

## FIFTY-FOURTH DAY

Wednesday, April 11, 1984

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1984, convened at 11:40 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Chaplain James R. Wilson, Captain, United States Air Force, after which the Roll was called showing all Senators present.

The Chair announced that he had read and approved the Journal of the Fifty-Third Day.

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

Senator Abercrombie rose to introduce Ms. Jean Minton and stated as follows:

"Mr. President, I have a particular pleasure this morning. As you know, not all the business that we deal with at the Legislature and in the Senate is of a pleasant variety. One of the real delights of being in the Legislature is occasionally being able to do something on behalf of the Senate for someone in a manner that reflects credit on that person and on this Senate and gives all of us a sense of delight and pleasure. I have that opportunity this morning.

"Mr. President, we're going to honor with a certificate this morning a lady who did not know until literally one minute ago that she was going to get it. This is a complete surprise for her and that's one of the reasons that makes it such an especially happy time, and I know that everyone here who has had contact with her is going to share my enthusiasm for the presentation of this certificate."

Senator Abercrombie then read portions of the certificate and continued:

"Mr. President, I would like to take this opportunity to introduce to you and to those who are in our gallery today, someone who has been a friend to all of us here in the Legislature, someone we can be proud to be associated with in the legislative process, Ms. Jean Minton."

Senator Kawasaki then added the following:

"Mr. President, I would be remiss if I did not add a few remarks to that of Senator Abercrombie. We had named Ms. Minton 'Miss Condominium' sometime ago because she had the vigor to change statutes in this state regarding condominium owners, and she's such a persistent person. She prepares herself very well, does her homework, and she never lets off until a law that benefits that category of citizens, known as condominium owners, are taken care of.

"We have admired the work that she has done over the years and I have a particular bias and affinity with Ms. Minton not only because she is a good-looking blonde, but because she happens to be one of the Republicans that worked very hard in my campaign. She's got the philosophy that it doesn't matter what the guy is, if I like the guy I'm going to work hard, and she really worked hard in my campaign.

"But aside from what Senator Abercrombie said, she has never worked for herself alone. She's always worked for what she thought was the benefit of those people that were neglected in this state, and so with this kind of posture over the years, we've come to have great respect and love for Ms. Minton, and I'm delighted to join all of the Senators in providing this certificate to her."

Senator Cobb also rose to add tribute to Ms. Minton as follows:

"Mr. President, Senator Abercrombie neglected to mention that Jean Minton is perhaps one of the majority stockholders in the Committee on Consumer Protection and Commerce, and of the 14 pieces of legislation dealing with condominiums, apartments and the rights of owners, including one on mandatory arbitration, Ms. Minton has had a hand in at least a dozen of those measures.

"She is here, day and night, when we have our joint House/Senate conference committee hearings. I feel like hiring her as a committee clerk because she's done so much work already not only in the area of condominiums, but also in helping the Senate close down on a lot of the operations involving time sharing, as well as having a keen eye for the rights of Waikiki residents. It's more

than just 'Miss Condominium,' I think that she could qualify as 'Miss Waikiki' as well. Thank you."

Senator Kawasaki further added: "Mr. President, just an added comment lest the Senators here in this body feel she is just a kindly old benign lady, Shakespeare had a quote that said, 'Hell hath no fury like a woman scorned.' Well, 'hell hath no fury like Jean Minton' when she thinks condominium owners are shortchanged."

Senator Abercrombie presented the certificate to the honoree and Senator Kawasaki presented a lei.

At 11:47 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:50 o'clock a.m.

Senator Holt then introduced Adjutant General Alexis Lum seated in the gallery.

#### MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 311 to 313) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 311), submitting for consideration and confirmation to the Board of Acupuncture, the nomination of Randy Kook Do Chun, term to expire December 31, 1987, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 312), submitting for consideration and confirmation to the Kauai County Subarea Health Planning Council, the nomination of Phil Palmer, term to expire December 31, 1987, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 313), submitting for consideration and confirmation to the Advisory Commission on Manpower and Full Employment, the nominations of the following:

Rodney E. Hustead, term to expire June 30, 1986; and

Doris K. Nakayama, term to expire June 30, 1985,

was referred to the Committee on Human Resources.

#### HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 447 to 454) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 447), informing the Senate that the Speaker added Representative Kawakami as an additional Manager on the part of the House at the conference on House Bill No. 1431, H.D. 2, S.D. 1, and Senate Bill No. 2184-84, S.D. 1, H.D. 1, was placed on file.

A communication from the House (Hse. Com. No. 448), informing the Senate that on April 10, 1984, the Speaker discharged Conferees on the part of the House and appointed Representatives Bunda, Chairman, and Morgado and Isbell as Managers on the part of the House at the conference on House Bill No. 2402-84, S.D. 1, was placed on file.

A communication from the House (Hse. Com. 449), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 1694-84, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 10, 1984, the Speaker appointed Representatives Shito, Chairman, Hirono, Kim, Lardizabal, Tom and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. 450), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 1702-84, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 10, 1984, the Speaker appointed Representatives Shito, Chairman, Hirono, Kim, Lardizabal, Tom and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. 451), informing the Senate that on April 10, 1984, the Speaker appointed Representative Albano as an additional conferee, and as Co-chairman together with Representative Kiyabu, on the part of the House at the conference on Senate Bill No. 1115, S.D. 2, H.D. 2, was placed on file.

A communication from the House

(Hse. Com. 452), informing the Senate that on April 10, 1984, the Speaker appointed Representative Albano as an additional conferee, and as Co-chairman together with Representative Kiyabu, on the part of the House at the conference on Senate Bill No. 2125-84, S.D. 2, H.D. 2, was placed on file.

A communication from the House (Hse. Com. 453), informing the Senate that on April 10, 1984, the Speaker appointed Representative Albano as an additional conferee, and as Co-chairman together with Representative Kiyabu, on the part of the House at the conference on Senate Bill No. 2119-84, S.D. 2, H.D. 2, was placed on file.

A communication from the House (Hse. Com. 454), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 1835-84, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 11, 1984, the Speaker appointed Representatives Shito, Chairman, Kim, Lardizabal, Matsuura and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

#### STANDING COMMITTEE REPORT

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 696-84) recommending that Senate Resolution No. 37, as amended in S.D. 1, be adopted.

On motion by Senator Holt, seconded by Senator Chang and carried, the report of the Committee was adopted and S.R. No. 37, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING HONOLULU COMMUNITY COLLEGE TO IMPLEMENT A PILOT PROGRAM ON NON-CREDIT COURSES FOR SMALL BUSINESS," was adopted.

#### ORDER OF THE DAY

##### MATTERS DEFERRED FROM APRIL 9, 1984

##### THIRD READING

House Bill No. 1854-84:

On motion by Senator Chang, seconded by Senator Cayetano and carried, H.B. No. 1854-84, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION," having been read throughout, passed Third Reading on the following showing of

Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Young, Ajifu and Henderson).

At 11:51 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:52 o'clock a.m.

House Bill No. 1947-84:

By unanimous consent, action on H.B. No. 1947-84, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 12, OF THE HAWAII CONSTITUTION, TO ALLOW GREATER FLEXIBILITY IN SCHEDULING THE DEADLINE FOR INTRODUCING BILLS," was deferred until Thursday, April 12, 1984.

House Bill 1948-84:

On motion by Senator Chang, seconded by Senator Cayetano and carried, H.B. No. 1948-84, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 10, OF THE HAWAII CONSTITUTION TO ALLOW FLEXIBILITY IN SCHEDULING THE MANDATORY RECESS," having been read throughout, passed Third Reading by not less than two-thirds vote of all the members to which the Senate is entitled, on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Young, Ajifu and Henderson).

