

FIFTY-SECOND DAY

Tuesday, April 9, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:40 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Senator Patsy Young, after which the Roll was called showing all Senators present.

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

Senator Toguchi rose and made the following introduction to the members of the Senate:

"Mr. President, the year 1959 was a very, very important year for all of us. For me it was important because number one, I graduated from high school, but more importantly it was the year that the citizens of Hawaii obtained full rights as citizens of the United States when Hawaii was admitted to the Union on August 21, 1959.

"Mr. President, to assist with the celebration of this historic occasion the Legislature established the 1984 Hawaii Silver Jubilee Committee which had charge of all arrangements for the state's official observance of the 25th birthday of the State of Hawaii. Mr. President, this committee embarked on a creative campaign to raise funds, at the same time promoting statehood through projects such as the development and license of its copyrighted logo and theme, also the production of 'Hawaii, 25 Years of Statehood, a Lifetime of Aloha,' the silver jubilee coin and the statehood historical calendar. In addition, Mr. President, the committee met diligently to plan activities on many occasions. They registered fifty events as recognized projects for the 25th anniversary and sponsored three major events in 1984, including the walk to Kawaiahao Church, an Independence Day parade, and Admission's Day pageant.

"Mr. President, today we would like to recognize and honor the members of the 1984 Silver Jubilee Committee for the contributions to the celebration of Hawaii's statehood. I would like to introduce to this body the members of that hardworking committee. First of all, I'd like to introduce Mr. Dick Howard who produced the production 'Hawaii, 25 Years of Statehood, a Lifetime of Aloha,' and also a staff member who ably assisted this committee, Dr. Henry Wong. The members of the Silver Jubilee Committee are Mr. Edward Burns, Ms. Barbara Meheula, Ms. Barbara Daly, Mr. Edwin Hara, Mr. Wayne Ishihara, Mr. Clayton Naluai, Mrs. Yukie Ueoka and Mr. Herbert Wolff.

"Mr. President, it was through the efforts of this committee that we had an outstanding celebration of statehood, giving the event added meaning to the people of Hawaii. Once again I'd like to present to this body this hardworking, really outstanding committee that did a terrific job. I would like to, on behalf of the Senate, again congratulate you for a job well done and mahalo for all the time and effort that you put into the planning of our 25th year celebration.

"Mr. President, for the record I would just like to mention the other members of the Statehood Silver Jubilee Committee who could not be with us this morning: Mr. Francis Stillmen, Sr., Mr. Shigeto Murayama, Mr. Elmer Cravalho, Dr. Domingo Los Banos and Ms. Sandi Eagleson."

The honorees were presented with Senate Certificates and leis by Senators Soares, Solomon, Fernandes Salling, Henderson, Cayetano, Holt, Yamasaki, Cobb, McMurdo and A. Kobayashi.

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

The Senate reconvened at 11:54 o'clock a.m.

Senator Soares then made the following introduction:

"Mr. President, sitting in the gallery is an old friend of mine, Danny Rodrigues, whom I haven't seen for many years and one of the finest athletes to ever don a Farrington Governor's uniform."

MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 291, transmitting the reports, "State Activities to Implement Priority Guidelines of the Hawaii State Plan, March 1985," and "County Activities to Implement Priority Guidelines of the Hawaii State Plan, March 1985," prepared by the Department of Planning and Economic Development with the assistance of other state and county agencies, in response to Chapter 226, HRS, was read by the Clerk and was referred to the Committee on Economic Development.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 87 to 97) were read by the Clerk and were disposed of as follows:

S.C.R. No. 87, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF

ACCOUNTING AND GENERAL SERVICES TO STUDY THE POSSIBILITY OF USING THE RICHARDS AND HOTEL STREET CITY PARKING GARAGE FOR STATE OR JOINT STATE AND CITY PARKING AS AN ALTERNATIVE TO PARKING ON THE IOLANI PALACE GROUNDS," was offered by Senators Yamasaki, Cobb, A. Kobayashi, Kawasaki, Holt, Abercrombie, Matsuura, Kuroda, Solomon, Mizuguchi, B. Kobayashi and Machida.

By unanimous consent, S.C.R. No. 87 was referred to the Committee on Tourism and Recreation.

S.C.R. No. 88, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE EFFECTS OF THE ELECTRICAL MUSCLE STIMULATION (EMS) DEVICE AS IT PERTAINS TO THE CLAIMS, USES AND DANGERS OF THOSE DEVICES," was offered by Senator Hee.

By unanimous consent, S.C.R. No. 88 was referred to the Committee on Health.

S.C.R. No. 89, entitled: "SENATE CONCURRENT RESOLUTION URGING THE TRUSTEES OF THE BISHOP ESTATE TO FURTHER REFINE THE STATEMENT OF UNDERSTANDING BETWEEN THE DEPARTMENT OF EDUCATION AND THE KAMEHAMEHA SCHOOLS/BERNICE PAUHI BISHOP ESTATE," was offered by Senators Solomon and Toguchi.

By unanimous consent, S.C.R. No. 89 was referred to the Committee on Education.

S.C.R. No. 90, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF THE OFFICE OF HAWAIIAN AFFAIRS ASSUMING RESPONSIBILITY FOR THE SUPPORT AND MANAGEMENT OF THE DEPARTMENT OF EDUCATION'S HAWAIIAN STUDIES KUPUNA PROGRAM," was offered by Senator Solomon.

By unanimous consent, S.C.R. No. 90 was referred jointly to the Committee on Education and the Committee on Economic Development.

S.C.R. No. 91, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE KAMEHAMEHA SCHOOLS TO FURTHER ESTABLISH COOPERATIVE PROGRAMS THAT UTILIZE THE RESOURCES OF THE KAMEHAMEHA SCHOOLS AND THE INSTITUTIONAL CAPABILITIES OF THE DEPARTMENT OF EDUCATION TO PROVIDE EDUCATIONAL OPPORTUNITIES TO HAWAIIAN AND PART HAWAIIAN CHILDREN AND YOUTH," was offered by Senators Solomon and Toguchi.

By unanimous consent, S.C.R. No. 91 was referred to the Committee on Education.

S.C.R. No. 92, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES NAVY TO SELECT PEARL HARBOR, HAWAII, AS THE HOMEPORT FOR THE BATTLESHIP MISSOURI AND ITS ESCORT SHIPS," was offered by Senators Kuroda, Cayetano, Aki, B. Kobayashi, McMurdo, Chang, George, Kawasaki, Matsuura, Hagino, Fernandes Salling, Toguchi, Yamasaki, Machida, Young, Wong, Solomon, Cobb, Soares, Holt, Henderson and Hee.

By unanimous consent, S.C.R. No. 92 was referred to the Committee on Government Operations.

S.C.R. No. 93, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON ALTERNATIVES FOR THE CONTINUED USE OF HOLUALOA LIBRARY, HAWAII," was offered by Senator Solomon.

By unanimous consent, S.C.R. No. 93 was referred to the Committee on Education.

S.C.R. No. 94, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES AND THE SOVIET UNION TO ESTABLISH AN IMMEDIATE, MUTUAL, VERIFIABLE MORATORIUM ON NUCLEAR WEAPONS," was offered by Senators A. Kobayashi, Chang, Holt, Young, Hagino, Kawasaki, Toguchi, Fernandes Salling, McMurdo, Matsuura and Solomon.

By unanimous consent, S.C.R. No. 94 was referred to the Committee on Government Operations.

S.C.R. No. 95, entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING THE UPCOMING 200TH ANNIVERSARY OF THE ARRIVAL OF THE FIRST CHINESE TO HAWAII AND REQUESTING THE ESTABLISHMENT OF A COMMISSION TO COORDINATE ACTIVITIES COMMEMORATING THE ANNIVERSARY," was offered by Senators Chang, Wong, Aki, Hee, Young, Kawasaki, Cobb, Toguchi, A. Kobayashi, Kuroda, George, Hagino, McMurdo, Fernandes Salling, Matsuura, Yamasaki and Henderson.

By unanimous consent, S.C.R. No. 95 was referred to the Committee on Education.

S.C.R. No. 96, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY OF LAWS BASED ON AGE," was offered by Senators Chang, Cayetano, Aki, Hee, Machida, A. Kobayashi, Matsuura, Cobb, Young, Kuroda, George, Kawasaki, Toguchi, Hagino, Fernandes Salling, Yamasaki and Henderson.

By unanimous consent, S.C.R. No. 96 was referred to the Committee on Judiciary.

S.C.R. No. 97, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE SECRETARY OF AGRICULTURE TO INCLUDE HAWAII IN THE FEDERAL CROP INSURANCE PROGRAM," was offered by Senators A. Kobayashi, Matsuura, Solomon, Soares, Henderson, George and Toguchi.

By unanimous consent, S.C.R. No. 97 was referred to the Committee on Agriculture.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 113 to 124) were read by the Clerk and were disposed of as follows:

S.R. No. 113, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO STUDY THE POSSIBILITY OF USING THE RICHARDS AND HOTEL STREET CITY PARKING GARAGE FOR STATE OR JOINT STATE AND CITY PARKING AS AN ALTERNATIVE TO PARKING ON THE IOLANI PALACE GROUNDS," was offered by Senators Yamasaki, Cobb, A. Kobayashi, Holt, Abercrombie, Matsuura, Kuroda, Mizuguchi, Solomon, B. Kobayashi and Machida.

By unanimous consent, S.R. No. 113 was referred to the Committee on Tourism and Recreation.

S.R. No. 114, entitled: "SENATE RESOLUTION URGING A TEMPORARY MORATORIUM ON ALL WATER DEVELOPMENT ON WINDWARD OAHU," was offered by Senator Hee.

