B. No. 1502-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEED," passed Second Reading and was referred to the Committee on

Ways and Means.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 129-84) recommending that Senate Bill No. 2087-84, 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 majority of the Committee was adopted and S.B. No. 2087-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTEREST," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 5, 1984.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 130-84) recommending that Senate Bill No. 1553-84, 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. 1553-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 5, 1984.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 131-84) recommending that the Senate consent to the nomination of Edwin H. Honda as Judge of the First Circuit Court, for a term of ten years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, and in accordance with Gov. Msg. No. 116.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 131-84 and Gov. Msg. No. 116 was deferred until Monday, March 5, 1984.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 132-84) recommending that Senate Bill No. 1677-84 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. 1677-84, entitled: "A BILL FOR AN ACT RELATING TO 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. 133-84) recommending that Senate Bill No. 1115, 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. 1115, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING IN PUBLIC EMPLOYMENT," 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. 134-84) recommending that Senate Bill No. 107, 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. 107, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Solomon, for the Committee on Education, presented a report (Stand. Com. Rep. No. 135-84) recommending that Senate Bill No. 2133-84 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. 2133-84, entitled: "A BILL FOR AN ACT RELATING TO CAPITOL IMPROVEMENT PROJECTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Solomon, for the Committee on Education, presented a report (Stand. Com. Rep. No. 136-84) recommending that Senate Bill No. 1939-84, 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. 1939-84, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE A MATCHING GRANT IN AID TO THE HONOLULU SYMPHONY FOR ENDOWMENT FUND PURPOSES," passed Second Reading and was referred to the Committee on Ways and Means on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

Senator Solomon, for the Committee on Education, presented a report (Stand. Com. Rep. No. 137-84) recommending that Senate Bill No. 2033-84 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. 2033-84, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE 1984 SAMOAN FLAG FESTIVITIES," passed Second Reading and was referred to the Committee on Ways and Means on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

Senator Solomon, for the Committee on Education, presented a report (Stand. Com. Rep. No. 138-84) recommending that Senate Bill No. 1937-84, 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. 1937-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL PRIORITY FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Solomon, for the Committee on Education, presented a report (Stand. Com. Rep. No. 139-84) recommending that Senate Bill No. 1851-84, 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. 1851-84,

S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE POLYNESIAN VOYAGING SOCIETY," passed Second Reading and was referred to the Committee on Ways and Means on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

Senator Solomon, for the Committee on Education, presented a report (Stand. Com. Rep. No. 140-84) recommending that Senate Bill No. 2205-84, 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. 2205-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION," passed Second Reading and was referred to the Committee on Judiciary.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 141-84) recommending that Senate Bill No. 1932-84, 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. 1932-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STUDENT LOAN FUNDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 142-84) recommending that Senate Bill No. 2092-84 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. 2092-84, entitled: "A BILL FOR AN ACT MAKING VARIOUS APPROPRIATIONS TO THE UNIVERSITY OF HAWAII," 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. 143-84) recommending that Senate Bill No. 2244-84, 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. 2244-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE AND NEGLECT PREVENTION SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Solomon, for the Committee on Education, presented a report (Stand. Com. Rep. No. 144-84) recommending that Senate Bill No. 2127-84 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. 2127-84, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Solomon, for the Committee on Education, presented a report (Stand. Com. Rep. No. 145-84) recommending that Senate Bill No. 2215-84 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. 2215-84, entitled: "A BILL FOR AN ACT RELATING TO CIP FOR THE SEVENTH SENATORIAL DISTRICT," 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. 146-84) recommending that Senate Bill No. 1813-84, 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 majority of the Committee was adopted and S.B. No. 1813-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROPERTY," passed Second Reading and was referred to the Committee on Judiciary.

ORDER OF THE DAY

THIRD READING

Standing Committee Report No. 22-84 (S.B. No. 1578-84, S.D. 1):

On motion by Senator Cobb, seconded by Senator Henderson and carried, Stand. Com. Rep. No. 22-84 was adopted and S.B. No. 1578-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WITHHOLDING AND COLLECTION OF TAX AT SOURCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 23-84 (S.B. No. 1579-84, S.D. 1):

Senator Cobb moved that Stand. Com. Rep. No. 23-84 be adopted and S.B. No. 1579-84, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Henderson.