House Bill No. 1662-84:

On motion by Senator Machida, seconded by Senator Fernandes Salling and carried, H.B. No. 1662-84, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN'S MENTAL HEALTH SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Young, Ajifu and Henderson).

House Bill No. 2233-84:

On motion by Senator Machida, seconded by Senator Fernandes Salling and carried, H.B. No. 2233-84, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused,

3 (Young, Ajifu and Henderson).

House Bill No. 1738-84, H.D. 1:

On motion by Senator Machida, seconded by Senator Fernandes Salling and carried, H.B. No. 1738-84, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRE-MARITAL EXAMINATION FOR RUBELLA," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Young, Ajifu and Henderson).

House Bill No. 1741-84, H.D. 1:

On motion by Senator Machida, seconded by Senator Fernandes Salling and carried, H.B. No. 1741-84, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GRANTS-IN-AID," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Young, Ajifu and Henderson).

Standing Committee Report No. 653-84 (H.B. No. 1720-84, H.D. 1):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 653-84 was adopted and H.B. No. 1720-84, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE 1984 HAWAII STATEHOOD SILVER JUBILEE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Young, Ajifu and Henderson).

Standing Committee Report No. 654-84 (H.B. No. 2039-84, H.D. 1):

Senator Yamasaki moved that Stand. Com. Rep. No. 654-84 be adopted and H.B. No. 2039-84, H.D. 1, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

Senator Kawasaki rose to speak against this bill as follows:

"Mr. President, I'm voting 'no' on this bill because it is my judgment that perhaps the ceiling of the loan amount of \$100,000 should be maintained so we would have from the loan fund kitty enough monies to take care of a greater number of small

businesses who may qualify and who may need this loan.

"To remove that \$100,000 ceiling and lift it up to a quarter-of-a-million dollars, I think, restricts the number of small businesses that we could help in the way of loans needed by them, so I vote against this bill. A \$100,000 is, perhaps, an adequate figure when we consider all the businesses that may apply for this loan."

Senator Abercrombie then rose and inquired: "Mr. President, I was under the impression...I'm making an inquiry, I think, of the chairman of Ways and Means. I was under the impression that what Senator Kawasaki just cited would not be a problem, that there was sufficient funds to handle the applications and still have the \$250,000 loans. Would that impression be correct?"

The Chair replied: "That is my impression."

Senator Abercrombie then queried: "Would the chairman confirm that, please?"

Senator Yamasaki replied: "Yes, Mr. President, the testimony from the Department of Planning and Economic Development and also from the small business people indicated that the revolving fund is sufficient even though we increased it to \$250,000. Because the cost of doing business has also increased in prices, they need to have the increase in the loan fund."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 654-84 was adopted and H.B. No. 2039-84, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CAPITAL LOAN PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Kawasaki). Excused, 3 (Young, Ajifu and Henderson).

At 11:57 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 Report No. 655-84 (H.B. No. 1636-84, H.D. 2):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi

and carried, Stand. Com. Rep. No. 655-84 was adopted and H.B. No. 1636-84, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HILO HOSPITAL, HILO, COUNTY OF HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Young, Ajifu and Henderson).

Standing Committee Report No. 656-84 (H.B. No. 1739-84, H.D. 1):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 656-84 was adopted and H.B. No. 1739-84, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE COMPREHENSIVE EMERGENCY MEDICAL SERVICES SYSTEMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Young, Ajifu and Henderson).

Standing Committee Report No. 657-84 (H.B. No. 2184-84, H.D. 2):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 657-84 was adopted and H.B. No. 2184-84, H.D. 2, 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," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Kawasaki). Excused, 3 (Young, Ajifu and Henderson).