By unanimous consent, S.R. No. 114 was referred to the Committee on Economic Development.

S.R. No. 115, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE EFFECTS OF THE ELECTRICAL MUSCLE STIMULATION (EMS) DEVICE AS IT PERTAINS TO THE CLAIMS, USES AND DANGERS OF THOSE DEVICES," was offered by Senator Hee.

By unanimous consent, S.R. No. 115 was referred to the Committee on Health.

S.R. No. 116, entitled: "SENATE RESOLUTION URGING THE TRUSTEES OF THE BISHOP ESTATE TO FURTHER REFINE THE STATEMENT OF UNDERSTANDING BETWEEN THE DEPARTMENT OF EDUCATION AND THE KAMEHAMEHA SCHOOLS/BERNICE PAUHI BISHOP ESTATE," was offered by Senators Solomon and Toguchi.

By unanimous consent, S.R. No. 116 was referred to the Committee on Education.

S.R. No. 117, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF THE OFFICE OF HAWAIIAN AFFAIRS ASSUMING RESPONSIBILITY FOR THE SUPPORT AND MANAGEMENT OF THE DEPARTMENT OF EDUCATION'S HAWAIIAN STUDIES KUPUNA PROGRAM," was offered by Senator Solomon.

By unanimous consent, S.R. No. 117 was referred jointly to the Committee on Education and the Committee on Economic Development.

S.R. No. 118, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE KAMEHAMEHA SCHOOLS TO FURTHER ESTABLISH COOPERATIVE PROGRAMS THAT UTILIZE THE RESOURCES OF THE KAMEHAMEHA SCHOOLS AND THE INSTITUTIONAL CAPABILITIES OF THE DEPARTMENT OF EDUCATION TO PROVIDE EDUCATIONAL OPPORTUNITIES TO HAWAIIAN AND PART HAWAIIAN CHILDREN AND YOUTH," was offered by Senators Solomon and Toguchi.

By unanimous consent, S.R. No. 118 was referred to the Committee on Education.

S.R. No. 119, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON ALTERNATIVES FOR THE CONTINUED USE OF HOLUALOA LIBRARY, HAWAII," was offered by Senator Solomon.

By unanimous consent, S.R. No. 119 was referred to the Committee on Education.

S.R. No. 120, entitled: "SENATE RESOLUTION URGING THE UNITED STATES AND THE SOVIET UNION TO ESTABLISH AN IMMEDIATE, MUTUAL, VERIFIABLE MORATORIUM ON NUCLEAR WEAPONS," was offered by Senators A. Kobayashi, Chang, Holt, Young, Hagino, Fernandes Salling, McMurdo, Toguchi, Matsuura and Solomon.

By unanimous consent, S.R. No. 120 was referred to the Committee on Government Operations.

S.R. No. 121, entitled: "SENATE RESOLUTION RECOGNIZING THE UPCOMING 200TH ANNIVERSARY OF THE ARRIVAL OF THE FIRST CHINESE TO HAWAII AND REQUESTING THE ESTABLISHMENT OF A COMMISSION TO COORDINATE ACTIVITIES COMMEMORATING THE ANNIVERSARY," was offered by Senators Chang, Wong, Aki, Hee, Young, Kawasaki, Cobb, Toguchi, A. Kobayashi, Kuroda, George, Hagino, McMurdo, Fernandes Salling, Matsuura, Yamasaki and Henderson.

By unanimous consent, S.R. No. 121 was referred to the Committee on Education.

S.R. No. 122, entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY OF LAWS BASED ON AGE," was offered by Senators Chang, Cayetano, Aki, Hee, Machida, A. Kobayashi, Matsuura, Cobb, Kuroda, George, Kawasaki, Toguchi, Hagino, Fernandes Salling, Yamasaki, Henderson and Young.

By unanimous consent, S.R. No. 122 was referred to the Committee on Judiciary, then to the Committee on Legislative Management.

S.R. No. 123, entitled: "SENATE RESOLUTION REQUESTING THE SENATE COMMITTEE ON JUDICIARY TO REVIEW AND EVALUATE HAWAII'S JUDICIAL SELECTION AND RETENTION SYSTEM," was offered by Senators Chang, Kawasaki, Matsuura, Hagino, Yamasaki, Fernandes Salling, A. Kobayashi, McMurdo, Henderson, Kuroda, Abercrombie, Toguchi, Aki, George, Hee, Young and Cobb.

By unanimous consent, S.R. No. 123 was referred to the Committee on Judiciary, then to the Committee on Legislative Management.

S.R. No. 124, entitled: "SENATE RESOLUTION REQUESTING THE SECRETARY OF AGRICULTURE TO INCLUDE HAWAII IN THE FEDERAL CROP INSURANCE PROGRAM," was offered by Senators A. Kobayashi, Matsuura, Solomon, Soares, Henderson, George and Toguchi.

By unanimous consent, S.R. No. 124 was referred to the Committee on Agriculture.

STANDING COMMITTEE REPORTS

Senator Matsuura for the Committee on Energy, presented a report (Stand. Com. Rep. No. 955) recommending that Senate Concurrent Resolution No. 30 be adopted.

On motion by Senator Matsuura, seconded by Senator Aki and carried, the report of the Committee was adopted and S.C.R. No. 30, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES TO PROCEED EXPEDITIOUSLY WITH ALL REQUIRED ACTIONS TO CONSUMMATE, IF FEASIBLE, A LAND EXCHANGE BETWEEN CAMPBELL ESTATE LANDS AT KAHUALE'A WITH THE ADJACENT STATE-OWNED LANDS FOR THE PURPOSE OF FACILITATING THE DEVELOPMENT OF GEOTHERMAL RESOURCES ON THE EXCHANGED STATE LANDS," was adopted.

Senator Holt for the Committee on Higher Education, presented a report (Stand.

Com. Rep. No. 956) recommending that Senate Resolution No. 80 be adopted.

On motion by Senator Holt, seconded by Senator Chang and carried, the report of the Committee was adopted and S.R. No. 80, entitled: "SENATE RESOLUTION SUPPORTING THE LAW OF THE SEA INSTITUTE," was adopted.

Senator Holt for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 957) recommending that Senate Concurrent Resolution No. 62 be adopted.

On motion by Senator Holt, seconded by Senator Chang and carried, the report of the Committee was adopted and S.C.R. No. 62, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE LAW OF THE SEA INSTITUTE," was adopted.

At 11:58 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:00 o'clock a.m.

Senator Toguchi for the Committee on Education, presented a report (Stand. Com. Rep. No. 958) recommending that Senate Concurrent Resolution No. 51, as amended in S.D. 1, be referred to the Committee on Ways and Means.

Senator Toguchi then moved that Stand. Com. Rep. No. 958 be adopted and S.C.R. No. 51, S.D. 1, be referred to the Committee on Ways and Means, seconded by Senator Solomon.

Senator Abercrombie rose to speak against the resolution:

"Mr. President, I don't know why we're postponing this once again. The Department of Accounting and General Services promised several years ago to do a good job. They've done a lousy job. They're not capable of handling the DOE repair and maintenance work. They said they would do it; they haven't done it. Their record is miserable. We're simply postponing once again making the transfer as we should to making the DOE responsible for its own maintenance and repairs.

"This is strictly political. It's to keep the power at the Department of Accounting and General Services to hand out contracts. It has political implications for control, I presume, contributions to politicians. I can't figure out any other reason for the lousy, rotten job that they've done. It's deliberate.

"They knew perfectly well that these buildings were falling to pieces. They don't care. To ask the Department of Accounting and General Services to prepare a feasibility

study is asking the fox to go into the chicken coop. The director of that organization has failed to carry through on his promises. I see no reason to have him do it and in the course of my argument I'm changing my mind about voting for it because I simply have no confidence in their ability. They said they'd do the job; they haven't done the job; they aren't going to do the job; they shouldn't have the job; and we should pass a bill that takes it away from them.

"To study it further is to simply postpone dealing with this issue...yes, I'm right, I'm voting against it and everybody else should vote against it and we should simply take the bill up next year and take it the hell away from them and let the Education Committee in the interim work out the details and get this in the hands of people who care about our children and care about the school buildings and do not have as their first priority the political considerations that go into whatever it is that DAGS does."

Senator Toguchi rose to speak in favor of the resolution:

"Mr. President, I concur with the earlier speaker. I just want to point out that if you look at the committee report, it's a feasibility study. That was changed in committee to an audit. I just wanted to make that distinction."

Senator Soares then asked if the chairman would yield to a question. The Chair posed the question and Senator Toguchi having answered in the affirmative, Senator Soares inquired as follows:

"As I read the committee report, Mr. President, I gather from the last paragraph on the first page that what we're asking for is not a feasibility study at all, but an audit by the Auditor on DAGS' performance regarding repair and maintenance of schools. Is that correct?"

Senator Toguchi answered: "Yes, a financial and management audit."

Senator Soares further inquired:

"Okay, so then will the record read, Mr. President, that we're asking in a resolution for a financial and management audit of DAGS as it relates to DOE? Okay."

Senator Toguchi explained:

"Mr. President, I just want to point out what we did. The original resolution was a feasibility study. After the hearing and much discussion and concerns expressed, concerns such as that raised by Senator Abercrombie, the committee amended the resolution to reflect an audit, rather than a feasibility study. And that's what the Senate Draft 1 does."

Senator Abercrombie rose and spoke again against the resolution as follows:

"I don't think the Auditor is going to tell us any more than we already know. They haven't done the job; they can't do the job; they won't do the job; they don't care about doing the job. And the results have been in the newspapers—the results as viewed by our students and our teachers and our taxpayers everyday."