Senator Cayetano rose to speak against the measure and stated:

"Mr. President, my initial impression of this bill was that I was going to support it but reading it more carefully, I'm going to vote against this bill primarily because, in reading the bill itself, the requirements for penalty being imposed under this bill do not require any evidence of intentional act.

"What I'm concerned about is that there are many people who live in this state who, because of lack of education or because they may come from foreign countries, have difficulty with the English language and these people who may take it upon themselves to fill out tax returns may not be able to fully understand the returns and, in that sense, information put in those returns may not meet the requirements of, let me quote from the bill, 'substantial correctness' and some of these other requirements.

"I think, in general, this is a good bill but it seems to be one which does not require any kind of intentional act and one which makes the fact that the information presented in the tax return does not meet the standard of 'substantial correctness' a violation in and of itself."

At 12:08 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:35 o'clock p.m.

Senator Cayetano then continued: "Mr. President, I want to disclaim responsibility for that long recess. It was not caused by my question?"

The Chair answered that it was not and Senator Cayetano continued: "With respect to my earlier account of the bill, I think I have convinced some people here that there is an apparent problem and that that problem will be addressed as the bill proceeds, so I'm going to change my vote.

"Of course, the real reason for changing my vote is that Senator Yamasaki has convinced me that this bill was designed to create employment for attorneys. (Laughter.)"

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

"Mr. President, if you will notice, I signed the committee report 'with reservations' and for the very same reasons outlined by Senator Cayetano, whatever district he represents. I would hope that the corrections could be made. In any case, I would like to have my vote recorded 'no' on this."

Senator Carpenter also against the measure said: "Mr. President, if this bill is to allow frivolous suits by frivolous attorneys in support of clients who purport to file frivolous tax returns then, Mr. President, please cast my vote as 'no.'"

Senator Yamasaki, in support of the measure, stated: "Mr. President, I have received the messages on the concern expressed by individuals of the Senate and would like to inform the Chair that we will be looking into the words to see whether there needs to be further clarification. Thank you."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 23-84 was adopted and S.B. No. 1579-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 2 (Carpenter and Kawasaki). Excused, 3 (Ajifu, Soares and Toguchi).

Standing Committee Report No. 24-84

(S.B. No. 1580-84, S.D. 1):

On motion by Senator Cobb, seconded by Senator Henderson and carried, Stand. Com. Rep. No. 24-84 was adopted and S.B. No. 1580-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Ajifu, Soares and Toguchi).

Standing Committee Report No. 25-84 (S.B. No. 1581-84, S.D. 1):

On motion by Senator Cobb, seconded by Senator Henderson and carried, Stand. Com. Rep. No. 25-84 was adopted and S.B. No. 1581-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Ajifu, Soares and Toguchi).

REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The President made the following committee assignments of concurrent resolutions that were offered on Thursday, March 1, 1984:

Senate
Concurrent
Resolutions Referred to:

No. 33 Committee on Health

No. 34 Committee on Government Operations and County Relations

REFERRAL OF SENATE RESOLUTIONS

The President then made the following committee assignments of resolutions that were offered on Thursday, March 1, 1984:

Senate
Resolutions Referred to:

No. 33 Committee on Tourism

No. 34 Committee on Health, then to the Committee on Legislative Management

No. 35 Committee on Government Operations and County Relations

No. 36	Committee on Education
No. 37	Committee on Higher Education
No. 38	Committee on Higher Education
No. 39	Committee on Higher Education

RE-REFERRAL OF
SENATE BILL

The President re-referred Senate Bill No. 524 which was introduced in the Regular Session of 1983 jointly to the Committee on Transportation and the Committee on Judiciary.

