

## TWENTY-FIFTH DAY

Wednesday, February 27, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Sandra Hiramatsu of the Honpa Hongwanji Mission, after which the Roll was called showing all Senators present.

The Chair announced that he had read and approved the Journal of the Twenty-Fourth Day.

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

Senator Young introduced Stephanie Misch and Corina Payne, students from the social studies class of Ilima Intermediate School in Ewa Beach, participating in the legislative awareness program. The students were accompanied by their teacher, Mrs. Rena Beamer.

Senator McMurdo then introduced Major General (Ret.) and Mrs. George Wallace from San Antonio, Texas, and stated that "they were with us in Hawaii almost 30 years ago."

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

The Senate reconvened at 11:46 o'clock a.m.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 192 to 194) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 192, transmitting the "Progress Report on Activities Conducted in Furtherance of the Hawaii State Plan," prepared by the State Plan Policy Council, pursuant to Chapter 226, HRS, as amended, was referred to the Committee on Economic Development.

Gov. Msg. No. 193, transmitting a report prepared by the Real Estate Commission, Department of Commerce and Consumer Affairs, in response to S.R. No. 158 (1984) and H.R. No. 389 (1984), Requesting a Study into the Existing Duties and Responsibilities of the Real Estate Commission to Develop Recommendations to Improve the Services to Licensees and the Public, was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 194, transmitting the 1984 Annual Report of The Natural Energy

Laboratory of Hawaii, pursuant to Sec. 227-3, HRS, was referred to the Committee on Energy.

## SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 17 to 21) were read by the Clerk and were disposed of as follows:

S.C.R. No. 17, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION TO ADOPT A POLICY NOT TO CLOSE OR CONSOLIDATE ANY SCHOOL WITHIN A PARTICULAR COUNTY UNLESS THAT SCHOOL HAS THE SMALLEST STUDENT ENROLLMENT OF ALL PUBLIC SCHOOLS WITHIN THAT COUNTY," was offered by Senators Cobb and McMurdo.

By unanimous consent, action on S.C.R. No. 17 was deferred until Thursday, February 28, 1985.

S.C.R. No. 18, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A COMPREHENSIVE STUDY OF THE PROBLEMS AND NEEDS OF VETERANS RESIDING IN HAWAII," was offered by Senators Cobb, McMurdo, Yamasaki, B. Kobayashi, Mizuguchi and Chang.

By unanimous consent, action on S.C.R. No. 18 was deferred until Thursday, February 28, 1985.

S.C.R. No. 19, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A COMPREHENSIVE REVIEW OF HAWAII INSURANCE LAWS," was offered by Senators Cobb, Matsuura, Kuroda, Yamasaki, Hagino, Chang and McMurdo.

By unanimous consent, action on S.C.R. No. 19 was deferred until Thursday, February 28, 1985.

S.C.R. No. 20, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO PREPARE AND SUBMIT A CONSTITUTIONAL AMENDMENT REQUIRING A BALANCING OF THE FEDERAL BUDGET, OR TO CALL A CONSTITUTIONAL CONVENTION TO PROPOSE SUCH CONSTITUTIONAL AMENDMENT," was offered by Senators Cobb, Matsuura, McMurdo, B. Kobayashi, George and A. Kobayashi.

By unanimous consent, action on S.C.R. No. 20 was deferred until Thursday,

February 28, 1985.

S.C.R. No. 21, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AND FINANCIAL AUDIT OF THE COUNTY OF MAUI PERTAINING TO THE DISTRIBUTION OF GENERAL FEDERAL REVENUE SHARING FUNDS TO THE ISLANDS OF MOLOKAI AND LANAI," was offered by Senators Hee, Cayetano, B. Kobayashi, Fernandes Salling, McMurdo, Toguchi, George and Aki..

By unanimous consent, action on S.C.R. No. 21 was deferred until Thursday, February 28, 1985.

#### SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 20 to 25) were read by the Clerk and were disposed of as follows:

S.R. No. 20, entitled: "SENATE RESOLUTION REQUESTING THE CHAMBER OF COMMERCE OF HAWAII TO DEVELOP WAYS AND MEANS OF IMPLEMENTING THE HAWAII BUSINESS CORPORATION ACT," was offered by Senators Cobb, Yamasaki, B. Kobayashi, McMurdo, Young, Mizuguchi and Chang.