"I kept trying to make myself vote for this thing right up until now, but I'll defer to the chairman on this in the sense of having the audit. I expect that he will find proof positive from the Auditor of what we already know. I'm going to cast a 'no' vote then on the basis of my objections to the failure of the Department of Accounting and General Services to keep its word to previous committees of this Senate, and that will be borne out in any audit that takes place. I guarantee you that."

The motion was put by the Chair and carried, the report of the Committee was adopted, and Roll Call having been requested, S.C.R. No. 51, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO CONDUCT A FINANCIAL AND MANAGEMENT AUDIT OF THE REPAIR AND MAINTENANCE FUNCTIONS PROVIDED BY THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES AND THE DEPARTMENT OF EDUCATION FOR HAWAII'S PUBLIC SCHOOLS," was referred to the Committee on Ways and Means, on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Abercrombie).

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 959) recommending that the Senate advise and consent to the nomination of Lani Liu Ewart to the Commission to Promote Uniform Legislation, in accordance with Gov. Msg. No. 144.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 959 and Gov. Msg. No. 144 was deferred until Wednesday, April 10, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 960) recommending that the Senate advise and consent to the nomination of Betty M. Vitousek to the Juvenile Justice Interagency Board, in accordance with Gov. Msg. No. 208.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 960 and Gov. Msg. No. 208 was deferred until Wednesday, April 10, 1985.

ORDER OF THE DAY

MATTERS DEFERRED FROM
MONDAY, APRIL 8, 1985

FINAL READING

Senate Bill No. 35, H.D. 1:

Senator Yamasaki moved that the Senate agree to the amendments proposed by the House to S.B. No. 35, and S.B. No. 35, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Mizuguchi.

Senator Kawasaki rose and spoke in favor of the amendment as follows:

"Mr. President, while I'm in the mood to give compliments where they are rightfully due, today I want to give the House of whom I've been very critical at times, credit for having come out with this recommendation providing for some reasonable ceiling on the general obligation bonds that the state floats. When a similar bill emerged from the Senate Ways and Means Committee I was one of those people very critical about the move to completely remove all ceilings on general obligation bonds. I think the House took a responsible stance in at least providing ceilings and I'm wholly in support of this proposition. This is one time, I think, the House scored over the Senate, and I'm glad we're now quite repentant in going along with the House's more common sense approach to this problem."

The motion was put by the Chair and carried and S.B. No. 35, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL OBLIGATION BONDS OF THE STATE OF HAWAII," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 64, S.D. 2, H.D. 2:

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 64, S.D. 2, and S.B. No. 64, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DOMICILIARY CARE," was placed on the calendar for Final Reading on Wednesday, April 17, 1985.

At 12:09 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:10 o'clock p.m.

Senate Bill No. 70, S.D. 1, H.D. 1:

Senator Aki moved that the Senate agree to the amendments proposed by the House to S.B. No. 70, S.D. 1, and S.B. No. 70, S.D. 1, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator

Matsuura.

Senator Abercrombie then asked if the chairman would yield to a question. The Chair posed the question and Senator Yamasaki having answered in the affirmative, Senator Abercrombie inquired as follows:

"Mr. President, would you ask the chairman if the effect of this bill is to reduce the time of public review in the EIS process?"

At 12:11 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:13 o'clock p.m.

By unanimous consent, S.B. No. 70, S.D. 1, H.D. 1 was placed to the end of the calendar.

Senate Bill No. 95, H.D. 2:

On motion by Senator Aki, seconded by Senator Matsuura and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 95, and S.B. No. 95, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 99, H.D. 1:

On motion by Senator Abercrombie, seconded by Senator Yamasaki and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 99, and S.B. No. 99, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDIGENT BURIALS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 102, H.D. 1:

On motion by Senator Abercrombie, seconded by Senator Yamasaki and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 102, and S.B. No. 102, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 127, S.D. 1, H.D. 1:

On motion by Senator Cayetano, seconded

by Senator Toguchi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 127, S.D. 1, and S.B. No. 127, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AERONAUTICS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 132, S.D. 1, H.D. 1:

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 132, S.D. 1, and S.B. No. 132, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIGHTS FOR MOTOR VEHICLES, MOTORCYCLES, MOTOR SCOOTERS, MOTORIZED BICYCLES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 170, S.D. 2, H.D. 2:

On motion by Senator Yamasaki, seconded by Senator Cobb and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 170, S.D. 2, and S.B. No. 170, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EXTENSION OF THE COMPLIANCE RESOLUTION FUND," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 189, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 189, S.D. 1, and S.B. No. 189, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAVEL AGENCIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 234, S.D. 1, H.D. 1:

On motion by Senator Young, seconded by Senator Hee and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 234, S.D. 1, and S.B. No. 234, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Abercrombie).

Senate Bill No. 235, S.D. 1, H.D. 1:

On motion by Senator Young, seconded by Senator Hee and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 235, S.D. 1, and S.B. No. 235, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROPERTY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 236, S.D. 1, H.D. 2:

On motion by Senator Fernandes Salling, seconded by Senator Cobb and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 236, S.D. 1, and S.B. No. 236, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EXPENDITURE OF PUBLIC MONEY AND PUBLIC CONTRACTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 252, S.D. 2, H.D. 1:

On motion by Senator Yamasaki, seconded by Senator Chang and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 252, S.D. 2, and S.B. No. 252, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND COURT FEES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 338, S.D. 1, H.D. 2:

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 338, S.D. 1, and S.B. No. 338, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 377, S.D. 1, H.D. 1:

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 377, S.D. 1, and S.B. No. 377, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 404, H.D. 1:

On motion by Senator Aki, seconded by Senator Matsuura and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 404, and S.B. No. 404, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN HOMES COMMISSION ACT, 1920," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 454, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 454, S.D. 1, and S.B. No. 454, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 468, H.D. 1:

On motion by Senator Aki, seconded by Senator Matsuura and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 468, and S.B. No. 468, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 558, S.D. 2, H.D. 1:

On motion by Senator Yamasaki, seconded by Senator Machida and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 558, S.D. 2, and S.B. No. 558, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Abercrombie).

Senate Bill No. 644, S.D. 1, H.D. 1:

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 644, S.D. 1, and S.B. No. 644, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 662, H.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 662, and S.B. No. 662, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICINE AND SURGERY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 732, S.D. 1, H.D. 2:

On motion by Senator Toguchi, seconded by Senator Abercrombie and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 732, S.D. 1, and S.B. No. 732, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EXCEPTIONAL CHILDREN," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 735, S.D. 1, H.D. 1:

By unanimous consent, S.B. No. 735, S.D. 1, H.D. 1 was placed to the end of the calendar.

Senate Bill No. 775, S.D. 1, H.D. 1:

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 775, S.D. 1, and S.B. No. 775, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LITTER CONTROL," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1130, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1130, S.D. 1, and S.B. No. 1130, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Abercrombie).

Senate Bill No. 1138, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1138, S.D. 1, and S.B. No. 1138, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT (MODIFIED),"

having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1175, S.D. 1, H.D. 1:

Senator Cobb moved that the Senate agree to the amendments proposed by the House to S.B. No. 1175, S.D. 1, and S.B. No. 1175, S.D. 1, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator B. Kobayashi.

Senator Kawasaki spoke in favor of the bill as follows:

"Mr. President, I am in complete support of this bill, one of the rare bills that emanated from this Legislature taking care of the interest of the poor consumer in this state. I heartily support this bill."

The motion was put by the Chair and carried and S.B. No. 1175, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING RELATING TO RETAIL INSTALLMENT SALES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1196, S.D. 1, H.D. 1:

On motion by Senator Young, seconded by Senator Hee and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1196, S.D. 1, and S.B. No. 1196, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1223, H.D. 1:

On motion by Senator Aki, seconded by Senator Matsuura and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1223, and S.B. No. 1223, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1231, S.D. 1, H.D. 1:

By unanimous consent, S.B. No. 1231, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," was recommitted to the Committee on Economic Development.

Senate Bill No. 1299, S.D. 1, H.D. 2:

On motion by Senator Fernandes Salling, seconded by Senator Cobb and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1299, S.D. 1, and S.B. No. 1299, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COUNTY LIQUOR COMMISSIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1310, S.D. 1, H.D. 1:

By unanimous consent, S.B. No. 1310, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REPLACEMENT OF ERODED SAND ON PUBLIC BEACHES," was recommitted to the Committee on Tourism and Recreation.

Senate Bill No. 1354, S.D. 1, H.D. 2:

On motion by Senator Young, seconded by Senator Hagino and carried, the Senate agreed to the amendments proposed by the House to S.B. No. , and S.B. No. , H.D. , entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES AND HOUSING," was placed on the calendar for Final Reading on Wednesday, April 17, 1985.

Senate Bill No. 1365, S.D. 1, H.D. 1:

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1365, S.D. 1, and S.B. No. 1365, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXAMINATION OF APPLICANTS FOR HAWAII DRIVER'S LICENSE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1386, S.D. 1, H.D. 1:

On motion by Senator Aki, seconded by Senator Matsuura and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1386, S.D. 1, and S.B. No. 1386, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1487, S.D. 2, H.D. 2:

On motion by Senator Yamasaki, seconded by Senator Machida and carried, the Senate agreed to the amendments proposed by the

House to S.B. No. 1487, S.D. 2, and S.B. No. 1487, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 12:21 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:25 o'clock p.m.

MATTERS DEFERRED TO THE END OF THE CALENDAR

Senate Bill No. 70, S.D. 1, H.D. 1:

The motion was put by the Chair and carried and S.B. No. 70, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 735, S.D. 1, H.D. 1:

Senator Chang moved that the Senate agree to the amendments proposed by the House to S.B. No. 735, S.D. 1, and S.B. No. 735, S.D. 1, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Cayetano.

