

## THIRTY-FIRST DAY

Thursday, March 8, 1984

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1984, convened at 11:45 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Pastor Clifford Hoff of the Olivet Baptist Church, after which the Roll was called showing all Senators present with the exception of Senators Abercrombie, Ajifu, Chang, Fernandes Salling, Henderson, B. Kobayashi, Machida, Mizuguchi and Yamasaki who were excused.

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

Senator Hagino then introduced to the members of the Senate a group of 40 students from Lellehua High School, his alma mater, who were accompanied by their teachers, Mr. Glen Arita and Mrs. Ella Lacerdo.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 58 to 83) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 58), transmitting House Concurrent Resolution No. 17, which was adopted by the House of Representatives on March 7, 1984, was placed on file.

By unanimous consent, H.C.R. No. 17, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE EXPEDITING OF CUSTOMS AND IMMIGRATION PROCESSING FOR FOREIGN VISITORS TO HAWAII," was referred to the Committee on Government Operations and County Relations.

A communication from the House (Hse. Com. No. 59), transmitting House Concurrent Resolution No. 19, H.D. 1, which was adopted by the House of Representatives on March 7, 1984, was placed on file.

By unanimous consent, H.C.R. No. 19, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE STATE AGRICULTURE FUNCTIONAL PLAN," was referred to the Committee on Agriculture, then to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 60), transmitting House Concurrent Resolution No. 20, H.D. 1, which was adopted by the House of Representatives on March 7, 1984, was placed on file.

By unanimous consent, H.C.R. No. 20, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE STATE EDUCATION FUNCTIONAL PLAN," was referred to the Committee on Education, then to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 61), transmitting House Concurrent Resolution No. 21, H.D. 1, which was adopted by the House of Representatives on March 7, 1984, was placed on file.

By unanimous consent, H.C.R. No. 21, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE STATE HEALTH FUNCTIONAL PLAN," was referred to the Committee on Health, then to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 62), transmitting House Concurrent Resolution No. 22, H.D. 1, which was adopted by the House of Representatives on March 7, 1984, was placed on file.

By unanimous consent, H.C.R. No. 22, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE STATE WATER RESOURCES DEVELOPMENT FUNCTIONAL PLAN," was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 63), transmitting House Concurrent Resolution No. 23, H.D. 1, which was adopted by the House of Representatives on March 7, 1984, was placed on file.

By unanimous consent, H.C.R. No. 23, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE STATE RECREATION FUNCTIONAL PLAN," was referred to the Committee on Tourism, then to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 64), transmitting House Concurrent Resolution No. 24, H.D. 1, which was adopted by the

House of Representatives on March 7, 1984, was placed on file.

By unanimous consent, H.C.R. No. 24, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE STATE CONSERVATION LANDS FUNCTIONAL PLAN," was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 65), transmitting House Concurrent Resolution No. 25, H.D. 1, which was adopted by the House of Representatives on March 7, 1984, was placed on file.

By unanimous consent, H.C.R. No. 25, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE STATE HISTORIC PRESERVATION FUNCTIONAL PLAN," was referred to the Committee on Tourism, then to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 66), transmitting House Concurrent Resolution No. 26, H.D. 1, which was adopted by the House of Representatives on March 7, 1984, was placed on file.

By unanimous consent, H.C.R. No. 26, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE STATE TOURISM FUNCTIONAL PLAN," was referred to the Committee on Tourism, then to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 67), transmitting House Concurrent Resolution No. 27, H.D. 1, which was adopted by the House of Representatives on March 7, 1984, was placed on file.

By unanimous consent, H.C.R. No. 27, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE STATE ENERGY FUNCTIONAL PLAN," was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 68), transmitting House Concurrent Resolution No. 28, H.D. 1, which was adopted by the House of Representatives on March 7, 1984, was placed on file.

By unanimous consent, H.C.R. No. 28, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE STATE HOUSING FUNCTIONAL PLAN," was referred to the Committee on Housing and Urban

Development, then to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 69), transmitting House Concurrent Resolution No. 29, H.D. 1, which was adopted by the House of Representatives on March 7, 1984, was placed on file.

By unanimous consent, H.C.R. No. 29, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE STATE TRANSPORTATION FUNCTIONAL PLAN," was referred to the Committee on Transportation, then to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 70), transmitting House Concurrent Resolution No. 30, H.D. 1, which was adopted by the House of Representatives on March 7, 1984, was placed on file.

By unanimous consent, H.C.R. No. 30, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE STATE HIGHER EDUCATION FUNCTIONAL PLAN," was referred to the Committee on Higher Education, then to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 71), transmitting House Bill No. 1697-84, which passed Third Reading in the House of Representatives on March 7, 1984, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1697-84, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION," passed First Reading by title and was referred to the Committee on Education.

A communication from the House (Hse. Com. No. 72), transmitting House Bill No. 1702-84, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 1984, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1702-84, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REGULATION OF DEALERS IN FARM PRODUCE," passed First Reading by title and was referred to the Committee on Agriculture.

A communication from the House (Hse. Com. No. 73), transmitting House Bill No. 1735-84, which passed

Third Reading in the House of Representatives on March 7, 1984, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1735-84, entitled: "A BILL FOR AN ACT RELATING TO THE STATE DEPARTMENT OF DEFENSE," passed First Reading by title and was referred to the Committee on Government Operations and County Relations.