Standing Committee Report No. 658-84 (H.B. No. 359):

Senator Yamasaki moved that Stand. Com. Rep. No. 658-84 be adopted and H.B. No. 359, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

Senator Kuroda rose to speak in support of House Bill 359 as follows:

"The Tuition Waiver Program was established in 1980 on a trial basis. At that time, skepticism abounded. There were many questions as to whether tuition waivers granted to eligible National Guard and Reserve members would be an attractive and

effective recruitment and retention tool.

"Four years ago, the then chairman of the Higher Education Committee, reluctantly passed it out of committee. He had philosophical concerns of the measure. Without his cooperation we would not have had this trial period. The then chairman of the Ways and Means Committee agreed to approve it on trial basis. He was concerned about the effect on the U.H. budget. The trial period is almost over and I am happy to acknowledge that the results show that the Tuition Waiver Program has taken firm root among National Guard and Reserve members.

"A summary report prepared by the University of Hawaii shows that during the course of seven semesters, the number of eligible Guard and Reserve participants in the Tuition Waiver Program steadily increased. Whereas, 177 people participated in the inaugural semester in 1980, 829 people are participating today in the seventh semester. Though the growing number of participants in the program is an important statistic, it is not quite as impressive as the number of participants who expressed their view that the Tuition Waiver Program was the element which attracted and retains them in their respective Guard or Reserve units.

"Regarding this point, of the 1,029 Hawaii National Guard members who participated in this program, 673 or 61 percent expressed their view that the Tuition Waiver Program was the reason for their enlistment and re-enlistment. Similarly, the United States Army Reserve, Pacific, have also experienced confirming success. Of their 472 participants, 209 participants revealed that they joined the Army Reserve because of the Tuition Waiver Program, while 363 expressed the view that the Tuition Waiver Program was an incentive for them to remain in the Army Reserve.

"Statistically, this program has proven itself by contributing to the objective of boosting enlistment and re-enlistment participation of Guard and Reserve members. Its contribution has helped to preserve the most vital strength of our Guard and Reserve forces -- its people. A strong and viable National Guard and Reserve contributes significantly to our national defense. But, equally as important for all of us here in Hawaii is the simple fact that a strong National Guard and Reserve personnel strength assures the preservation of their important contribution to the

economy of Hawaii -- a fact, we cannot ignore.

"Mr. President and fellow Senators, I urge passage of this bill. Thank you."

Senator Kawasaki rose on a point of inquiry directed to Senator Kuroda. The Chair asked Senator Kuroda if he would yield to a question, and Senator Kuroda having replied in the affirmative, Senator Kawasaki inquired as follows:

"Do we have any statistics to show, of the number of reservists in the Army Reserve and the National Guard, how many of those people who had taken advantage of the tuition waiver who matriculated at the University and completed their courses remain both in the National Guard and the Army Reserve after the completion of their education?"

Senator Kuroda replied: "I believe Colonel Cobb has a response."

Senator Cobb then stated: "Mr. President, I don't have it for just those who participated in the program but I am aware, speaking only for the Reserve, that we have a retention rate of over 75 percent in the first term and over 85 percent on second and subsequent terms of enlistment. So, the retention rate is exceedingly high in the Reserve. I know that the Guard has similar figures, as well, but I don't have their precise figures."

Senator Kawasaki thanked Senator Cobb for the response.

Senator Kuroda further added: "Mr. President, I speak confidently when I say that there are people who joined the Army Reserve and National Guard for whatever reason and after experiencing the enthusiasm, the fun and the challenge, many of them have continued to make it a career. We will provide some statistics to this body in answer to the inquiry made."

Senator Holt then spoke in favor of the bill as follows:

"Mr. President, testimony received from the University included two basic concerns. First, was the philosophical objection to the program, based on the preferential granting of tuition waivers to a specific organization. The second concern was the loss of state revenue on potential tuition revenue.

"The University recognizes,

however, that the ultimate fate of this program involves state policy which is completely within the jurisdiction of the Legislature. I believe this program has evolved into a vital program which is essential to the maintenance of a strong, educated and highly motivated force of guardsmen and reservists.