Senator Hee then asked if the chairman would yield to a question. The Chair posed the question and Senator Chang having answered in the affirmative, Senator Hee inquired as follows:

"Mr. President, would you ask the chair what was the justification for tripling the amount of a check which has been dishonored?"

Senator Chang answered:

"Mr. President, as the bill provides, any person who has had a check written to him or her dishonored is entitled to then write the maker of the check with ten days' notice within which time the maker of the check, upon making the check good, will terminate the process. If, subsequent to that period of notice, the maker of the dishonored check does not make good on that check, the complainant may file an action in court. And if the person then tenders to the plaintiff, in satisfaction of the claim, the requested amount, the person would then only be liable to incurred court and service costs. It's only at the final phase of the process whereby the complainant has had to incur considerable expenses in seeking to make good on a payment which the maker of the check had

originally tendered that a court, upon finding that the check was not made under proper circumstances, may then award triple damages.

"The punitive aspects of the damages are because the person who originally tendered payment was expected, in good faith to pay for goods or services which the payee had every expectation of receiving in return for the goods or services and because of the dishonor brought about by the payer of the check, has had to expend considerable time, effort and expend considerable resources in making good on that payment."

Senator Hee responded as follows:

"Mr. President, my question was how did the figure come out of tripling the amount? I understand what the bill provides. I had some problems with the bill but the first question I had was what caused the committee to find the tripling of a bad check."

Senator Chang answered as follows:

"Triple damages is a figure that is commonly utilized in providing for punitive sanctions where a person has acted in bad faith. The concept was from other kinds of legal actions."

Senator Hee inquired as follows: "Would you ask him what kind of legal actions, Mr. President?"

Senator Chang replied: "Two examples--deceptive trade practices and certain kinds of anti-trust violations."

Senator Hee inquired further as follows:

"Mr. President, would you ask the chairman if writing a bad check is an anti-trust action and that's a follow-up to his response? Secondly, for my edification, Mr. President, will you ask the chairman if I wrote a \$2 check, that according to this bill I would have to pay \$100?"

Senator Chang replied as follows:

"Perhaps to make the situation more graphic, Mr. President, if the good Senator were to write a check for \$2 to me in exchange for some article that he desires and the check were dishonored, I would then provide the good Senator with a notice asking that he make good on that dishonored check. The good Senator would then have ten days in which to make good on the \$2 check and if he did not, I would then file an action in court. If, prior to the judgment on my claim, the good Senator decided that he wanted to make good on his check, after all, inasmuch as he had received the article that he so much desired, he could then tender to me the \$2 plus that he had offered to

pay me for the desired goods and forced me to judgment. I would then be entitled to receive \$6 for all of my time, effort and expenses."

Senator Hee asked one final question as follows:

"Thank you, Mr. President. Will you ask the chairman of the committee if every merchant that does business in Hawaii has access to a system in Hawaii where merchants are able to ascertain the balances of perspective buyers in their checking accounts?"

Senator Chang answered as follows:

"Mr. President, I would not be able to confirm this in any kind of authoritative treatment, but it is my personal experience in engaging in transactions that many merchants do not avail themselves of these kinds of services. As I understand it, these check services are provided to merchants who pay a monthly charge and many merchants do not use these services."

Senator Cobb stated as follows:

"Mr. President, to respond to the Senator from the 9th District, the answer is affirmative. There are several check services, among them Telecheck, Unicheck and others that are available. There is a service charge for the merchant. It is either a telephone or electronic verification of the then existing balance within the checking account. However, it will not address the situation where a check is written, say in the amount of \$50, and when the check is then received by the bank there are insufficient funds. The processing time for a check is normally something that takes two to five days. So while the verification would be for the balance at the time of the check being written, that balance may not be there when the check arrives at the bank."

Senator Cayetano spoke in favor of the measure as follows:

"Mr. President, although this bill would seem to be punitive in nature in terms of people who are on the lower end of the economic scale, for me the provision alleviates my concern on page 2, paragraph c, which permits 'the court or jury to waive all or part of the statutory damages' if the defendant fails to satisfy the dishonored check was due to economic hardship. In short, that takes care of the poor folks."

Senator Abercrombie inquired as follows:

"Mr. President, I don't know whether the chairman of the committee can answer or not, but is there some definition in law now existing as to what constitutes economic

hardship or would the burden of that be decided in each individual case?"

Senator Chang replied: "The determination of that condition would be left to the discretion of the court, Mr. President."

The motion was put by the Chair and carried and S.B. No. 735, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHECKS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

RECONSIDERATION OF ACTION TAKEN

Senate Bill No. 669, S.D. 1, H.D. 1:

Senator Cobb moved that the Senate reconsider its action taken on April 4, 1985 on S.B. No. 669, S.D. 1, H.D. 1, seconded by Senator Soares.

At 12:37 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:40 o'clock p.m.

Senator Cobb then stated as follows:

"Mr. President, by way of explanation, this Senate bill had been sent over to the House basically incorporating most of the provisions of the Minnesota Takeover Act on corporations. The House amended the bill by first adding a severability clause and then to make the Hawaii takeover law consistent with the Minnesota law. They further amended the bill by deleting the exclusion for insurance companies, financial institutions and public utilities. In addition, the finding of the committee report from the House indicates that the Minnesota Takeover Act version would replace the existing Hawaii takeover law principally because the Minnesota law has been court-tested in the U.S. Federal Circuit Court of Appeals of the Eighth Circuit and found to be constitutional. The motion to agree, if carried today, would then place the matter on 48-hours notice."

The motion to reconsider the action was put by the Chair and carried.

On motion by Senator Cobb, seconded by B. Kobayashi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 669, S.D. 1, and S.B. No. 669, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," was placed on the calendar for Final Reading on Thursday, April 11, 1985.

At this time, Senator Toguchi, chairman of the Committee on Education, requested a

waiver of the 48-hour notice of a Public Hearing on the following:

S.R. No. 116, entitled: "SENATE RESOLUTION URGING THE TRUSTEES OF THE BISHOP ESTATE TO FURTHER REFINE THE STATEMENT OF UNDERSTANDING BETWEEN THE DEPARTMENT OF EDUCATION AND THE KAMEHAMEHA SCHOOLS/BERNICE PAUAAHI BISHOP ESTATE";

S.R. No. 117, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF THE OFFICE OF HAWAIIAN AFFAIRS ASSUMING RESPONSIBILITY FOR THE SUPPORT AND MANAGEMENT OF THE DEPARTMENT OF EDUCATION'S HAWAIIAN STUDIES KUPUNA PROGRAM";

S.R. No. 118, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE KAMEHAMEHA SCHOOLS TO FURTHER ESTABLISH COOPERATIVE PROGRAMS THAT UTILIZE THE RESOURCES OF THE KAMEHAMEHA SCHOOLS AND THE INSTITUTIONAL CAPABILITIES OF THE DEPARTMENT OF EDUCATION TO PROVIDE EDUCATIONAL OPPORTUNITIES TO HAWAIIAN AND PART HAWAIIAN CHILDREN AND YOUTH";

S.R. No. 119, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON ALTERNATIVES FOR THE CONTINUED USE OF HOLUALOA LIBRARY, HAWAII";

S.C.R. No. 89, entitled: "SENATE CONCURRENT RESOLUTION URGING THE TRUSTEES OF THE BISHOP ESTATE TO FURTHER REFINE THE STATEMENT OF UNDERSTANDING BETWEEN THE DEPARTMENT OF EDUCATION AND THE KAMEHAMEHA SCHOOLS/BERNICE PAUAAHI BISHOP ESTATE";

S.C.R. No. 90, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF THE OFFICE OF HAWAIIAN AFFAIRS ASSUMING RESPONSIBILITY FOR THE SUPPORT AND MANAGEMENT OF THE DEPARTMENT OF EDUCATION'S HAWAIIAN STUDIES KUPUNA PROGRAM";

S.C.R. No. 91, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE KAMEHAMEHA SCHOOLS TO FURTHER ESTABLISH COOPERATIVE PROGRAMS THAT UTILIZE THE RESOURCES OF THE KAMEHAMEHA SCHOOLS AND THE INSTITUTIONAL CAPABILITIES OF THE DEPARTMENT OF EDUCATION TO PROVIDE EDUCATIONAL OPPORTUNITIES TO HAWAIIAN AND PART HAWAIIAN CHILDREN AND YOUTH";

S.C.R. No. 93, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON ALTERNATIVES FOR THE CONTINUED USE OF HOLUALOA LIBRARY, HAWAII,"

and the President granted the waiver.

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

"Mr. President, just very briefly I call to the members' attention that there is at least tentative agreement reported in the media that in the Congress of the United States between the Republican leadership in the Senate and President of the United States and his Budget Director, Mr. Stockman, with respect to items that directly affect the financial well-being of the State of Hawaii. It is reported in the last two days that there has been an agreement by that leadership and the President that impact aid to the various states and locales throughout the country, including Hawaii, will be eliminated, not reduced, but eliminated as a cost reduction measure with respect to the federal deficit.

"Mr. President, you know and members here know that I have maintained for some time that this state needed to be prepared to do one or both of the following; that is today, be prepared to pay the entire costs and to find the revenues within the state to do it of educating those who are dependents as a result of federal activity, principally military, in the state, or to take action on the state level to support inclusion of impact aid in the Department of Defense budget as a cost of doing business.

"Mr. President, if the compromise reported in the press succeeds, we will be deprived immediately of tens of millions of dollars in funds which now go directly to support our children in the school system. When I say our children, I'm talking about all children in the public school system because the funds do not differentiate between military and civilian children.

