

TWENTY-SEVENTH DAY

Friday, February 28, 1986

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1986, convened at 11:43 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Terrence A.M. Watanabe of the Cathedral of Our Lady of Peace, after which the Roll was called showing all Senators present with the exception of Senator B. Kobayashi who was excused.

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

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

Senator Abercrombie introduced a group of 100 students from Royal and Fern Elementary Schools who were accompanied by Dr. Mary Ellen Neumann of Royal Elementary School and Ms. Georgiana Chu, Mr. Jake Tallada and Ms. Jean Kimoto of Fern Elementary School. Senator Abercrombie then announced that the student chorus and dance team, particularly Hawaiian songs and dance, will be entertaining in the rotunda subsequent to the session today.

Senator George introduced Ms. Elizabeth Long, the first Fulbright scholar degree candidate from the People's Republic of China to study at the University of Hawaii, and read portions of the Senate Certificate honoring her. Ms. Long was escorted by Mr. Paul Hooper, a UH professor of American Studies, who was a Fulbright scholar in studies in Beijing, People's Republic of China, and who was instrumental in her being selected for a Fulbright.

The honoree was presented the Senate Certificate by Senator George and Senator Chang presented her with a lei. Senator A. Kobayashi presented Mr. Hooper a lei.

At 11:50 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:55 o'clock a.m.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 83 to 124) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 83, transmitting Senate Bill No. 909, S.D. 1, which passed Third Reading in the House of Representatives on February 27, 1986, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 909, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL BUS CONTRACTS," was deferred until Monday, March 3, 1986.

Hse. Com. Nos. 84 to 124, transmitting the following House Bills which passed Third Reading in the House of Representatives on February 27, 1986, were placed on file and, on motion by Senator Cobb, seconded Senator Soares and carried, said House Bills passed First Reading by title and were referred to committee as follows:

Hse. Com. No. 84 - H.B. No. 1663-86, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A UNIVERSITY OF HAWAII CHILD CARE CENTER PILOT PROJECT," was referred to the Committee on Higher Education, then to the Committee on Ways and Means;

Hse. Com. No. 85 - H.B. No. 1676-86, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAXES," was referred to the Committee on Ways and Means;

Hse. Com. No. 86 - H.B. No. 1678-86, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RESPITE CARE," was referred to the Committee on Human Services, then to the Committee on Ways and Means;

Hse. Com. No. 87 - H.B. No. 1684-86, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HEALTH EDUCATION AND INFORMATION," was referred to the Committee on Health, then to the Committee on Ways and Means;

Hse. Com. No. 88 - H.B. No. 1688-86, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL TREATMENT DECISIONS," was referred to the Committee on Health, then to the Committee on Judiciary;

Hse. Com. No. 89 - H.B. No. 1690-86, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROBATE," was referred to the Committee on Judiciary;

Hse. Com. No. 90 - H.B. No. 1691-86, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VICTIM-WITNESS ASSISTANCE PROGRAM," was referred to the Committee on Judiciary, then to the Committee on Ways and Means;

Hse. Com. No. 91 - H.B. No. 1699-86, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A SMALL BUSINESS

PROCUREMENT ASSISTANCE OFFICE," was referred to the Committee on Economic Development, then to the Committee on Ways and Means;

Hse. Com. No. 92 - H.B. No. 1700-86, H.D. 2, entitled: "A BILL FOR AN ACT ESTABLISHING A 'SISTER-RELATIONSHIP' SPECIAL EXCHANGE PROGRAM AND MAKING AN APPROPRIATION THEREFORE," was referred to the Committee on Economic Development, then to the Committee on Ways and Means;

Hse. Com. No. 93 - H.B. No. 1707-86, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO OCEAN MANAGEMENT," was referred to the Committee on Economic Development, then to the Committee on Ways and Means;

Hse. Com. No. 94 - H.B. No. 1727-86, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," was referred to the Committee on Transportation;

Hse. Com. No. 95 - H.B. No. 1729-86, entitled: "A BILL FOR AN ACT RELATING TO CIVIL REMEDIES AND DEFENSES AND SPECIAL PROCEEDINGS," was referred to the Committee on Judiciary;

Hse. Com. No. 96 - H.B. No. 1739-86, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," was referred to the Committee on Transportation;

Hse. Com. No. 97 - H.B. No. 1829-86, entitled: "A BILL FOR AN ACT RELATING TO COUNTY LICENSES," was referred to the Committee on Government Operations;

Hse. Com. No. 98 - H.B. No. 1928-86, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX," was referred to the Committee on Ways and Means;