"I would also like to point out, Mr. President, that the program is a strong reflection of the Legislature's commitment to the spirit and intent of Article I, Section 17, of the State Constitution which recognizes the importance of a well regulated militia which is necessary to the security of a free state.

"With this in mind, I would like to urge my fellow Senators to vote in favor of this bill."

Senator Kawasaki then rose to speak in favor of the measure as follows:

"Mr. President, I'm voting for this bill based on the dialogue that has taken place here today, but the other question that also bothers me -- have we obtained the Attorney General's opinion on the constitutionality of preferential treatment for one segment of the population which is a serious concern that I think we should have."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 658-84 was adopted and H.B. No. 359, entitled: "A BILL FOR AN ACT RELATING TO NATIONAL GUARD AND RESERVE TUITION WAIVERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Young, Ajifu and Henderson).

Standing Committee Report No. 659-84 (H.B. No. 1797-84, H.D. 1):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 659-84 was adopted and H.B. No. 1797-84, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASEHOLDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Young, Ajifu and Henderson).

Standing Committee Report No. 660-84 (H.B. No. 851):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 660-84 was adopted and H.B. No. 851, entitled: "A BILL FOR AN ACT RELATING TO THE STATUS OF WOMEN," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Young, Ajifu and Henderson).

Standing Committee Report No. 661-84 (H. B. No. 1718-84, H.D. 1):

Senator Yamasaki moved that Stand. Com. Rep. No. 661-84 be adopted and H.B. No. 1718-84, H.D. 1, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

Senator Kawasaki rose to speak against the bill as follows: "Mr. President, I vote against this bill primarily because I think extending the time for the resolution of an impasse situation prolongs the agony. It just seems to me the time-frame allowed under the present statute is enough for these people to arrive at a decision, one way or another. To extend it, I think, prolongs the negotiation period and all the difficulties that the negotiating parties are going to meet in the way of coming to a decision."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 661-84 was adopted and H.B. No. 1718-84, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Kawasaki). Excused, 3 (Young, Ajifu and Henderson).

Standing Committee Report No. 662-84 (H.B. No. 1185, H.D. 1):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 662-84 was adopted and H.B. No. 1185, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A PUBLIC GUARDIANSHIP AGENCY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Young, Ajifu and Henderson).

House Bill No. 1213:

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, H.B. No. 1213, entitled: "A BILL FOR AN ACT PROPOSING THE REPEAL OF ARTICLE VII, SECTION 6, OF THE HAWAII CONSTITUTION, TO ELIMINATE THE REQUIREMENT THAT EXCESS REVENUE BE REFUNDED TO TAXPAYERS UNDER CERTAIN CONDITIONS," having been read throughout, passed Third Reading by not less than two-thirds vote of all the members to which the Senate is entitled, on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Carpenter). Excused, 3 (Young, Ajifu and Henderson).

House Bill No. 1827-84:

Senator Yamasaki moved that H.B. 1827-84, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

Senator Abercrombie rose to speak in support of the bill as follows:

"Mr. President, I believe that this measure, which I hope will receive the support of all here, is an important one because we find ourselves in many instances following federal practices with respect to taxation on a more or less rote basis. This is particularly important because, if my understanding of the bill is correct, we will not put to those who are receiving social security on to a basis which might end up with them having to pay taxes on that. I'm assuming and I'm sure that it would not be the policy of the state to attempt to gain revenues by such a practice. I think it would fly in the face of what social security is supposed to serve and there is a real, genuine concern among the community of people who are senior citizens and elderly people who are receiving social security that this was a danger.

