

## FORTY-FOURTH DAY

Tuesday, March 25, 1980

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1980, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Rabbi Julius Nodel of the Temple Emanu-el, after which the Roll was called showing all Senators present with the exception of Senators Ajifu and Yim who were excused.

The President announced that he had read and approved the Journal of the Forty-Third Day.

At this time, the following introductions were made to the members of the Senate:

Senator Anderson introduced 45 members of the Pearl City Senior Citizens Club.

Senator Carpenter introduced Mr. Donald Yamada, a representative of the Hilo Contractors Association, from the island of Hawaii.

At 11:40 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:41 o'clock a.m.

## SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 213 to 221) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 213), entitled: "SENATE RESOLUTION RECOGNIZING THE EFFORTS OF THE HAWAII DIETETIC ASSOCIATION AND DECLARING THE MONTH OF MARCH, 1980 TO BE NUTRITION MONTH IN HAWAII", was jointly offered by Senators Carpenter, Young, Toyofuku, Yim, George, Yee, Anderson, Machida, Yamasaki, Campbell, Soares, Ushijima, Chong, Cobb, Abercrombie, Hara, Kawasaki and Ajifu.

On motion by Senator Carpenter, seconded by Senator Young and carried, S.R. No. 213 was adopted.

Senator Carpenter then introduced to the members of the Senate Mrs. Matsuko Kawaharada, President, Hawaii Dietetic Association, and Director of Dietary Services, Kapiolani-Children's Medical Center. Senator Carpenter presented Mrs. Kawaharada with a certified copy of the resolution and Senator Mizuguchi presented her with a lei.

At 11:45 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:47 o'clock a.m.

A resolution (S.R. No. 214), entitled: "SENATE RESOLUTION CONGRATULATING KEONE COOK ON HER SELECTION AS MISS LEeward OAHU 1980 AND CONGRATULATING HER COURT", was jointly offered by Senators Kuroda, Young, Cayetano, Mizuguchi, Machida, Ajifu, Carroll, Carpenter, Soares, Ushijima, George, Yim, Yamasaki, Wong, Chong, Abercrombie, Toyofuku, Campbell, Hara, Kawasaki, Yee, Cobb, Anderson, O'Connor and Saiki.

On motion by Senator Hara, seconded by Senator Young and carried, S.R. No. 214 was adopted.

Senator Kuroda then introduced to the members of the Senate the following: Miss Keone Cook, Miss Leeward Oahu 1980; First Runner-up, Miss Kathleen Akiona of Ewa Beach; Miss Congeniality, Miss Tammy Takamatsu of the Aiea-Pearl City area; Mr. Clarence Nishihara, Chairman of the Miss Leeward Scholarship Pageant; and Mr. Gordon Matsuoka, President of the Jaycees, who sponsor the annual event in Leeward, Oahu.

Senator Yee then announced that Miss Keone Cook had consented to be the queen for the Ahi Tournament which will be coming up soon, and noted that about three years ago, the Ahi Queen was chosen Miss Hawaii, and extended good wishes to Miss Cook.

Senator Hara presented a lei to Miss Cook, and Senators Cayetano, Kuroda, Young and Saiki presented leis to Miss Akiona, Miss Takamatsu, Mr. Nishihara and Mr. Matsuoka, respectively. Senator George presented each of them with a certified copy of the resolution.

At 11:50 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.

A resolution (S.R. No. 215), entitled: "SENATE RESOLUTION RECOGNIZING AND EXTENDING CONGRATULATIONS TO THE 36TH DIVISION - 442ND REGIMENTAL COMBAT TEAM JOINT REUNION SCHEDULED FOR AUGUST 28 TO 31, 1980, AT DALLAS, TEXAS", was jointly offered by Senators Ushijima, Machida, Kuroda, Chong, George, Soares, Toyofuku, Mizuguchi, Wong, Yamasaki, Kawasaki, Hara, Ajifu, Young, Campbell, Carpenter, Anderson, Carroll, Yee, Cayetano, Cobb, Saiki,

Yim, Abercrombie and O'Connor.

On motion by Senator Ushijima, seconded by Senator Machida and carried, S.R. No. 215 was adopted on a rising vote.

Senator Ushijima then stated as follows:

"Mr. President, I believe that in the annals of American military history, the Texas 36th Division is regarded as one of the great combat divisions that participated in World War II.