"This is a very, very severe problem. The budget for this year already reflects a loss of impact aid. The supposed gains to be made by the infusion of money in the education budget has been virtually completely absorbed by the loss of impact aid already this year so that there is virtually no net gain to our public school system. If this budget proposal passes, not that we will be deprived of that amount of money, but as you recall, Mr. President, the chairman of the Housing Committee made remarks the other day with respect to some of the possible impact of a new battleship group coming to this state and I indicated at that time that we had to take into account what the impact aid ramifications would be. I figured at that time it would be possibly as high as \$6 million in addition the

tens of millions of dollars of impact aid now at stake.

"There are resolutions, Mr. President, in the Legislature right now to examine the pros and cons of the battleship group coming here. I think that it would be in order and appropriate for those to be examined a little bit further in the light of this latest indication from Washington that this state may suffer adversely from the loss of impact aid.

"In conclusion, Mr. President, I want to indicate that this is not a one time only loss. This is an ongoing year after year after year loss that in a decade's time, alone, would probably result in the loss of impact aid to this state between \$100-and-\$200 million which will have to be made up by the taxpayers of this state just in order to stay even with what is required to minimally fund our public school system. This is a very serious, fundamental, profound issue that cannot be wished away by superficial acknowledging or nodding in the direction of excuses with respect to national security, with respect to patriotism, with respect to good relations between the military and civilian population, and all the rest of it. Kind words and good wishes will not deal with the proposition that will be before us if impact aid is withdrawn. Every school child in this state will suffer directly and immediately if impact aid is withdrawn. And I make the strongest urging of you and members of this Senate who have bills or resolutions that could deal with this and I most certainly call upon the Governor of this state and the political leadership of the state to take immediate steps not only to contact our congressional delegation in Washington, but to contact other people, locales, states, regions, areas, cities, whatever the combination might be throughout the country who will be adversely affected by the loss of impact aid and join with them to see that this particular proposal does not succeed in the Congress."

The Chair responded: "Senator Abercrombie, the Chair would like to suggest that you get together with the chairman of Education today and draft up a resolution and let's get on with the job."

SENATE CONCURRENT RESOLUTIONS

On motion by Senator Cobb, seconded by Senator Soares and carried unanimously, the Senate suspended Rule 30 of the Temporary Rules of the Senate to authorize the Senate Clerk to receive Senate Concurrent Resolutions prior to 4:30 o'clock p.m. In consequence thereof, and subsequent to its recessing at 12:51 o'clock p.m., the following Senate Concurrent Resolutions were received and were placed on the calendar for further consideration on Wednesday, April 10, 1985:

S.C.R. No. 98, entitled: "SENATE CONCURRENT RESOLUTION URGING AN AUDIT OF THE NATION'S MONEY SYSTEM," was offered by Senators Kawasaki, Hee, Fernandes Salling, Aki, McMurdo, Matsuura, Cayetano, Toguchi, Young, Wong, Chang and Solomon.

S.C.R. No. 99, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A COLLEGE PREPARATORY CURRICULUM AT EACH PUBLIC HIGH SCHOOL IN HAWAII," was offered by Senators Abercrombie and Toguchi.

S.C.R. No. 100, entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING THE IMPORTANCE OF THE FEDERAL SOIL CONSERVATION SERVICE TO HAWAIIAN AGRICULTURE AND URGING ITS CONTINUED SERVICE WITHOUT STAFFING AND FUNDING REDUCTIONS," was offered by Senator Fernandes Salling.

S.C.R. No. 101, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF AN INSTITUTE FOR PEACE TECHNOLOGY," was offered by Senators A. Kobayashi, Hee, Abercrombie, Matsuura, Holt, Cayetano, Toguchi and Mizuguchi.

S.C.R. No. 102, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ACQUIRE THE TITLE TO KUKANILOKO BIRTHSTONES SITE," was offered by Senators Hagino, A. Kobayashi, Soares, Henderson, McMurdo, Matsuura, Toguchi, Aki, Cayetano, Hee, Fernandes Salling and Machida.

S.C.R. No. 103, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT TO EXPEDITE GEOTHERMAL DEVELOPMENT," was offered by Senator Matsuura.

S.C.R. No. 104, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF TRANSPORTATION TO INVESTIGATE THE PROBLEMS RELATING TO THE USE OF HANAIEI BAY ON KAUAI AND TO DEVELOP A MANAGEMENT PLAN TO ENSURE THE ORDERLY USE OF THE BAY," was offered by Senator Fernandes Salling.

S.C.R. No. 105, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE STATE SEEK WAYS TO PROTECT THE SEA BIRDS THAT NEST OUTSIDE OF THE KILAUEA POINT WILDLIFE ADMINISTRATIVE SITE ON KAUAI," was offered by Senator Fernandes

Salling.

S.C.R. No. 106, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE FEDERAL GOVERNMENT TO RECONSIDER CERTAIN ASPECTS OF THE SUGAR IMPORT QUOTA," was offered by Senators Cobb, Aki, B. Kobayashi, Kuroda, Young, Hagino and Matsuura.

S.C.R. No. 107, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE UNITED STATES CONGRESS CONDUCT FURTHER PUBLIC HEARINGS TO INVESTIGATE THE POSSIBLE EXISTENCE OF AMERICAN PRISONERS OF WAR IN SOUTH EAST ASIA, AND TO PRESS FOR THE RELEASE OF THE RECORDS AND REMAINS OF THOSE MISSING IN ACTION," was offered by Senators Henderson, Soares, George, A. Kobayashi, Hee, Matsuura, Aki, Holt, Toguchi, Machida, McMurdo, Hagino, Yamasaki, Fernandes Salling, Cobb and Abercrombie.

S.C.R. No. 108, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE POSSIBLE REPLACEMENT OF THE AD VALOREM LIQUOR TAX WITH A GALLONAGE LIQUOR TAX," was offered by Senators Henderson, Soares, George, A. Kobayashi, Hee, Matsuura, Aki, Holt, Toguchi, McMurdo, Yamasaki, Fernandes Salling and Abercrombie.

S.C.R. No. 109, entitled: "SENATE CONCURRENT RESOLUTION INVITING THE PACIFIC AREA TRAVEL ASSOCIATION (PATA) TO HAWAII FOR ITS 1989 ANNUAL CONFERENCE," was offered by Senator Kuroda.

S.C.R. No. 110, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY TO DETERMINE THE APPROPRIATE FOOTAGE FOR BUFFER ZONES BETWEEN RESIDENTIAL LOTS OR HOTELS AND FARMING OPERATIONS," was offered by Senators Solomon, McMurdo, B. Kobayashi, Kawasaki, Yamasaki, Matsuura, Hagino, Cobb, Aki, Machida and Fernandes Salling.

S.C.R. No. 111, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO FORMULATE AN ACTION PLAN TO ACQUIRE THE KOHALA DITCH SYSTEM," was offered by Senators Solomon, Toguchi, McMurdo, B. Kobayashi, Yamasaki, Matsuura, Hagino, Cobb, Aki, Machida and Fernandes Salling.

S.C.R. No. 112, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION AND THE

DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT TO FORMULATE JOINTLY A PLAN TO PROMOTE HAWAII'S COMMERCIAL HARBORS," was offered by Senator Cayetano.

S.C.R. No. 113, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF PERSONNEL SERVICES REVIEW AND AMEND THEIR RULES RELATING TO VETERAN'S PREFERENCE," was offered by Senator Cayetano.

S.C.R. No. 114, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY TO DETERMINE METHODS TO CONTROL THE GROWTH OF AND TO ELIMINATE POTENTIALLY DANGEROUS STANDS OF MOLUCCA ALBIZIA IN THE STATE," was offered by Senator Cayetano.

S.C.R. No. 115, entitled: "SENATE CONCURRENT RESOLUTION ESTABLISHING A PLANNING COMMITTEE TO DEVELOP A PROGRAM PLAN AND ORGANIZATIONAL STRUCTURE FOR A DEPARTMENT OF ENVIRONMENTAL AFFAIRS," was offered by Senators Aki, Solomon, B. Kobayashi, Hagino, Soares, Henderson, Young, Mizuguchi, A. Kobayashi, George, Matsuura, Toguchi, Hee, Cayetano, Abercrombie and McMurdo.

S.C.R. No. 116, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE DEVELOPMENT OF INTEGRATED AGRICULTURE/AQUACULTURE SYSTEMS IN HAWAII," was offered by Senator Fernandes Salling.

S.C.R. No. 117, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY AND ECONOMIC VIABILITY OF CRYOGENIC PROCESSING OF HAWAIIAN FRUITS TO ERADICATE FRUIT FLIES," was offered by Senator Fernandes Salling.

S.C.R. No. 118, entitled: "SENATE CONCURRENT RESOLUTION OPPOSING THE AERIAL APPLICATION OF MALATHION ON THE ISLAND OF KAUAI," was offered by Senator Fernandes Salling.

S.C.R. No. 119, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE IMPLEMENTATION OF THE RECOMMENDATIONS CONTAINED IN THE REPORT ON THE INTERSTATE TRANSMISSION OF CRIMINAL JUSTICE DATA AND INFORMATION," was offered by Senators Chang, Cayetano, B. Kobayashi, McMurdo, Kawasaki, Holt, Kuroda, Aki, Matsuura, Fernandes Salling, Henderson, Soares and Machida.

S.C.R. No. 120, entitled: "SENATE

CONCURRENT RESOLUTION REQUESTING THE HOUSE OF REPRESENTATIVES AND THE SENATE TO CONDUCT A JOINT INTERIM STUDY ON THE PROPOSED REVISIONS TO THE HAWAII PENAL CODE," was offered by Senators Chang, B. Kobayashi, McMurdo, Kawasaki, Holt, Kuroda, Aki, Matsuura, Fernandes Salling, Henderson, Soares and Machida.