By unanimous consent, action on S.R. No. 20 was deferred until Thursday, February 28, 1985.

S.R. No. 21, entitled: "SENATE RESOLUTION REQUESTING THE BOARD OF EDUCATION TO ADOPT A POLICY NOT TO CLOSE OR CONSOLIDATE ANY SCHOOL WITHIN A PARTICULAR COUNTY UNLESS THAT SCHOOL HAS THE SMALLEST STUDENT ENROLLMENT OF ALL PUBLIC SCHOOLS WITHIN THAT COUNTY," was offered by Senators Cobb and McMurdo.

By unanimous consent, action on S.R. No. 21 was deferred until Thursday, February 28, 1985.

S.R. No. 22, entitled: "SENATE RESOLUTION REQUESTING A COMPREHENSIVE STUDY OF THE PROBLEMS AND NEEDS OF VETERANS RESIDING IN HAWAII," was offered by Senators Cobb, McMurdo, Yamasaki, B. Kobayashi, Mizuguchi and Chang.

By unanimous consent, action on S.R. No. 22 was deferred until Thursday, February 28, 1985.

S.R. No. 23, entitled: "SENATE RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO PROPOSE RECOMMENDATIONS FOR ESTABLISHING NO-FAULT INSURANCE RATES FOR TAXICABS," was offered by

Senators Cobb, McMurdo, Yamasaki, B. Kobayashi, Mizuguchi and Chang.

By unanimous consent, action on S.R. No. 23 was deferred until Thursday, February 28, 1985.

S.R. No. 24, entitled: "SENATE RESOLUTION REQUESTING A COMPREHENSIVE REVIEW OF HAWAII INSURANCE LAWS," was offered by Senators Cobb, Matsuura, Kuroda, Yamasaki, Hagino, Chang and McMurdo.

By unanimous consent, action on S.R. No. 24 was deferred until Thursday, February 28, 1985.

S.R. No. 25, entitled: "SENATE RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO PREPARE AND SUBMIT A CONSTITUTIONAL AMENDMENT REQUIRING A BALANCING OF THE FEDERAL BUDGET, OR TO CALL A CONSTITUTIONAL CONVENTION TO PROPOSE SUCH CONSTITUTIONAL AMENDMENT," was offered by Senators Cobb, Matsuura, McMurdo, B. Kobayashi, George, A. Kobayashi and Hee.

By unanimous consent, action on S.R. No. 25 was deferred until Thursday, February 28, 1985.

#### STANDING COMMITTEE REPORTS

Senator Matsuura, for the Committee on Energy, presented a report (Stand. Com. Rep. No. 16) recommending that Senate Bill No. 979, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Energy.

On motion by Senator Matsuura, seconded by Senator Aki and carried, the report of the Committee was adopted and S.B. No. 979, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed First Reading and was recommitted to the Committee on Energy.

Senator Solomon, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 17) recommending that Senate Bill No. 20, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and S.B. No. 20, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SUGAR RESEARCH AND DEVELOPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Solomon, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 18) recommending that

Senate Bill No. 21, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and S.B. No. 21, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PROMOTION OF PINEAPPLE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Solomon, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 19) recommending that Senate Bill No. 944, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Agriculture.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and S.B. No. 944, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL WATER USE," passed First Reading and was recommitted to the Committee on Agriculture.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 20) recommending that Senate Bill No. 170, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 170, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EXTENSION OF THE COMPLIANCE RESOLUTION FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 21) recommending that Senate Bill No. 168, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 168, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," passed Second Reading and was referred to the Committee on Ways and Means.

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

The Senate reconvened at 12:31 o'clock p.m.

At this time, Senator Holt introduced to the members of the Senate the 1985 Miss Teen USA Kelly Hu, who was accompanied

by her mother Juanita Hu, Miss Gay Zuercher and Mr. Phil Ritz, advisor and producer, respectively, of the Miss Teen Hawaii Pageant. Senator Holt read portions of the Senate Certificate honoring Miss Hu and remarked as follows:

"Mr. Vice President, members of the Senate, we were quite proud and happy that Kelly Hu, a local resident, a young woman we all can take pride in, won the Miss Teen USA Pageant. She has brought a lot of fame and glory to this beautiful state.