A communication from the House (Hse. Com. No. 74), transmitting House Bill No. 1747-84, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 1984, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1747-84, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 75), transmitting House Bill No. 1753-84, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 1984, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1753-84, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MEMBERSHIP OF THE HAWAII FISHERIES COORDINATING COUNCIL," passed First Reading by title and was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 76), transmitting House Bill No. 1779-84, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 1984, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1779-84, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 77), transmitting House Bill No. 1816-84, which passed Third Reading in the House of Representatives on March 7, 1984, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1816-84, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 78), transmitting House Bill No. 1817-84, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 1984, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1817-84, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ACUPUNCTURE," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 79), transmitting House Bill No. 2026-84, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 1984, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 2026-84, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 80), transmitting House Bill No. 2029-84, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 1984, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 2029-84, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 81), transmitting House Bill No. 2107-84, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 1984, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 2107-84, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENFORCEMENT

PROGRAM OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES," passed First Reading by title and was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 82), transmitting House Bill No. 2114-84, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 1984, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 2114-84, H.D. 1, entitled: "A BILL FOR AN ACT TO AMEND SECTION 386-98, HAWAII REVISED STATUTES, RELATING TO THE WORKERS' COMPENSATION LAW," passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 83), transmitting House Bill No. 2568-84, which passed Third Reading in the House of Representatives on March 7, 1984, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 2568-84, entitled: "A BILL FOR AN ACT RELATING TO THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION," passed First Reading by title and was referred to the Committee on Economic Development.

#### STANDING COMMITTEE REPORTS

Senator Kuroda, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 153-84) recommending that Senate Concurrent Resolution No. 4 be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.C.R. No. 4, entitled: "SENATE CONCURRENT RESOLUTION CONCURRING WITH THE AMENDMENT OF EXECUTIVE ORDER NO. 1446 COVERING THE WAIKIKI WAR MEMORIAL PARK AND NATATORIUM," was adopted.

Senator Kawasaki, for the Committee on Government Operations and County Relations, presented a report (Stand. Com. Rep. No. 154-84) recommending that Senate Bill No. 1499-84, 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. 1499-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 12, 1984.

Senator Kawasaki, for the Committee on Government Operations and County Relations, presented a report (Stand. Com. Rep. No. 155-84) recommending that Senate Bill No. 1708-84, 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. 1708-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOARDS AND COMMISSIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 12, 1984.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 156-84) recommending that Senate Bill No. 1865-84, 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. 1865-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RETAIL INSTALLMENT SALES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 12, 1984.

Senator B. Kobayashi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 157-84) recommending that Senate Bill No. 1519-84, 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. 1519-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE CLEARINGHOUSE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 12, 1984.

Senator B. Kobayashi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 158-84) recommending that Senate Bill No. 1721-84, 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. 1721-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON TRANSPORTATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 12, 1984.

Senator B. Kobayashi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 159-84) recommending that Senate Bill No. 1981-84, 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. 1981-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PEDICABS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 12, 1984.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 160-84) recommending that Senate Bill No. 1577-84, as amended in S.D. 1, pass First 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. 1577-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed First Reading and was referred to the Committee on Ways and Means.

At 11:50 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.

#### ORDER OF THE DAY

#### THIRD READING

#### MATTERS DEFERRED FROM MARCH 6, 1984

Senate Bill No. 1747-84, S.D. 1:

By unanimous consent, action on S.B. No. 1747-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," was deferred until Friday, March 9, 1984.

Senate Bill No. 2242-84, S.D. 1:

By unanimous consent, action on S.B. No. 2242-84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOORING OF COMMERCIAL VESSELS IN SMALL BOAT HARBORS," was deferred until Friday, March 9, 1984.

#### RE-REFERRAL OF SENATE BILLS

The President re-referred the following Senate bills:

Senate Bill No. 100 which was introduced in the Regular Session of 1983 to the Committee on Ways and Means.

Senate Bill No. 1509-84 which was introduced on Wednesday, February 1, 1984, to the Committee on Ways and Means.

Senate Bill No. 1709-84 which was introduced on Thursday, February 9, 1984, to the Committee on Ways and Means.

The Chair then made the following observation:

"Members of the Senate are reminded that, with the exception of the CIP bill, Senate bills must be on deck tomorrow for third reading on Monday.

"In accordance with the agreement with the House, the CIP bill will be decked on Monday for third reading on Wednesday.

"All Senators are requested to be in the Capitol building to be available to sign committee reports today and tomorrow. It is a great inconvenience to everyone concerned when committee members are not available for signatures.

"Depending on the number of committee reports circulating tomorrow, the Chair is considering an afternoon session and, if necessary, an evening session. Please keep your schedules open tomorrow.

"Committee chairmen are asked to submit their completed committee reports to the Clerk's office this afternoon and not wait until tomorrow, thus compounding our 'logjam' problem which occurs here on

third reading bills.

o'clock a.m.

"The Chair will appreciate your cooperation."

ADJOURNMENT

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

At 11:55 o'clock a.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, March 9, 1984.

The Senate reconvened at 11:54