"The fact that so many people are concerned about it, Mr. President, I think reflects on the fears that have been generated in the last few years with respect to how we're going to deal with budgets not only at the state level, but at the federal level and whether we are going to, in effect, 'attack' the area of social security in such a manner as not just to reduce benefits, but to possibly undermine the capacity for people who are receiving such benefits to be able to conduct their lives in the way that gives them a sense of security and assurance that they will be able to

take care of themselves. It's very important that we pass this bill."

The motion was put by the Chair and carried, and H.B. No. 1827-84, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Young, Ajifu and Henderson).

#### ADVISE AND CONSENT

Standing Committee Report No. 672-84 (Gov. Msg. No. 263):

Senator Mizuguchi moved that Stand. Com. Rep. No. 672-84 be received and placed on file, seconded by Senator Abercrombie and carried.

Senator Mizuguchi then moved that the Senate advise and consent to the nominations to the Advisory Commission on Manpower and Full Employment of the following:

Glenn T. Minami, John Roger Campbell, Robert M Monden, Jean H. Miyahira and Patricia K. Osgood, terms to expire June 30, 1987; and

Roy K. Fujimoto, term to expire June 30, 1986,

seconded by Senator Abercrombie.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Young, Ajifu and Henderson).

Standing Committee Report No. 673-84 (Gov. Msg. No. 172):

Senator Mizuguchi moved that Stand. Com. Rep. No. 673-84 be received and placed on file, seconded by Senator Abercrombie and carried.

Senator Mizuguchi then moved that the Senate advise and consent to the nominations of Leonard E. Mason, Carol Kikkawa-Ward and Shizuko Mukaida, to the Policy Advisory Board for Elderly Affairs, terms to expire December 31, 1987, seconded by Senator Abercrombie.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Young, Ajifu and Henderson).

At 12:13 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:15 o'clock p.m.

Standing Committee Report No. 674-84 (Gov. Msg. No. 102):

Senator Mizuguchi moved that Stand. Com. Rep. No. 674-84 be received and placed on file, seconded by Senator Abercrombie and carried.

Senator Mizuguchi then moved that the Senate advise and consent to the nominations to the Advisory Council for Children and Youth of the following:

Fred L. Blair, term to expire December 31, 1987; and

Gene J. Dumaran, term to expire December 31, 1984,

seconded by Senator Abercrombie.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Young, Ajifu and Henderson).

Standing Committee Report No. 675-84 (Gov. Msg. No. 262):

Senator Mizuguchi moved that Stand. Com. Rep. No. 675-84 be received and placed on file, seconded by Senator Abercrombie and carried.

Senator Mizuguchi then moved that the Senate advise and consent to the nomination of David M. Nakada to the Advisory Council for Children and Youth, term to expire December 31, 1987, seconded by Senator Abercrombie.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Young, Ajifu and Abercrombie).

Standing Committee Report No. 676-84 (Gov. Msg. No. 177):

Senator Mizuguchi moved that Stand. Com. Rep. No. 676-84 be received and placed on file, seconded by Senator Abercrombie and carried.

Senator Mizuguchi then moved that the Senate advise and consent to the nominations of Carolina Boland and Barbara Adams, to the Board of



Social Services and Housing, terms to expire December 31, 1987, seconded by Senator Abercrombie.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Young, Ajifu and Henderson).

Standing Committee Report No. 677-84 (Gov. Msg. No. 101):

Senator Mizuguchi moved that Stand. Com. Rep. No. 677-84 be received and placed on file, seconded by Senator Abercrombie and carried.

Senator Mizuguchi then moved that the Senate advise and consent to the nomination of John R. Pingree, to the Commission on Manpower and Full Employment, term to expire June 30, 1984, seconded by Senator Abercrombie.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Young, Ajifu and Henderson).

Standing Committee Report No. 678-84 (Gov. Msg. No. 174):

Senator Mizuguchi moved that Stand. Com. Rep. No. 678-84 be received and placed on file, seconded by Senator Abercrombie and carried.