S.C.R. No. 121, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE ESTABLISHMENT OF ENVIRONMENTAL AND RECREATIONAL SAFEGUARDS REGULATING STATE-LICENSED MARICULTURAL OPERATIONS AND OCEAN LEASING IN THE SEA WATERS OF THE STATE," was offered by Senators Chang, Solomon, George, Aki, A. Kobayashi, Matsuura, Toguchi, Holt, Kuroda, Fernandes Salling, Henderson, Soares and Machida.

S.C.R. No. 122, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF THE HAWAII CONGRESS ON FAMILY LAW TO STUDY THE LAWS RELATING TO THE FAMILY AND FAMILY RELATIONSHIPS," was offered by Senators Chang, Kawasaki, Kuroda and Aki.

S.C.R. No. 123, entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING LAW WEEK, APRIL 28 - MAY 4, 1985, AND ENCOURAGING COMMUNITY PARTICIPATION IN THE EVENT," was offered by Senators Chang, Kuroda, Kawasaki and Aki.

S.C.R. No. 124, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF ORGANIC HOMESTEADING," was offered by Senator Henderson.

S.C.R. No. 125, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO PROMULGATE REGULATIONS REGARDING REIMBURSEMENTS AND COST ADVANCES," was offered by Senator Henderson.

S.C.R. No. 126, entitled: "SENATE CONCURRENT RESOLUTION URGING THAT THE POSTMASTER GENERAL FOREGO ANY INTENTION OF CLOSING VARIOUS POST OFFICES ON KAUAI," was offered by Senator Fernandes Salling.

S.C.R. No. 127, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO RECOMMEND IMPROVEMENTS TO THE LEGISLATIVE INFORMATION SYSTEM WHICH SERVES MEMBERS AND STAFF OF THE LEGISLATURE, GOVERNMENT

AGENCIES, THE GENERAL PUBLIC AND THE BUSINESS COMMUNITY," was offered by Senator Young.

S.C.R. No. 128, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE CONSOLIDATION OF RESPONSIBILITY FOR DRIVER LICENSING AND MOTOR VEHICLE LICENSING AND REGISTRATION," was offered by Senator Young.

S.C.R. No. 129, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE STATE SEEK WAYS TO PROTECT THE SEA BIRDS THAT NEST OUTSIDE OF THE KILAUEA POINT WILDLIFE ADMINISTRATIVE SITE ON KAUAI," was offered by Senators Aki, Fernandes Salling, McMurdo, Henderson, A. Kobayashi, Young and Solomon.

S.C.R. No. 130, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF TRANSPORTATION TO INVESTIGATE THE PROBLEMS RELATING TO THE USE OF HANALEI BAY ON KAUAI AND TO DEVELOP A MANAGEMENT PLAN TO ENSURE THE ORDERLY USE OF THE BAY," was offered by Senators Aki, Fernandes Salling, McMurdo, Henderson, A. Kobayashi, Young and Solomon.

S.C.R. No. 131, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO INITIATE A PROGRAM TO INCREASE AWARENESS AMONG THE HAWAIIAN COMMUNITY REGARDING THE PROPOSED AMENDMENT TO THE HAWAII STATE CONSTITUTION CREATING A SINGLE DEFINITION OF 'NATIVE HAWAIIAN' AND 'HAWAIIAN'," was offered by Senators Aki, Matsuura, Young, Holt, Machida, Henderson, Soares, Fernandes Salling and McMurdo.

S.C.R. No. 132, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY AND EVALUATION OF THE COSTS AND EFFECTS OF AMENDING THE HAWAII STATE CONSTITUTION TO PROVIDE FOR A SINGLE DEFINITION OF HAWAIIAN," was offered by Senators Aki, Matsuura, Young, Holt, Machida, Henderson, Soares, Fernandes Salling and McMurdo.

S.C.R. No. 133, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF MEANS TO IMPLEMENT THE CONSERVATION LANDS FUNCTIONAL PLAN AND THE HAWAII WILDLIFE PLAN," was offered by Senators Aki, Matsuura, Young, Holt, Machida, Henderson, Soares, Fernandes Salling and McMurdo.

S.C.R. No. 134, entitled: "SENATE

CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO STUDY THE ISSUE OF HOMELESSNESS IN HAWAII AND TO DEVELOP SHORT-TERM AND LONG-TERM SOLUTIONS TO THIS MOST CRUCIAL PROBLEM," was offered by Senators Aki, Matsuura, Young, Holt, Machida, Henderson, Soares, Fernandes Salling and McMurdo.

S.C.R. No. 135, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF ESTABLISHING A STATEWIDE KAPU SYSTEM TO PROTECT AND MANAGE HAWAII'S OCEAN RESOURCES," was offered by Senator Aki.

S.C.R. No. 136, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CODIFY AND CONVERT CERTAIN AQUATIC RESOURCES MANAGEMENT PROVISIONS OF THE HAWAII REVISED STATUTES TO HAWAII ADMINISTRATIVE RULES," was offered by Senator Aki.

S.C.R. No. 137, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING EFFORTS TO ESTABLISH PRIVATELY-OPERATED GAME BIRD HUNTING PRESERVES ON AVAILABLE LANDS SITUATED CLOSE TO THE WAIANAE MOUNTAIN RANGE ON OAHU," was offered by Senator Aki.

S.C.R. No. 138, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENTS OF URBAN AND REGIONAL PLANNING OF THE UNIVERSITY OF HAWAII, LAND AND NATURAL RESOURCES, HAWAIIAN HOME LANDS AND THE OFFICE OF HAWAIIAN AFFAIRS TO CONTINUE ITS EFFORTS IN FULFILLING THE INTENT AND PURPOSE OF H.R. NO. 304, H.D. 1, WHICH REQUESTS A STUDY ON THE FEASIBILITY OF SETTING ASIDE STATE LANDS FOR THE PRACTICE OF SUBSISTENCE LIFESTYLES," was offered by Senator Aki.

SENATE RESOLUTIONS

On motion by Senator Cobb, seconded by Senator Soares and carried unanimously, the Senate suspended Rule 30 of the Temporary Rules of the Senate to authorize the Senate Clerk to receive Senate Resolutions prior to 4:30 o'clock p.m. In consequence thereof, and subsequent to its recessing at 12:51 o'clock p.m., the following Senate Resolutions were received and were placed on the calendar for further consideration on Wednesday, April 10, 1985:

S.R. No. 125, entitled: "SENATE RESOLUTION URGING AN AUDIT OF THE NATION'S MONEY SYSTEM," was offered by Senators Kawasaki, Hee, Fernandes

Salling, Aki, McMurdo, Matsuura, Cayetano, Toguchi, Wong, Chang and Solomon.

S.R. No. 126, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF 'EXEMPT' EMPLOYMENT IN THE CIVIL SERVICE," was offered by Senators Machida, Yamasaki, Matsuura, Solomon, Fernandes Salling and Henderson.

S.R. No. 127, entitled: "SENATE RESOLUTION REQUESTING THE SENATE COMMITTEE ON LABOR AND EMPLOYMENT TO STUDY THE FEASIBILITY OF ESTABLISHING PERMANENT OFFICES FOR THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM ON THE NEIGHBOR ISLANDS," was offered by Senators Machida, Matsuura, Aki, Hee, A. Kobayashi, Henderson, Soares, Fernandes Salling, Toguchi, Abercrombie, Solomon, Holt and Yamasaki.

S.R. No. 128, entitled: "SENATE RESOLUTION REQUESTING THE CONFERENCE OF PERSONNEL DIRECTORS TO STUDY AND ANALYZE THE CHAPTER 89, HRS, DEFINITION OF 'PROFESSIONAL EMPLOYEE' FOR THE PURPOSE OF PROPOSING LEGISLATION TO INCLUDE TECHNICAL AND ALLIED EMPLOYEES WITHIN THIS DEFINITION," was offered by Senators Machida, A. Kobayashi, Henderson, Soares, Fernandes Salling, Toguchi, Matsuura, Abercrombie, Solomon, Aki, Holt and Yamasaki.

S.R. No. 129, entitled: "SENATE RESOLUTION REQUESTING THAT THE BOARD OF LAND AND NATURAL RESOURCES HOLD HEARINGS TO RECONSIDER THE USE INTO WHICH THE FORMER HALE MOHALU SITE WILL BE PLACED," was offered by Senators Abercrombie and Aki.

S.R. No. 130, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF THE UNIVERSITY OF HAWAII OPERATING A FIVE AND ONE-HALF OR SIX-DAY WEEK," was offered by Senator Abercrombie.

S.R. No. 131, entitled: "SENATE RESOLUTION URGING THE SOUTH AFRICAN GOVERNMENT TO PUT AN END TO APARTHEID," was offered by Senator Abercrombie.

S.R. No. 132, entitled: "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF CONVERSATIONAL FOREIGN LANGUAGE COURSES IN EVERY PUBLIC ELEMENTARY AND INTERMEDIATE SCHOOL IN THE STATE," was offered by Senator Abercrombie.

S.R. No. 133, entitled: "SENATE RESOLUTION REQUESTING DIRECTIONAL SIGNS FOR THE BISHOP MUSEUM," was offered by Senator Abercrombie.

S.R. No. 134, entitled: "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF A COLLEGE PREPARATORY CURRICULUM AT EACH PUBLIC HIGH SCHOOL IN HAWAII," was offered by Senators Abercrombie and Toguchi.

