

## FORTY-EIGHTH DAY

Tuesday, April 2, 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 Vice President in the Chair.

The Divine Blessing was invoked by the Reverend Wendell Chang, Manoa Valley Church, after which the Roll was called showing all Senators present with the exception of Senator Holt who was excused.

The Chair announced that he had read and approved the Journal of the Forty-Seventh Day.

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

Senator Abercrombie made the following introduction:

"Mr. Vice President, ladies and gentlemen, visiting with us today are twelve Fukuoka assemblymen and associates. They have arrived this morning from Japan and are participating in the Hawaii-Fukuoka Goodwill Memorial Service at Punchbowl and they are in Hawaii in commemoration of the 100th Year of the First Japanese Contract Labor Immigration to Hawaii. These assemblymen have led a group of 360 visitors from Fukuoka and I'm sure we're all very pleased to have them here. Mr. President, with your permission I will begin my introduction. I'm pleased to introduce the following twelve Fukuoka assemblymen: Eitaro Shinoda, Hisao Takayama, Shigenori Fujita, Teruo Yoshizuka, Ken'gi Maeda, Kosuke Yamanaka, Yasuto Nagayoshi, Yoshiki Ide, Sakaki Mito, Matsuhiko Shingu, Mikito Kusuda and Akihiko Nakamura."

Senator Kuroda then added: "accompanying the twelve legislators is a member of the legislative staff, Asahiko Mihara, a son of one of the Fukuoka assemblymen. From the travel agency, from the Fukuoka office of the Kintetsu is Fujiya Itoyama. And the general manager of the Honolulu Office located in Waikiki of the Kintetsu Organization is Osamu Ishimaru."

Senator Soares introduced a group of students from Kaiser High School, accompanied by their teacher Ms. Liberta Chock, who is also the sister of Senator Chang.

Senator Abercrombie made the following introduction:

"Mr. Vice President, we're especially blessed today here on the floor by having some individuals who are representatives of the Foster Grandparent Program. This program, Mr. Vice President, is designed to

provide love, care, friendship, guidance and supplement training to children from birth to 21 with special or exceptional needs from persons 60 years of age or older with limited financial means.

"Each foster grandparent enrolled in the program must undergo an examination and interview and forty hours of orientation and assessment to assure their interest and capabilities to assist children. In addition four hours per month are spent on in-service training as well as ongoing individual assessment. Monday through Friday with two or more children per day, these individuals work intensively on a personalized relationship with each child to augment their emotional, physical, psychological and cognitive development through the foster grandparent's presence and help. You can imagine, Mr. Vice President, the tremendous resources of energy and emotional stability that's required to do this.

"Today with 120 foster grandparents enrolled in the program, its major focus has shifted from its organization at Waimano School and Hospital to more community based programs which serve 36 volunteer stations throughout Oahu, Hawaii and Maui.

"The State of Hawaii is honored to recognize this program in its twentieth year and the kapuna which are the Foster Grandparent Program. Since 1965 they have provided a very special service of that tender loving care to many hundreds and hundreds of young children. They are a true example of the spirit of Aloha. And we have some of those individuals with us here today, Mr. Vice President, and I would like to read to you from the certificate we are presenting each of them and to give you a little background on each of these extraordinary individuals.

"The first is Madeline Ohta, a pioneer in the Foster Grandparent Program who has served since its inception in 1965.

"At the age of 67, Madeline Ohta joined this program. Deeply moved by the children she did not believe she could last herself very long in this program and this is 1965. She was advised to take one day at a time which she has and now twenty years later, twenty years later she is still an active contributor to the program.

"A highly spirited person, she has brought sunshine to the children around her. Nothing has been too good for them. Many times she has taken special care with individual ones.

"At 67 she could go hiking with the staff

and keep up. Today her gait is a bit slowed and often pained with arthritis but her spirit never lets up. She seems to believe that the pain goes away when she is with the children and it appears so when she is observed giving her personalized care to them.

"The State of Hawaii is honored to recognize this individual in her twentieth year of dedication (remember she started at the age of 67). She has provided a special service of that tender loving care. Madeline Ohta is a true example of the spirit of Aloha.

"Our next individual, Mr. Vice President, is Myrtle Tulloh. She was also a pioneer in the program who served since 1965.

"She accepted the position with the intent of staying only a year but she soon became so involved with the children at Waimano Training School and Hospital that the years have quickly gone by.

"Mrs. Tulloh has the quiet calming effect on the children so when especially difficult children need a calm, carefully followed program, Mrs. Tulloh was always the one sought out.

"When the population at Waimano began decreasing and the foster grandparents were sent to community settings, Mrs. Tulloh was asked to make special assignments.

"Today at the age of 81 she is a much treasured foster grandparent at the Pearl Harbor Elementary School Preschool Learning Impaired class.

"The State of Hawaii is honored to recognize this individual in her twentieth year of dedication. Myrtle Tulloh again is a true example of the spirit of Aloha.

"The next individual is Yukiyo Yoshimoto. Again a pioneer in the Foster Grandparent Program who served since its inception in 1965.

"At the age of 66 Mrs. Yoshimoto accompanied the children to the many training classes and outdoor classes where she could be seen running with the children or walking with the children up and down the hills at Waimano. Today the population is very different but nonetheless she has continued to exert the same type of energy in providing the personalized care for the children.

"She did not believe she would have worked so long. She often told her children that in a few years I'll quit but the time has flown so fast that each time she has given herself a deadline, she has exceeded it. Today at the age of 86 she is not making any predictions about her retirement.