Senator Mizuguchi then moved that the Senate advise and consent to the nomination of Thomas J. Foye to the Advisory Commission on Manpower and Full Employment, term to expire June 30, 1987, seconded by Senator Abercrombie.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Young, Ajifu and Henderson).

Standing Committee Report No. 679-84 (Gov. Msg. No. 222):

Senator Mizuguchi moved that Stand. Com. Rep. No. 679-84 be received and placed on file, seconded by Senator Abercrombie and carried.

Senator Mizuguchi then moved that the Senate advise and consent to the nominations to the Progressive Neighborhoods Task Force, of the following:

Ruby L. Hargrave, term to expire December 31, 1984;

Mark Henry Suiso, term to expire December 31, 1987; and

Louis Hao, term to expire December 31, 1987,

seconded by Senator Abercrombie.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Young, Ajifu and Henderson).

Standing Committee Report No. 680-84 (Gov. Msg. No. 175):

Senator Mizuguchi moved that Stand. Com. Rep. No. 680-84 be received and placed on file, seconded by Senator Abercrombie and carried.

Senator Mizuguchi then moved that the Senate advise and consent to the nominations of Rolland Smith, Louise N. Kong and Philip S. Chun, to the Progressive Neighborhoods Task Force, terms to expire December 31, 1987, seconded by Senator Abercrombie.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Young, Ajifu and Henderson).

Standing Committee Report No. 681-84 (Gov. Msg. No. 211):

Senator Mizuguchi moved that Stand. Com. Rep. No. 681-84 be received and placed on file, seconded by Senator Abercrombie and carried.

Senator Mizuguchi then moved that the Senate advise and consent to the nomination of Ernest M.S. Loo to the Civil Service Commission, term to expire December 31, 1987, seconded by Senator Abercrombie.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Young, Ajifu and Henderson).

Standing Committee Report No. 682-84 (Gov. Msg. No. 170):

Senator Mizuguchi moved that Stand. Com. Rep. No. 682-84 be received and placed on file, seconded

by Senator Abercrombie and carried.

Senator Mizuguchi then moved that the Senate advise and consent to the nomination of Edward S. Kushi, Jr. to the Civil Service Commission, term to expire December 31, 1987, seconded by Senator Abercrombie.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Young, Ajifu and Henderson).

Standing Committee Report No. 683-84 (Gov. Msg. No. 173):

Senator Mizuguchi moved that Stand. Com. Rep. No. 683-84 be received and placed on file, seconded by Senator Abercrombie and carried.

Senator Mizuguchi then moved that the Senate advise and consent to the nomination of Renton L. K. Nip to the Hawaii Employment Relations Board, term to expire December 31, 1987, seconded by Senator Abercrombie.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Young, Ajifu and Henderson).

Standing Committee Report No. 684-84 (Gov. Msg. No. 221):

Senator Mizuguchi moved that Stand. Com. Rep. No. 684-84 be received and placed on file, seconded by Senator Abercrombie and carried.

Senator Mizuguchi then moved that the Senate advise and consent to the nominations to the Board of Trustees, Hawaii Public Employees Health Fund, of the following:

Dayton M. Nakanelua, term to expire December 31, 1986; and

Lorraine N. Shimamura, term to expire December 31, 1984,

seconded by Senator Abercrombie.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Young, Ajifu and Henderson).

Standing Committee Report No. 685-84 (Gov. Msg. No. 176):

Senator Mizuguchi moved that

Stand. Com. Rep. No. 685-84 be received and placed on file, seconded by Senator Abercrombie and carried.

Senator Mizuguchi then moved that the Senate advise and consent to the nominations of Gordon C. Murakami, Thomas Toguchi and Rev. Christian Tirre, to the Board of Trustees, Hawaii Public Employees Health Fund, terms to expire December 31, 1987, seconded by Senator Abercrombie.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Young, Ajifu and Henderson).