"Kelly is a junior at the Kamehameha Secondary Schools who recently returned from Miami, Florida, assuming the title 'Miss Teen USA 1985.' She was crowned Miss Teen Hawaii on November 27, 1984 and went on to represent Hawaii in the Miss Teen USA Pageant which was held on January 22, 1985. Kelly, after placing very high in the bathing suit, interview, and evening gown competitions, was crowned Miss Teen USA 1985. She is the first young lady from the State of Hawaii to be crowned Miss Teen USA and only the third in the nation.

"I think many of us can remember watching the pageant on television. I witnessed the selection and, I believe, what was most important was her response when she was being interviewed. I cannot quote her exactly but Kelly said '...it's not how you look on the outside but what's inside that counts.'"

Kelly Hu was presented the Senate Certificate and a haku lei by Senator Holt, and Mrs. Hu, Miss Zuercher and Mr. Ritz were presented leis by Senators Mizuguchi, Chang and Young.

Senator Hee then introduced the 1985 Hawaii Junior Miss Michelle Ahulani Bissen, who was accompanied by Regina Helene Mayor, first runner-up, a senior at Pearl City High School; Meta Farina Tjan, second runner-up, a senior at Iolani High School; Jenevieve Tarutani, third runner-up, a senior at University High School; Diane Fumie Imamura, fourth runner-up, a senior at Iolani High School; and Mr. George Kodama, chairman of the pageant. Also introduced were parents of Miss Bissen, Miss Imamura and Miss Tjan and mother of Miss Tarutani who were sitting in the gallery. Senator Hee added as follows:

"Michelle Ahulani Bissen is a senior at Sacred Hearts Academy who placed first overall, out of 49 contestants, in scholastic achievement, poise, and appearance, and danced her way into the hearts of the judges by doing a jazz improvisation using sign language. Michelle will be representing Hawaii in the 27th Annual America's Junior Miss Scholarship Pageant which will be held in Mobile, Alabama."

All of the young ladies rose to be recognized and were presented the congratulatory certificate and with leis by Senators Hee, Cayetano, Abercrombie, Toguchi and Kuroda.

At 12:40 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:43 o'clock p.m.

The Chair, at this time, invited Kelly Hu, Miss Teen USA 1985, to the rostrum to address the members of the Senate.

Miss Hu addressed the members of the Senate as follows:

"Good afternoon, ladies and gentlemen, it's my pleasure to be here.

"I just want to let you all know how privileged I felt to represent Hawaii in the national pageant, and I was really, really proud to bring home the crown. I'd like to thank everyone who helped me, including Gay, Phil and, of course, my mother who I think I drove 'nuts.'

"I'd like to wish the best of luck to Michelle (Bissen) in her national pageant. I hope you do well and bring back the crown.

"Thank you."

Senator Soares then rose on a point of information and inquired as to whether the chairman of the Judiciary Committee would yield to a question, and the Chair having posed the question, Senator Chang answered: "Mr. President, may I hear the question?"

Senator Soares asked: "Mr. President, I noticed in the Advertiser that the House has not seen fit to hear any bills on initiative or to pass it out; that there was some comment made that the Senate committee has not seen fit to have any hearings on it yet. I'd like to ask the committee chairman whether he plans to have any hearings on the initiative measure this session or not."

Senator Chang responded: "Mr. President, I have not been approached by many members of the Senate or members of the community to hold hearings on the matter. If there is substantial interest in this matter I will, of course, schedule a hearing."

Senator Soares further inquired: "Mr. President, aren't there bills resting in that committee on initiative?"

The Chair replied in the affirmative and Senator Soares remarked: "Mr. President, we ask for hearings. Thank you."

The Chair then made the following announcement:

"Members of the Senate, the Chair has been informed that there are many committee reports for lateral movement that are still in the preparation stage. Hopefully, they will be completed by this afternoon. Senators are asked to remain in the building to sign these reports.

"I hope we will have the committee reports submitted to the Clerk by late this afternoon so they can be listed on tomorrow morning's order of the day.

"Depending on the status of the reports, a decision will then be made as to whether or not we should have an afternoon session tomorrow.

"The Chair wishes to thank all of you for your cooperation."

At 12:49 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:50 o'clock p.m.

#### ADJOURNMENT

At 12:51 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, February 28, 1985.