S.R. No. 135, entitled: "SENATE RESOLUTION URGING CONGRESSIONAL SUPPORT FOR THE SOIL CONSERVATION SERVICE PROGRAMS," was offered by Senators Solomon, Toguchi, Abercrombie, Young, Fernandes Salling, McMurdo, Chang, Hagino, Henderson, Kawasaki, Matsuura, Kuroda, Cayetano, B. Kobayashi, A. Kobayashi, Mizuguchi, Holt, Hee, Aki, George, Machida and Soares.

S.R. No. 136, entitled: "SENATE RESOLUTION RECOGNIZING THE IMPORTANCE OF THE FEDERAL SOIL CONSERVATION SERVICE TO HAWAIIAN AGRICULTURE AND URGING ITS CONTINUED SERVICE WITHOUT STAFFING AND FUNDING REDUCTIONS," was offered by Senator Fernandes Salling.

S.R. No. 137, entitled: "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF AN INSTITUTE FOR PEACE TECHNOLOGY," was offered by Senators A. Kobayashi, Hee, Abercrombie, Matsuura, Holt, Cayetano, Toguchi and Mizuguchi.

S.R. No. 138, entitled: "SENATE RESOLUTION RELATING TO RECREATIONAL FISHING ISLAND," was offered by Senators Kuroda, Yamasaki, A. Kobayashi, George, Aki, Matsuura, Chang, Hee, Cayetano, Soares, Abercrombie, Mizuguchi, Toguchi, Henderson, Hagino, McMurdo, Machida, Young and Cobb.

S.R. No. 139, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ACQUIRE THE TITLE TO KUKANILOKO BIRTHSTONES SITE," was offered by Senators Hagino, A. Kobayashi, Soares, Henderson, Matsuura, Cayetano, Toguchi, Aki, Hee, Fernandes Salling, McMurdo and Machida.

S.R. No. 140, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT TO EXPEDITE GEOTHERMAL DEVELOPMENT," was offered by Senator Matsuura.

S.R. No. 141, entitled: "SENATE RESOLUTION REQUESTING THE DEVELOPMENT OF PROCEDURES FOR THE ADMINISTRATION OF HEALTH AND HUMAN SERVICE PROGRAMS," was offered by Senators B. Kobayashi, Matsuura, Solomon, Machida, George and A. Kobayashi.

S.R. No. 142, entitled: "SENATE

RESOLUTION REQUESTING THE APPOINTMENT OF AN INTERIM TASK FORCE TO EXAMINE PRIVATE SECTOR ACTIVITIES WHICH AFFECT ECONOMIC AND COMMUNITY DEVELOPMENT," was offered by Senators Young, Yamasaki and Aki.

S.R. No. 143, entitled: "SENATE RESOLUTION REQUESTING THE DIRECTOR OF TRANSPORTATION TO INVESTIGATE THE PROBLEMS RELATING TO THE USE OF HANAIEI BAY ON KAUAI AND TO DEVELOP A MANAGEMENT PLAN TO ENSURE THE ORDERLY USE OF THE BAY," was offered by Senator Fernandes Salling.

S.R. No. 144, entitled: "SENATE RESOLUTION REQUESTING THAT THE STATE SEEK WAYS TO PROTECT THE SEA BIRDS THAT NEST OUTSIDE OF THE KILAUEA POINT WILDLIFE ADMINISTRATIVE SITE ON KAUAI," was offered by Senator Fernandes Salling.

S.R. No. 145, entitled: "SENATE RESOLUTION REQUESTING THE FEDERAL GOVERNMENT TO RECONSIDER CERTAIN ASPECTS OF THE SUGAR IMPORT QUOTA," was offered by Senators Cobb, Aki, B. Kobayashi, Kuroda, Young, Yamasaki, Hagino and Matsuura.

S.R. No. 146, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE CREATION AND ADMINISTRATION OF THE THRIFT GUARANTY CORPORATION," was offered by Senators Cobb, Aki, B. Kobayashi, Kuroda, Young, Yamasaki, Hagino and Matsuura.

S.R. No. 147, entitled: "SENATE RESOLUTION REQUESTING THAT THE UNITED STATES CONGRESS CONDUCT FURTHER PUBLIC HEARINGS TO INVESTIGATE THE POSSIBLE EXISTENCE OF AMERICAN PRISONERS OF WAR IN SOUTH EAST ASIA, AND TO PRESS FOR THE RELEASE OF THE RECORDS AND REMAINS OF THOSE MISSING IN ACTION," was offered by Senators Henderson, Soares, George, A. Kobayashi, Hee, Matsuura, Aki, Holt, Toguchi, Machida, McMurdo, Hagino, Yamasaki, Fernandes Salling, Cobb and Abercrombie.

S.R. No. 148, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE POSSIBLE REPLACEMENT OF THE AD VALOREM LIQUOR TAX WITH A GALLONAGE LIQUOR TAX," was offered by Senators Henderson, Soares, George, A. Kobayashi, Hee, Matsuura, Aki, Holt, Toguchi, McMurdo, Yamasaki, Fernandes Salling and Abercrombie.

S.R. No. 149, entitled: "SENATE RESOLUTION INVITING THE PACIFIC AREA TRAVEL ASSOCIATION (PATA) TO HAWAII FOR ITS 1989 ANNUAL

CONFERENCE," was offered by Senator Kuroda.

S.R. No. 150, entitled: "SENATE RESOLUTION REQUESTING A STUDY TO DETERMINE THE APPROPRIATE FOOTAGE FOR BUFFER ZONES BETWEEN RESIDENTIAL LOTS OR HOTELS AND FARMING OPERATIONS," was offered by Senators Solomon, McMurdo, Kawasaki, Yamasaki, Cayetano, Aki, George, A. Kobayashi, Fernandes Salling, Matsuura, Hagino, Cobb and Machida.

S.R. No. 151, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO FORMULATE AN ACTION PLAN TO ACQUIRE THE KOHALA DITCH SYSTEM," was offered by Senators Solomon, Toguchi, Yamasaki, Matsuura, Hagino, Cobb, Aki, Machida and Fernandes Salling.

S.R. No. 152, entitled: "SENATE RESOLUTION REQUESTING THE CORPS OF ENGINEERS TO CONDUCT A STUDY ON BEACH EROSION FOR THE NEIGHBOR ISLANDS," was offered by Senators Chang and Aki.

S.R. No. 153, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION AND THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT TO FORMULATE JOINTLY A PLAN TO PROMOTE HAWAII'S COMMERCIAL HARBORS," was offered by Senator Cayetano.

S.R. No. 154, entitled: "SENATE RESOLUTION REQUESTING THAT THE DEPARTMENT OF PERSONNEL SERVICES REVIEW AND AMEND THEIR RULES RELATING TO VETERAN'S PREFERENCE," was offered by Senator Cayetano.

S.R. No. 155, entitled: "SENATE RESOLUTION REQUESTING A STUDY TO DETERMINE METHODS TO CONTROL THE GROWTH OF AND TO ELIMINATE POTENTIALLY DANGEROUS STANDS OF MOLUCCA ALBIZIA IN THE STATE," was offered by Senator Cayetano.

S.R. No. 156, entitled: "SENATE RESOLUTION REQUESTING THAT CONDOMINIUM PUBLIC REPORTS ISSUED BY THE REAL ESTATE COMMISSION BE WRITTEN IN PLAIN LANGUAGE," was offered by Senator Mizuguchi.

S.R. No. 157, entitled: "SENATE RESOLUTION RESPECTFULLY REQUESTING THE GOVERNOR TO ISSUE A PROCLAMATION DESIGNATING MAY 24, 1985 AS 'SELF-HELP HOUSING DAY' AND THE PRESIDENT OF THE UNITED STATES TO DESIGNATE THAT SAME DAY

AS 'NATIONAL SELF-HELP HOUSING DAY," was offered by Senators Aki, Young, Fernandes Salling, Hagino, Henderson, Soares, Solomon, George, Holt, Toguchi, Machida, A. Kobayashi, McMurdo, Hee, Cayetano and Abercrombie.

S.R. No. 158, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO RAISE THE LIMIT FOR EQUIPMENT AS DEFINED IN THE STATE'S INVENTORY SYSTEM MANUAL FROM \$50 to \$500," was offered by Senator Abercrombie.

S.R. No. 159, entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE FEASIBILITY OF ALLOWING LICENSED PSYCHOLOGISTS TO ADMINISTER AND PRESCRIBE MEDICATION IN THE DIAGNOSIS AND TREATMENT OF NERVOUS, MENTAL, AND ORGANIC BRAIN DISORDERS," was offered by Senator Abercrombie.

S.R. No. 160, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY AND ECONOMIC VIABILITY OF CRYOGENIC PROCESSING OF HAWAIIAN FRUITS TO ERADICATE FRUIT FLIES," was offered by Senator Fernandes Salling.

S.R. No. 161, entitled: "SENATE RESOLUTION OPPOSING THE AERIAL APPLICATION OF MALATHION ON THE ISLAND OF KAUAI," was offered by Senator Fernandes Salling.

S.R. No. 162, entitled: "SENATE RESOLUTION RELATING TO THE DEVELOPMENT OF INTEGRATED AGRICULTURE/AQUACULTURE SYSTEMS IN HAWAII," was offered by Senator Fernandes Salling.

S.R. No. 163, entitled: "SENATE RESOLUTION REQUESTING THE IMPLEMENTATION OF THE RECOMMENDATIONS CONTAINED IN THE REPORT ON THE INTERSTATE TRANSMISSION OF CRIMINAL JUSTICE DATA AND INFORMATION," was offered by Senators Chang, Cayetano, B. Kobayashi, McMurdo, Kawasaki, Holt, Kuroda, Aki, Matsuura, Fernandes Salling, Henderson, Soares and Machida.