Standing Committee Report No. 686-84 (Gov. Msg. No. 171):

Senator Mizuguchi moved that Stand. Com. Rep. No. 686-84 be received and placed on file, seconded by Senator Abercrombie and carried.

Senator Mizuguchi then moved that the Senate advise and consent to the nomination of Mitsuyoshi Fukuda to the Board of Trustees of the Deferred Compensation Plan, term to expire December 31, 1987, seconded by Senator Abercrombie.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Young, Ajifu and Henderson).

Standing Committee Report No. 687-84 (Gov. Msg. No. 247):

Senator Aki moved that Stand. Com. Rep. No. 687-84 be received and placed on file, seconded by Senator Hagino and carried.

Senator Aki then moved that the Senate advise and consent to the nominations of Fred I. Kamemoto and James A. Brock, D.V.M., to the Natural Area Reserves System Commission, terms to expire December 31, 1987, seconded by Senator Hagino.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Young, Ajifu and Henderson).

Standing Committee Report No. 688-84 (Gov. Msg. No. 245):

Senator Aki moved that Stand. Com. Rep. No. 688-84 be received

and placed on file, seconded by Senator Hagino and carried.

Senator Aki then moved that the Senate advise and consent to the nomination of Warren E. Akiona to the Hawaii Fisheries Coordinating Council, term to expire December 31, 1987, seconded by Senator Hagino.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Young, Ajifu and Henderson).

At this time, Senator Solomon, chairman of the Committee on Education, requested a waiver of the 48-hour Notice of a Public Hearing on Governor's Message Nos. 304 and 305 of the Senate Education Committee's hearing notice for Thursday, April 12, 1984, and the President granted the waiver.

Senator Mizuguchi, Chairman of the Committee on Human Resources, then requested waiver of the 48-hour Notice of a Public Hearing on Governor's Message No. 313 of the Senate Human Resources Committee's hearing notice for Thursday, April 12, 1984, and the President granted the waiver.

#### RECONSIDERATION OF ACTIONS TAKEN

Senate Bill No. 1577-84, S.D. 1, H.D. 1:

Senator Yamasaki moved that the Senate reconsider its action taken on April 5, 1984 on S.B. No. 1577-84, S.D. 1, H.D. 1, seconded by Senator B. Kobayashi and carried.

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1577-84, S.D. 1, and S.B. No. 1577, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was placed on the calendar for Final Reading on Thursday, April 12, 1984.

Senate Bill No. 1890-84, S.D. 1, H.D. 1:

Senator Yamasaki moved that the Senate reconsider its action taken on April 5, 1984 on S.B. No. 1890-84, S.D. 1, H.D. 1, seconded by Senator B. Kobayashi and carried.

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1890-84, S.D. 1, and S.B. No. 1890, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS", was placed on the calendar for Final Reading on Thursday, April 12, 1984.

Senate Bill No. 785, S.D. 1, H.D. 2:

Senator Cobb moved that the Senate reconsider its action taken on April 5, 1984 on S.B. No. 785, S.D. 1, H.D. 2, seconded by Senator Carpenter and carried.

On motion by Senator Cobb, seconded by Senator Carpenter and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 785, S.D. 1, and S.B. No. 785, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CREDIT SALES", was placed on the calendar for Final Reading on Thursday, April 12, 1984.

#### APPOINTMENT OF CONFEREES

House Bill No. 177, H.D. 1 (S.D.1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 177, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Aki, Chairman, Hagino, Kuroda, Yamasaki and Henderson as Managers on the part of the Senate at such conference.

#### CHANGE OF CONFERENCE COMMITTEE MANAGERS

House Bill No. 2151-84, H.D. 2 (S.D. 2):

The President appointed Senators Toguchi and George as Managers and discharged Senators Uwaine and Soares as Managers on the part of the Senate at the conference to be held to consider the amendments proposed by the Senate to H.B. No. 2151-84, H.D. 2.

#### ADJOURNMENT

At 12:22 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, April 12, 1984.