"We of the 442nd Regimental Combat Team first came across the 36th Division in Italy, and elements of the 442nd participated with the 36th Division in some of the great battles before the hills of Casino. This is where I believe the 36th Division really distinguished itself in battle. They suffered and sustained great casualties during those battles.

"We of the 442nd again came across the 36th Division, part of the American Fifth Army, after we captured Rome, pursuing the enemy north of Rome. After that, I believe the 36th Division left Italy to participate in the invasion of Europe from Southern France.

"Again we came across the 36th Division in the battles of Northern France, and I believe this is where they again distinguished themselves in some of the great battles there. We fought alongside them and this created a strong bond between the two units.

"The 36th Division very befittingly and appropriately is holding a reunion in August of this year in Dallas, Texas, and they have invited the 442nd members to participate in this reunion.

"I believe this is very appropriate because this celebration notes the 36th year after the 442nd effected the rescue of the 'lost battalion' of the 141st Regiment, 1st Battalion of the 36th Division.

"There are some special people with us today and I would like to introduce them to you. It is my great pleasure to introduce Mr. Jack L. Scott, the President of the 36th Infantry Division Association of Texas and his wife Donna, and son, Jeremiah. Accompanying them are Mr. Edward M. Tamanaha, President of the 442nd Veterans Club of Honolulu, and Mr. Robert M. Sasaki, Executive Secretary of the 442nd Veterans Club of Honolulu."

Senator Ushijima then presented a certified copy of the resolution to Mr. Scott, Mr. Tamanaha and Mr.

Sasaki.

At 11:59 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:02 o'clock p.m.

A resolution (S.R. No. 216), entitled: "SENATE RESOLUTION CONGRATULATING THE UNIVERSITY HIGH SCHOOL JUNIOR BOWS ON WINNING THE INTERSCHOLASTIC LEAGUE OF HONOLULU VARSITY BASKETBALL CHAMPIONSHIP", was jointly offered by Senators Yee, Carroll, Soares, Machida, George, Toyofuku, Ajifu, Young, Yim, Kawasaki, Chong, Mizuguchi and Cobb.

On motion by Senator Yee, seconded by Senator Carroll and carried, S.R. No. 216 was adopted.

A resolution (S.R. No. 217), entitled: "SENATE RESOLUTION REQUESTING UNIVERSITY OF HAWAII AT MANOA TO STUDY THE FEASIBILITY OF EXTENDED LIBRARY HOURS", was jointly offered by Senators Campbell and Abercrombie.

By unanimous consent, S.R. No. 217 was referred to the Committee on Higher Education.

A resolution (S.R. No. 218), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REPORT ON ITS POLICIES AND PROCEDURES ON CONSOLIDATING SCHOOLS WITH DECLINING ENROLLMENTS", was offered by Senator Campbell.

By unanimous consent, S.R. No. 218 was referred to the Committee on Education.

A resolution (S.R. No. 219), entitled: "SENATE RESOLUTION REQUESTING THE SENATE EDUCATION COMMITTEE TO CONVENE A YOUNG CITIZENS' GROUP TO ORGANIZE A DRIVE TO IMPROVE THE VOTING RECORD OF THAT AGE GROUP", was offered by Senator Campbell.

By unanimous consent, S.R. No. 219 was referred to the Committee on Education, then to the Committee on Legislative Management.

A resolution (S.R. No. 220), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON NOISE LEVEL LIMITS IN SCHOOL COMMUNITIES", was offered by Senator Campbell.

By unanimous consent, S.R. No. 220 was referred to the Committee on Education, then to the Committee on Legislative Management.

At 12:03 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12: 04 o'clock p.m.

A resolution (S.R. No. 221), entitled: "SENATE RESOLUTION COMMENDING GARY COLEMAN FOR HIS OUTSTANDING ACHIEVEMENTS", was jointly offered by Senators Carroll, Anderson, Soares, Cobb, Cayetano, Carpenter, Toyofuku, O'Connor, Ushijima, Yamasaki, Hara, Campbell, Young, George, Abercrombie, Chong, Kuroda, Saiki, Yim, Wong and Yee.

On motion by Senator Carroll, seconded by Senator Anderson and carried, S.R. No. 221 was adopted.

Senator Carroll then stated as follows:

"Mr. President, it's important to recognize and praise outstanding young persons and Gary Coleman is a young person worthy of acclaim and commendation for the many achievements he has made in his twelve years of life.

"Gary Coleman is best known for his starring role as the street-wise, precocious, and lovable young boy on the successful television series 'Different Strokes' and the acclaim he has received for his television series should not overshadow recognition for his many other amazing accomplishments.