S.R. No. 164, entitled: "SENATE RESOLUTION REQUESTING THE SENATE TO CONDUCT AN INTERIM STUDY ON THE PROPOSED REVISIONS TO THE HAWAII PENAL CODE," was offered by Senators Chang, B. Kobayashi, McMurdo, Kawasaki, Holt, Kuroda, Aki, Matsuura, Fernandes Salling, Henderson, Machida and Soares.

S.R. No. 165, entitled: "SENATE RESOLUTION RELATING TO THE ESTABLISHMENT OF ENVIRONMENTAL AND RECREATIONAL SAFEGUARDS REGULATING STATE-LICENSED MARICULTURAL OPERATIONS AND OCEAN LEASING IN THE SEA WATERS OF THE STATE," was offered by Senators Chang, Solomon, George, Aki, A. Kobayashi, Matsuura, Toguchi, Holt, Kuroda, Fernandes Salling, Henderson, Soares and Machida.

S.R. No. 166, entitled: "SENATE RESOLUTION REQUESTING THE CONVENING OF THE HAWAII CONGRESS ON FAMILY LAW TO STUDY THE LAWS RELATING TO THE FAMILY AND FAMILY RELATIONSHIPS," was offered by Senators Chang, Kawasaki, Kuroda and Aki.

S.R. No. 167, entitled: "SENATE RESOLUTION RECOGNIZING LAW WEEK, APRIL 28 - MAY 4, 1985, AND ENCOURAGING COMMUNITY PARTICIPATION IN THE EVENT," was offered by Senators Chang, Kuroda, Kawasaki and Aki.

S.R. No. 168, entitled: "SENATE RESOLUTION REQUESTING AN INTERIM REVIEW OF THE LEGISLATIVE AUDITOR'S RECOMMENDATIONS REGARDING THE TAX DEPARTMENT," was offered by Senator Henderson.

S.R. No. 169, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF ORGANIC HOMESTEADING," was offered by Senator Henderson.

S.R. No. 170, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO PROMULGATE REGULATIONS REGARDING REIMBURSEMENTS AND COST ADVANCES," was offered by Senator Henderson.

S.R. No. 171, entitled: "SENATE RESOLUTION URGING THAT THE POSTMASTER GENERAL FOREGO ANY INTENTION OF CLOSING VARIOUS POST OFFICES ON KAUAI," was offered by Senator Fernandes Salling.

S.R. No. 172, entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO RECOMMEND IMPROVEMENTS TO THE LEGISLATIVE INFORMATION SYSTEM WHICH SERVES MEMBERS AND STAFF OF THE LEGISLATURE, GOVERNMENT AGENCIES, THE GENERAL PUBLIC AND THE BUSINESS COMMUNITY," was offered by Senator Young.

S.R. No. 173, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE CONSOLIDATION OF RESPONSIBILITY FOR DRIVER LICENSING AND MOTOR VEHICLE LICENSING AND

REGISTRATION," was offered by Senator Young.

S.R. No. 174, entitled: "SENATE RESOLUTION REQUESTING THE DIRECTOR OF TRANSPORTATION TO INVESTIGATE THE PROBLEMS RELATING TO THE USE OF HANAIE BAY ON KAUAI AND TO DEVELOP A MANAGEMENT PLAN TO ENSURE THE ORDERLY USE OF THE BAY," was offered by Senators Aki, Fernandes Salling, McMurdo, Henderson, A. Kobayashi, Young and Solomon.

S.R. No. 175, entitled: "SENATE RESOLUTION REQUESTING THE STATE SEEK WAYS TO PROTECT THE SEA BIRDS THAT NEST OUTSIDE OF THE KILAUEA POINT WILDLIFE ADMINISTRATIVE SITE ON KAUAI," was offered by Senators Aki, Fernandes Salling, McMurdo, Henderson, A. Kobayashi, Young and Solomon.

S.R. No. 176, entitled: "SENATE RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO INITIATE A PROGRAM TO INCREASE AWARENESS AMONG THE HAWAIIAN COMMUNITY REGARDING THE PROPOSED AMENDMENT TO THE HAWAII STATE CONSTITUTION CREATING A SINGLE DEFINITION OF 'NATIVE HAWAIIAN' AND 'HAWAIIAN'," was offered by Senators Aki, Matsuura, Young, Holt, Machida, Henderson, Soares, Fernandes Salling and McMurdo.

S.R. No. 177, entitled: "SENATE RESOLUTION REQUESTING A STUDY AND EVALUATION OF THE COSTS AND EFFECTS OF AMENDING THE HAWAII STATE CONSTITUTION TO PROVIDE FOR A SINGLE DEFINITION OF HAWAIIAN," was offered by Senators Aki, Young, Holt, Machida, Henderson, Soares, Fernandes Salling and McMurdo.

S.R. No. 178, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF MEANS TO IMPLEMENT THE CONSERVATION LANDS FUNCTIONAL PLAN AND THE HAWAII WILDLIFE PLAN," was offered by Senators Aki, Matsuura, Young, Holt, Machida, Henderson, Soares, Fernandes Salling and McMurdo.

S.R. No. 179, entitled: "SENATE RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO STUDY THE ISSUE OF HOMELESSNESS IN HAWAII AND TO DEVELOP SHORT-TERM AND LONG-TERM SOLUTIONS TO THIS MOST CRUCIAL PROBLEM," was offered by Senators Aki, Matsuura, Young, Holt, Machida, Henderson, Soares, Fernandes Salling and McMurdo.

S.R. No. 180, entitled: "SENATE RESOLUTION DESIGNATING THE FIRST SUNDAY IN AUGUST AS 'NATIONAL DAY OF PEACE'," was offered by Senator Abercrombie.

S.R. No. 181, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF ESTABLISHING A STATEWIDE KAPU SYSTEM TO PROTECT AND MANAGE HAWAII'S OCEAN RESOURCES," was offered by Senator Aki.

S.R. No. 182, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CODIFY AND CONVERT CERTAIN AQUATIC RESOURCES MANAGEMENT PROVISIONS OF THE HAWAII REVISED STATUTES TO HAWAII ADMINISTRATIVE RULES," was offered by Senator Aki.

S.R. No. 183, entitled: "SENATE RESOLUTION SUPPORTING EFFORTS TO ESTABLISH PRIVATELY-OPERATED GAME BIRD HUNTING PRESERVES ON AVAILABLE LANDS SITUATED CLOSE TO THE WAIANAE MOUNTAIN RANGE ON OAHU," was offered by Senator Aki.

S.R. No. 184, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENTS OF URBAN AND REGIONAL PLANNING OF THE UNIVERSITY OF HAWAII, LAND AND NATURAL RESOURCES, HAWAIIAN HOME LANDS AND THE OFFICE OF HAWAIIAN AFFAIRS TO CONTINUE ITS EFFORTS IN FULFILLING THE INTENT AND PURPOSE OF H.R. NO. 304, H.D. 1, WHICH REQUESTS A STUDY ON THE FEASIBILITY OF SETTING ASIDE STATE LANDS FOR THE PRACTICE OF SUBSISTENCE LIFESTYLES," was offered by Senator Aki.

APPOINTMENT OF CONFEREES

In accordance with the disagreement of the House to the amendments proposed by the Senate to the following House bills, and the request for a conference on the respective subject matters thereof, the President appointed the following Managers on the part of the Senate for the consideration of said amendments:

H.B. No. 28, H.D. 1, S.D. 1 - Senators Chang, chairman, Cayetano and A. Kobayashi;

H.B. No. 104, H.D. 2, S.D. 1 - Senators Chang, chairman, Abercrombie and A. Kobayashi;

H.B. No. 329, H.D. 1, S.D. 2 - Senators Chang, chairman, Cayetano and George;

H.B. No. 1162, H.D. 1, S.D. 1 - Senators Chang, chairman, Toguchi and George;

H.B. No. 1257, S.D. 1 - Senators Chang, chairman, Young and George; and

H.B. No. 1386, S.D. 1 - Senators Chang, chairman, Aki and A. Kobayashi.

In accordance with the disagreement of the Senate to the amendments proposed by the House to the following Senate bills, and the request for a conference on the respective subject matters thereof, the President appointed the following Managers on the part of the Senate for the consideration of said amendments:

S.B. No. 86, S.D. 1, H.D. 1 - Senators Aki, chairman, Hagino and Henderson;

S.B. No. 153, S.D. 1, H.D. 2 - Senators Matsuura, chairman, Aki, Hee, Mizuguchi and Henderson;

S.B. No. 1198, S.D. 2, H.D. 1 - Senators Yamasaki, chairman, Cayetano, Cobb, Hagino and Soares; and

S.B. No. 1353, S.D. 1, H.D. 1 - Senators Solomon, chairman, Hagino, Hee, Mizuguchi and Soares.

Senate Bill No. 665, S.D. 1, H.D. 2:

The President appointed Senator Kawasaki as a Manager and discharged Senator Chang as a Manager on the part of the Senate at the conference to be held for the consideration of amendments made by the House to S.B. No. 665, S.D. 1.

Senate Bill No. 1404, H.D. 1:

The President appointed Senator Toguchi as a Manager and discharged Senator Cobb as a Manager on the part of the Senate at the conference to be held for the consideration of amendments made by the House to S.B. No. 1404.

Senate Bill No. 1413, S.D. 1, H.D. 1:

The President appointed Senator Abercrombie as a Manager and discharged Senator Toguchi as a Manager on the part of the Senate at the conference to be held for the consideration of amendments made by the House to S.B. No. 1413, S.D. 1.

ADJOURNMENT

At 12:00 o'clock midnight, the Senate adjourned until 11:30 o'clock a.m., Wednesday, April 10, 1985.