

TWENTY-NINTH DAY

Tuesday, March 9, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 10:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Ronald Ching, Pastor of Kaimuki Evangelical Church, after which the Roll was called showing all Senators present with the exception of Senators Abercrombie, Ajifu, Anderson, Henderson and Yamasaki who were excused.

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

At this time, Senator Mizuguchi, on behalf of the Senators from the Fourth Senatorial District, introduced to the members of the Senate a group (45) of students from Pearl City High School and their teacher Ms. Linda Kumasaki.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 102 and 103) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 102), transmitting copies of the Action Plan for the Kaka'ako Community Development District, January 1982, prepared by the Hawaii Community Development Authority, was referred to the Committee on Housing and Hawaiian Homes.

A message from the Governor (Gov. Msg. No. 103), transmitting copies of the State of Hawaii Capital Improvements Program Status Report, 1981 Construction Summary, dated December 31, 1981, prepared by the Department of Planning and Economic Development, was referred to the Committee on Ways and Means.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 54 to 56) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 54), transmitting House Bill No. 2017-82, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Yee and carried, H.B.

No. 2017-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REGULATION OF EMPLOYMENT AGENCIES," passed First Reading and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 55), transmitting House Bill No. 2172-82 which passed Third Reading in the House of Representatives on March 8, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Yee and carried, H.B. No. 2172-82, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE DISPOSAL," passed First Reading and was referred to the Committee on Ecology, Environment and Recreation.

A communication from the House (Hse. Com. No. 56), transmitting House Bill No. 2222-82, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 1982, was placed on file.

On motion by Senator Cobb, seconded by Senator Yee and carried, H.B. No. 2222-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANGUILLIFORMES," passed First Reading and was referred to the Committee on Agriculture.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 39 and 40) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 39), entitled: "SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO MONITOR FEDERAL FINANCIAL AID CUTBACKS AND TO ASSESS IMPACT ON STATE FINANCIAL AID PROGRAMS," was offered by Senators Saiki, George, Kobayashi, Soares, Ushijima, Uwaine, Cobb, Cayetano and Abercrombie.

By unanimous consent, S.R. No. 39 was referred to the Committee on Higher Education.

A resolution (S.R. No. 40), entitled: "SENATE RESOLUTION REQUESTING THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII TO ASSESS THE CURRENT STUDENT TUITION STRUCTURE," was offered by Senators Saiki, Cayetano, Henderson, Cobb, Young, George, Kobayashi, Campbell, Ajifu, Kuroda and Soares.

By unanimous consent, S.R. No. 40 was referred to the Committee on Higher

Education.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 237-82) informing the Senate that Senate Concurrent Resolution No. 24 and Standing Committee Report Nos. 229-82 to 236-82 have been printed and are ready for distribution.

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

Senator Saiki, for the majority of the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 238-82) recommending that Senate Bill No. 2970-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Saiki, seconded by Senator Cobb and carried, the report of the majority of the Committee was adopted and S.B. No. 2970-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 11, 1982.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2970-82, S.D. 1.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 239-82) recommending that Senate Bill No. 2642-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2642-82, entitled: "A BILL FOR AN ACT RELATING TO THE JUVENILE JUSTICE INTERAGENCY BOARD," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 11, 1982.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2642-82.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 240-82) recommending that Senate Bill No. 2182-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2182-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BIRTH CERTIFICATES," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 11, 1982.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2182-82, S.D. 1.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 241-82) recommending that Senate Bill No. 2189-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2189-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 11, 1982.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2189-82, S.D. 1.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 242-82) recommending that Senate Bill No. 2475-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2475-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NAMES," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 11, 1982.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2475-82, S.D. 1.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 243-82) recommending that Senate Bill No. 2624-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2624-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GRAND JURY COUNSEL," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 11, 1982.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2624-82, S.D. 1.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 244-82) recommending that Senate Bill No. 2366-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2366-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING REPORT," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 11, 1982.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2366-82, S.D. 1.

Senator Carpenter, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 245-82) recommending that Senate Bill No. 2248-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the majority of the Committee was adopted and S.B. No. 2248-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PATERNITY STATUTE OF LIMITATIONS," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 11, 1982.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2248-82, S.D. 1.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 246-82) recommending that Senate Bill No. 2572-82, as

amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2572-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 11, 1982.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2572-82, S.D. 1.

Senator Carpenter, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 247-82) recommending that Senate Bill No. 2867-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the majority of the Committee was adopted and S.B. No. 2867-82, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE II, SECTION 7, OF THE HAWAII CONSTITUTION, TO CHANGE THE RESIGNATION REQUIREMENTS FOR AN ELECTED PUBLIC OFFICER DESIRING TO RUN FOR ANOTHER PUBLIC OFFICE," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 11, 1982.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2867-82.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 248-82) recommending that Senate Bill No. 2245-82, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 2245-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECIPROCAL ENFORCEMENT OF SUPPORT," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 11, 1982.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice

was given on S.B. No. 2245-82, S.D. 1.

Senator Saiki, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 249-82) recommending that Senate Bill No. 2728-82, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Higher Education.

On motion by Senator Saiki, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 2728-82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed First Reading and was recommitted to the Committee on Higher Education.

At this time, Senator Cayetano rose on a point of personal privilege and stated:

"Mr. President, I have been complaining about this in private for years and I'm going on to my eighth year in the Legislature now...I'm going to do it publicly this time.

"Mr. President, we're meeting this morning at 10:30 because there is some shindig between the House, the Senate and the Governor at the Waialae Golf Course. Do you suppose, Mr. President, that in deference to those of us who don't play golf...I know that since we can't hit each other here it's therapeutic for some people to go and hit the white ball on the golf course, but the fact remains that some of us are still working and there remains much work to be done.

"The chairman of the Ways and Means Committee is still stuck in committee hearing. This has cut into at least an hour of his morning hearing...he's there with two other Senators, I believe.

"Would it be too much to ask the sponsors of this event if next year they could consider holding it during the recess or perhaps consider holding it on Saturday or Sunday? Would you have whoever is our social chairman pass it on to the people who are involved, please."

Senator Kuroda responded as follows:

"Mr. President, I am not the social chairman, but I'd like to react to the comments made by Senator Cayetano.

"I think his point is well-taken. I think perhaps this event could be scheduled at another time, but I think it's also important to understand that this does give Senators an opportunity to meet with Representatives in a situation other than the formal setting.

"I realize that yesterday Senator Campbell spoke on the floor to complain about private negotiations going on between and among legislators and bringing it out to the public.

"I think that it's very important to understand that the Waialae Country Club membership has invited the legislators to participate in this annual affair at a time that is most convenient to their membership. The members are willing to give this time for the legislators to participate, but we will take on advisement the suggestion made by Senator Cayetano, a non-golfer, that perhaps the Waialae Country Club would extend the invitation on a weekend.

"Mr. President, in your behalf, I would like to make that request of the Waialae Country Club."

Senator Campbell also responded and said: "Mr. President, I would hope that this planned event this afternoon is not designed to discuss legislative business."

Senator Carpenter then remarked: "Mr. President, I also concur in that hope because I will not be there and I want to make 'damn' sure it isn't."

Senator Cobb added: "Mr. President, as a non-golfer I would like to add my request to that of Senator Cayetano's."

ADJOURNMENT

At 10:51 o'clock a.m., on motion by Senator Cobb, seconded by Senator Yee and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, March 10, 1982.