Hse. Com. No. 99 - H.B. No. 1949-86, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE II, SECTION 7, OF THE HAWAII CONSTITUTION, TO REQUIRE A PERSON TO RESIGN FROM OFFICE IN ORDER TO CHANGE A POLITICAL PARTY WHILE IN OFFICE," was referred to the Committee on Judiciary, then to the Committee on Ways and Means;

Hse. Com. No. 100 - H.B. No. 1959-86, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUVENILE JUSTICE INTERAGENCY BOARD," was referred to the Committee on Judiciary;

Hse. Com. No. 101 - H.B. No. 1970-86, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PENALTIES," was referred to the Committee on Agriculture;

Hse. Com. No. 102 - H.B. No. 1992-86, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM UNCLAIMED PROPERTY ACT," was referred to the Committee on Judiciary;

Hse. Com. No. 103 - H.B. No. 1998-86, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPILLING LOADS ON HIGHWAYS," was referred to the Committee on Transportation;

Hse. Com. No. 104 - H.B. No. 2007-86, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES AND MENTAL RETARDATION RECORDS," was referred to the Committee on Health;

Hse. Com. No. 105 - H.B. No. 2009-86, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," was referred to the Committee on Labor and Employment;

Hse. Com. No. 106 - H.B. No. 2010-86, entitled: "A BILL FOR AN ACT RELATING TO THE ADVISORY COMMISSION ON EMPLOYMENT AND HUMAN RESOURCES," was referred to the Committee on Labor and Employment;

Hse. Com. No. 107 - H.B. No. 2016-86, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING," was referred to the Committee on Economic Development;

Hse. Com. No. 108 - H.B. No. 2038-86, entitled: "A BILL FOR AN ACT RELATING TO MEDICINE AND SURGERY," was referred to the Committee on Consumer Protection and Commerce;

Hse. Com. No. 109 - H.B. No. 2055-86, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PEST CONTROL INDUSTRY," was referred to the Committee on Consumer Protection and Commerce;

Hse. Com. No. 110 - H.B. No. 2060-86, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEAT BELTS," was referred to the Committee on Transportation;

Hse. Com. No. 111 - H.B. No. 2103-86, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," was referred to the Committee on Health;

Hse. Com. No. 112 - H.B. No. 2117-86,

entitled: "A BILL FOR AN ACT RELATING TO SALE OF FINE PRINTS," was referred to the Committee on Consumer Protection and Commerce;

Hse. Com. No. 113 - H.B. No. 2168-86, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS," was referred to the Committee on Economic Development;

Hse. Com. No. 114 - H.B. No. 2173-84, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMBLEMS AND SYMBOLS," was referred to the Committee on Tourism and Recreation;

Hse. Com. No. 115 - H.B. No. 2217-86, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY," was referred to the Committee on Consumer Protection and Commerce;

Hse. Com. No. 116 - H.B. No. 2282-86, entitled: "A BILL FOR AN ACT RELATING TO THE PESTICIDES ADVISORY COMMITTEE," was referred to the Committee on Agriculture;

Hse. Com. No. 117 - H.B. No. 2326-86, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS AND AMMUNITION," was referred to the Committee on Judiciary;

Hse. Com. No. 118 - H.B. No. 2397-86, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITATIONS OF ACTIONS," was referred to the Committee on Judiciary;

Hse. Com. No. 119 - H.B. No. 2465-86, entitled: "A BILL FOR AN ACT RELATING TO RESTITUTION TO VICTIMS OF CRIME," was referred to the Committee on Judiciary;

Hse. Com. No. 120 - H.B. No. 2358-86, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," was referred to the Committee on Judiciary;

Hse. Com. No. 121 - H.B. No. 2361-86, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," was referred to the Committee on Judiciary;

Hse. Com. No. 122 - H.B. No. 2526-86, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVACY," was referred to the Committee on Judiciary;

Hse. Com. No. 123 - H.B. No. 2582-86, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," was referred to the Committee on Agriculture, then to the Committee on Ways and Means; and

Hse. Com. No. 124 - H.B. No. 2715-86, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MASSAGE," was referred to the Committee on Consumer Protection and Commerce.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 254-86) recommending that Senate Bill No. 1625-86 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 254-86 and S.B. No. 1625-86, entitled: "A BILL FOR AN ACT RELATING TO THE MILK CONTROL PROGRAM," was deferred until Monday, March 3, 1986.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 255-86) recommending that Senate Bill No. 1685-86, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 255-86 and S.B. No. 1685-86, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," was deferred until Monday, March 3, 1986.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 256-86) recommending that Senate Bill No. 1764-86, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 256-86 and S.B. No. 1764-86, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY," was deferred until Monday, March 3, 1986.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 257-86) recommending that Senate Bill No. 2478-86, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 257-86 and S.B. No. 2478-86, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY ASSISTANCE," was deferred until Monday, March 3, 1986.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 258-86) recommending that Senate Bill No. 1718-86 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 258-86 and S.B. No. 1718-86, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS

THEREFOR," was deferred until Monday, March 3, 1986.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 259-86) recommending that Senate Bill No. 1651-86, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 259-86 and S.B. No. 1651-86, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," was deferred until Monday, March 3, 1986.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 260-86) recommending that Senate Bill No. 1652-86 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 260-86 and S.B. No. 1652-86, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL," was deferred until Monday, March 3, 1986.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 261-86) recommending that Senate Bill No. 2050-86 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 261-86 and S.B. No. 2050-86, entitled: "A BILL FOR AN ACT RELATING TO STATE EMPLOYEES IN THE COMPENSATION PLAN FOR MANAGERIAL WHITE COLLAR POSITIONS AND MAKING APPROPRIATION AND OTHER ADJUSTMENTS," was deferred until Monday, March 3, 1986.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 262-86) recommending that Senate Bill No. 1033, S.D. 2, as amended in S.D. 3, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 262-86 and S.B. No. 1033, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Monday, March 3, 1986.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 263-86) recommending that Senate Bill No. 2134-86 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 263-86 and S.B. No. 2134-86, entitled: "A BILL FOR AN ACT RELATING TO AN APPROPRIATION FOR THE HAWAII WORKERS' COMPENSATION STATE FUND," was deferred until Monday,

March 3, 1986.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 264-86) recommending that Senate Bill No. 2314-86, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 264-86 and S.B. No. 2314-86, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT MOTOR VEHICLES," was deferred until Monday, March 3, 1986.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 265-86) recommending that Senate Bill No. 2468-86, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 265-86 and S.B. No. 2468-86, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIBRARIES," was deferred until Monday, March 3, 1986.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 266-86) recommending that Senate Bill No. 994, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 266-86 and S.B. No. 994, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred until Monday, March 3, 1986.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 267-86) recommending that Senate Bill No. 1781-86, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 267-86 and S.B. No. 1781-86, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred until Monday, March 3, 1986.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 268-86) recommending that Senate Bill No. 2326-86, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 268-86 and S.B. No. 2326-86, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred until Monday, March 3, 1986.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 269-86) recommending that Senate Bill No. 2328-86, S.D. 1, pass Third

Reading.

By unanimous consent, action on Stand. Com. Rep. No. 269-86 and S.B. No. 2328-86, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRESIDENT OF THE UNIVERSITY OF HAWAII," was deferred until Monday, March 3, 1986.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 270-86) recommending that Senate Bill No. 2332-86 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 270-86 and S.B. No. 2332-86, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," was deferred until Monday, March 3, 1986.

Senator Toguchi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 271-86) recommending that Senate Bill No. 2463-86 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toguchi, seconded by Senator Solomon and carried, the report of the Committee was adopted and S.B. No. 2463-86, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 3, 1986.

At 11:56 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:58 o'clock a.m.

ORDER OF THE DAY

RE-REFERRAL OF SENATE BILLS

The President re-referred the following Senate Bills:

S.B. No. 974, S.D. 1, (1985) jointly to the Committee on Education and the Committee on Government Operations;

S.B. No. 1011 (1985) jointly to the Committee on Human Services and the Committee on Ways and Means; and

S.B. No. 2130-86 to the Committee on Human Services.

At this time, Senator Kawasaki, chairman of the Committee on Government Operations, requested a waiver of the 48-hour Notice of a Public Hearing on S.B. No. 974, S.D. 1, and the President granted the waiver.

Senator Yamasaki, chairman of the Committee on Ways and Means, then requested a waiver of the 48-hour Notice of a Public Hearing on S.B. Nos. 2002-86 and

2308-86, and the President granted the waiver.

Senator Kuroda then rose to inquire:

"Mr. President, will you ask the Vice President when he is going to have the celebration lunch for the testimony received on the newspaper bill?"

The Chair posed the question and Senator Kawasaki responded:

"Mr. President, I rise on a point of personal privilege to respond to Senator Kuroda's remarks.

"First of all, Mr. President, I think the local media's waters have been muddied to a point, vitiated to a point where clarification is needed regarding some terminology.

"I agreed with you yesterday in session that I will hold in abeyance the very controversial (Marcos) resolution and I see that one of the papers quoted you as saying that it was 'shelved.'