"Gary has been honored with the Cleo Award for distinguished performances in commercials, and has received the International Children's Award in 1979.

"Gary has been acclaimed by other nationally recognized organizations and is currently the National Chairman of the National Kidney Foundation.

"Mr. President, it is indeed an honor for me personally, to introduce to you, Master Gary Coleman and his parents, Mr. and Mrs. W. G. Coleman.

"Also in the audience are Mr. and Mrs. Marvin Wong, their friends, who are hosting them as they vacation here in Hawaii."

Senator Soares presented the certified copy of the resolution to Master Coleman, while Senator Saiki presented him with a lei. Senators George, and Anderson presented leis to Mr. and Mrs. Coleman, respectively.

At 12: 07 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

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

## STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 842-80) informing the Senate that Senate Resolution Nos. 206 to 212 and Standing Committee Report Nos. 746-80 to 841-80 have been printed and are ready for distribution.

On motion by Senator Yamasaki, seconded by Senator George and carried, the report of the Committee was adopted.

## ORDER OF THE DAY

### MISCELLANEOUS COMMUNICATIONS

The following communications (Misc. Com. Nos. 12 and 13) were read by the Clerk and were disposed of as follows:

A communication from Mr. Jack H. Watson, Jr., Assistant to the President for Intergovernmental Affairs, The White House, (Misc. Com. No. 12), acknowledging receipt of Senate Concurrent Resolution No. 1 (1980), was placed on file.

A communication from Mr. Luther H. Hodges, Jr., Deputy Secretary of Commerce, Washington, D.C., (Misc. Com. No. 13), acknowledging receipt of Senate Concurrent Resolution No. 24 (1980), was placed on file.

### RE-REFERRAL OF HOUSE BILLS

The President made the following re-referral of a House bill that was received on Friday, March 16, 1979:

House Bill Referred to:

No. 553, H.D. 1 Committee on Ways and Means

The President made the following re-referral of a House bill that was received on Wednesday, March 12, 1980:

House Bill Referred to:

No. 2646-80 Committee on Judiciary

The President made the following re-referral of House bills that were received on Thursday, March 13, 1980:

House Bills Referred to:

No. 2022-80, H.D. 1 Committee on Ways and Means

No. 2023-80, H.D. 1 Committee on Ways and Means

At this time, Senator Cobb, in the absence

of the Chairman of the Judiciary Committee, moved that Standing Committee Report No. 758-80 and House Bill No. 2063-80, S.D. 1, be recommitted to the Committee on Judiciary, seconded by Senator Mizuguchi.

Senator Cobb then explained that the Committee would like to make certain technical amendments to the bill.

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 758-80 and H.B. No. 2063-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", were recommitted to the Committee on Judiciary.

Senator Cayetano, Chairman of the Committee on Ways and Means, requested a waiver of the 48-hour notice of a Public Hearing on the following measures:

H.B. No. 2029-80, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY";

H.B. No. 2723-80, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY";

H.B. No. 3052-80, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY";

H.B. No. 1222, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS (CONSTITUTIONAL AMENDMENTS OF ARTICLE VII, SECTION 12)";

H.B. No. 25, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE";

H.B. No. 1162, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH";

H.B. No. 2945-80, entitled: "A BILL FOR AN ACT RELATING TO HEALTH";

H.B. No. 2897-80, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL FACILITY REVENUE BONDS";

H.B. No. 2454-80, H.D. 2, S.D. 1,

entitled: "A BILL FOR AN ACT RELATING TO POLITICAL SUBDIVISION POLLUTION CONTROL BONDS";

H.B. No. 2196-80, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUPIL TRANSPORTATION";

H.B. No. 2672-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STUDENT TRANSPORTATION PROGRAM";

H.B. No. 1864-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR";

H.B. No. 2720-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PAYMENT OF SETTLEMENT BETWEEN THE STATE OF HAWAII AND MARK CONSTRUCTION, INC.";

H.B. No. 1758-80, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF PROGRAMS AND ORGANIZATIONAL SEGMENTS IN THE STATE GOVERNMENT";

H.B. No. 2729-80, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF THE HAWAII FISHERIES COORDINATING COUNCIL";

H.B. No. 850, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION"; and

H.B. No. 1772-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE PROGRAM FOR THE UNEMPLOYED",

and the President granted the waiver.

At 12:15 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:16 o'clock p.m.

#### ADJOURNMENT

At 12:17 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, March 27, 1980.