Senator Abercrombie then rose on a point of personal privilege and stated as follows:

"Mr. President, first, just in a little bit more lighthearted fashion, if you look on the front page of today's Advertiser, I think we can save Senator Yamasaki's committee a lot of money with respect to promoting Hawaii. We see on that front page a picture of, what in more refined circles is referred to, the derriere of a citizen of Buffalo, New York, a city with which I have had some contact many, many years ago, and you will see what it is that they have to deal with at the present time.

"I think it said that the amount of snow there was two feet and rising, as of yesterday. Of course, that's just in 24 hours. I'm sure it will get worse.

"Mr. President, I do have a serious note. Something that bothers me very, very deeply because of all the publicity that has been attendant upon it, the firing of the Superintendent of Schools Thompson.

"We now have an acting superintendent of education, and I stress 'acting superintendent.' The new superintendent has by no means been confirmed, if my understanding of the proceedings of the board is correct. And I am extremely agitated about the position that the new acting superintendent is taking with the Board of Education, vis-a-vis the legislative budget process we are undergoing right now.

"At the board meeting yesterday, the acting superintendent, Mr. Hatanaka, stated that the department is suffering heavy budget cuts at the Legislature and is quoted as saying,

'...and yet we're expected to perform miracles.'

"Mr. President, if this is the approach the acting superintendent is going to take, we're going to have serious problems with him right from the beginning.

"We went through a very traumatic session last year. We went through a very traumatic and difficult organizing process this time. We're in the midst of an extremely difficult and urgent process in defining what the supplementary budget appropriations and allocations are going to be. We have been working very hard under a lot of strain, some of which has manifested itself publicly as well as privately with respect to our budget deliberations.

"The members have tried to do their best to deal with the ceiling that has been established by Ways and Means Committee under the clear expectation that we are going to try and act responsibly here with respect to the revenues that can be generated in the state in the coming year. We've had serious discussions with the Ways and Means chairman as well as the chairman of the Education Committee; gone at great length to deal with the budget on a realistic basis.

"Now, one of the causes of the difficulties that we've had had been arguments over what the numbers are going to be. If Mr. Hatanaka wants to see a set of fictitious numbers come over in order to satisfy some kind of necessity of presenting numbers on paper, rather than actual capacity to fund programs in the schools, then he can take that attitude.

"The plain fact of the matter...and Mr. Hatanaka has attended these sessions; these sessions have been open...is that we have gone into that budget and looked for savings. That was the mandate from the Ways and Means Committee and that's the way the Education Committee is trying to handle it.

"We have found that there were over-inflated figures utilized in the Department of Education. We have found it with respect to inflationary projections for food costs. We have found it with electricity costs. These are not program costs. These are costs being examined by the Education Committee to see to it that we can fund the programs that Mr. Hatanaka is supposed to administer.

"Where does he think that we're going to find the money for the Early Provisions for School Success Program for our kindergarten children so that they can get under a good start? Where does he think we're going to find the money in order to fund the Alternative Learning Program for those children who are already in the schools, having trouble and need an alternative way of dealing with their schooling and their educational process?

"We have put these programs back into the budget on a basis that they will be funded, to make the best possible good-faith effort with respect to the initial appropriation recommendations to see to it that children and teachers and programs are protected first, and not the rhetorical devices of superintendents or any other administrators.

"The only miracle that I expect to see out of the Department of Education is that it take seriously the admonition of the Senate Education Committee that it reallocate its own resources, especially at the administrative end, something which is not an original idea with this Legislature but has been buttressed

and backed up by the Legislative Auditor not only once but twice, formally, over the last decade, without anything being done by the DOE administration.

"So, before Mr. Hatanaka starts talking about miracles being performed and heavy budget cuts from the Legislature, I suggest that he take a good, long, hard look at his department and see whether or not the fact is that this Legislature has dealt with this particular recommendation, coming in with responsible needs to be met, unless we are going to go back into that fictitious and phony situation where we provide numbers in order to provide satisfaction, but we don't provide the actual dollars in order to provide the programs that are necessary for good education.

"Thank you."

ADJOURNMENT

At 12:47 o'clock p.m., on motion by Senator Cobb, seconded by Senator Henderson and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, March 5, 1984.