"When you want to permanently destroy something, you either destroy it or send it to the refuse collector; but when you shelve something, it always means that there's a possibility of that item being removed from the shelf to be put on the agenda again, so I want that to be clarified.

"This morning, in reference to Senator Kuroda's remark, in the public hearing of the Judiciary Committee a testimony was submitted by the owner of the Honolulu Advertiser ... this is in regard to that bill introduced some time ago, asking to repeal the law that is identical to the federal law that allows the newspapers exemption from the antitrust provisions of the Sherman Act.

"In the interest of everybody here, I think this testimony submitted by Mr. Twigg-Smith demands a response from us. It's addressed to the chairman of the Judiciary Committee to this effect. This is Mr. Twigg-Smith talking and I quote:

'I am currently on the Mainland, but I have asked that my testimony on the bill to repeal the State Newspaper Preservation Act be read to this honorable committee.

'As you know, the act was passed in 1972, with language virtually identical to that in the Federal Newspaper Preservation Act. Since newspapers are in the interstate commerce, the Federal statute supercedes any conflicting State statute. Locally, that has been stated in Attorney General opinions.'

I've stated this time and again. And I continue:

'Our interest in seeking the act almost 14 years ago was primarily in hopes of precluding political harassment.'

"Now, if Mr. Twigg-Smith considers our trying to repeal this act, this move that he supports today, and our trying to, if not repeal this act, then delete that language in that bill that the Justice Department objected to when it was being considered in the Congress of the United States ... that language that says, that the statute would allow newspapers to jointly solicit business, jointly pool profits, jointly (the worst part of it) set prices, which is price-fixing in any language, all of these acts which are disallowed, had it applied to any other industry. If this is political harassment then I think we're justified in having provided the political harassment that bothered these people. And to continue his testimony:

'Unfortunately, the statute has not had that effect. In almost every legislative session, the two daily newspapers have been subject to unwarranted "recriminations." And the act has been used by some legislators as a rationale for seeking punitive "anti-press legislation."

"And again, as I said, if our effort to repeal the state statute considered unnecessary, as they admit today in their testimony, is anti-press legislation then to protect the public interest we will have to persist in this kind of 'anti-press' legislation. In any case, to continue:

'We have reluctantly concluded that the State Newspaper Preservation Act, under prevailing circumstances, serves no useful purpose.'

I've stated this time and again.

'For that reason, about five months ago The Advertiser management conveyed to the Chairman of the Senate Judiciary Committee that it will pose no objection to the repeal of this act.'

And I've said that time and again. And finally, he says:

'I do want to thank the Chairman and individual members of this committee and of preceding Judiciary Committees who have treated us with fairness over the years.'

Signed by Thurston Twigg-Smith.

"I, in turn, want to thank all of the Senators who very forthrightly have supported our attempts to repeal this act, and this is agreed to by the newspapers today. I also want to take this time to personally thank one member of the journalistic profession, Jerry Burris, who

notwithstanding the fact that he works for The Advertiser, covered some of our committee hearings very fairly to point out some of our objections and I think this is journalism in the highest standard. Thank you."

Senator Chang then rose on a point of information and inquired:

"Mr. President, would you ask the Vice President what time the celebration luncheon is being held?"

Senator Kawasaki responded:

"Mr. President, celebration in this case may be a little premature. We still need the votes on the floor of this Senate. And of course, there are some people on the other side who are definitely afraid of getting bad publicity as a consequence of supporting us on this position. This is the reason for many years this proposition to repeal has never passed here, so we don't count our chicks before they're hatch."

Senator Abercrombie then interjected:

"Mr. President, am I to understand by the comments of the Vice President that he's leaving it in your hands?"

The Chair answered:

"You can take by his comment that he's not buying lunch."

Senator Kawasaki responded:

"Mr. President, I trust that this will not be shelved."

The President then made the following observation:

"Members of the Senate, the Chair would just like to take a minute of your time in response to an inquiry yesterday involving a letter that was sent by the tax director and the attorney general and the lapse of time between when the letter was written and when the members of the Senate Ways and Means Committee received it.

"The chronologic order, as I understand it, is that the letter was dated February 21st from the tax director to me and Senator Yamasaki. It was delivered here at the Capitol on February 26th. Subsequent to that, on the evening of February 26th the Ways and Means chairman notified the members of the committee.

"That is in response to the inquiry."

Senator Soares then said:

"Mr. President, I'm glad the response was forthcoming. I was just worried that the

fifth floor of the Capitol was too far and it took five days to get down to the chamber."

ADJOURNMENT

At 12:10 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., Monday, March 3, 1986.