"The State of Hawaii is honored to recognize this individual in her twentieth

year of dedication. She has provided a special service of tender loving care. Mrs. Yoshimoto is a true example of the spirit of Aloha.

"Last, but not least, Mr. Vice President, is Theresa Rapoza, again a pioneer in this program.

"At the age of 60 Theresa Rapoza was referred to the program by the State Employment Program. Too young for retirement and full of vim and vigor she began with the program. Although filled with doubts of the work she was undertaking, she has shown a true spirit of commitment over the years.

"Her energies were directed to giving children the best personal care. Each day the children were groomed, taken for walks, helped with table top activities and given self help skills training.

"The State of Hawaii is honored to recognize this individual in her twentieth year of dedication. She has provided again a special service of that tender loving care to many hundreds of young people. Theresa Rapoza a true example of the spirit of Aloha."

Senate Certificates were presented to the honorees by Senator Abercrombie and leis were presented by Senators Hee, Soares, Henderson, Toguchi and Matsuura.

Senator Wong requested: "Mr. Vice President, I wonder at this time, if the members of the Senate would rise to show their appreciation and love to these people who really care. And also Mr. Vice President, seated up in the audience are the rest of the foster grandparents. Can we give them all a hand?"

Senator Chang then made the following introduction:

"Mr. Vice President, seated with my sister and her visiting students is my mother, Mrs. Ethel Chang."

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

The Senate reconvened at 12:01 o'clock p.m.

#### HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 350 to 446), returning Senate Bills, as amended, which passed Third Reading in the House of Representatives on April 1, 1985, were read by the Clerk and were placed on file, and by unanimous consent, action on said bills was deferred to Thursday, April 4, 1985:

Hse. Com. No. 350, returning S.B. No. 20,

S.D. 1, H.D. 1;  
 Hse. Com. No. 351, returning S.B. No. 64,  
 S.D. 2, H.D. 2;  
 Hse. Com. No. 352, returning S.B. No. 78,  
 S.D. 1, H.D. 2;  
 Hse. Com. No. 353, returning S.B. No. 83,  
 S.D. 2, H.D. 1;  
 Hse. Com. No. 354, returning S.B. No. 95,  
 H.D. 2;  
 Hse. Com. No. 355, returning S.B. No.  
 113, S.D. 2, H.D. 2;  
 Hse. Com. No. 356, returning S.B. No.  
 153, S.D. 1, H.D. 2;  
 Hse. Com. No. 357, returning S.B. No.  
 170, S.D. 2, H.D. 2;  
 Hse. Com. No. 358, returning S.B. No.  
 201, S.D. 1, H.D. 1;  
 Hse. Com. No. 359, returning S.B. No.  
 217, S.D. 1, H.D. 1;  
 Hse. Com. No. 360, returning S.B. No.  
 236, S.D. 1, H.D. 2;  
 Hse. Com. No. 361, returning S.B. No.  
 338, S.D. 1, H.D. 2;  
 Hse. Com. No. 362, returning S.B. No.  
 454, S.D. 1, H.D. 1;  
 Hse. Com. No. 363, returning S.B. No.  
 459, S.D. 2, H.D. 2;  
 Hse. Com. No. 364, returning S.B. No.  
 463, S.D. 1, H.D. 2;  
 Hse. Com. No. 365, returning S.B. No.  
 471, S.D. 2, H.D. 1;  
 Hse. Com. No. 366, returning S.B. No.  
 592, S.D. 1, H.D. 2;  
 Hse. Com. No. 367, returning S.B. No.  
 615, S.D. 1, H.D. 2;  
 Hse. Com. No. 368, returning S.B. No.  
 665, S.D. 1, H.D. 2;  
 Hse. Com. No. 369, returning S.B. No.  
 702, S.D. 2, H.D. 2;  
 Hse. Com. No. 370, returning S.B. No.  
 726, S.D. 2, H.D. 2;  
 Hse. Com. No. 371, returning S.B. No.  
 732, S.D. 1, H.D. 2;  
 Hse. Com. No. 372, returning S.B. No.  
 932, S.D. 1, H.D. 1;  
 Hse. Com. No. 373, returning S.B. No.  
 937, S.D. 2, H.D. 2;  
 Hse. Com. No. 374, returning S.B. No.  
 1127, S.D. 1, H.D. 2;  
 Hse. Com. No. 375, returning S.B. No.  
 1130, S.D. 1, H.D. 1;  
 Hse. Com. No. 376, returning S.B. No.  
 1144, S.D. 1, H.D. 1;  
 Hse. Com. No. 377, returning S.B. No.  
 1170, H.D. 2;  
 Hse. Com. No. 378, returning S.B. No.  
 1175, S.D. 1, H.D. 1;  
 Hse. Com. No. 379, returning S.B. No.  
 1186, S.D. 2, H.D. 1;  
 Hse. Com. No. 380, returning S.B. No.  
 1193, S.D. 2, H.D. 2;  
 Hse. Com. No. 381, returning S.B. No.  
 1286, S.D. 2, H.D. 2;  
 Hse. Com. No. 382, returning S.B. No.  
 1287, S.D. 2, H.D. 2;  
 Hse. Com. No. 383, returning S.B. No.  
 1299, S.D. 1, H.D. 2;  
 Hse. Com. No. 384, returning S.B. No.  
 1354, S.D. 1, H.D. 2;  
 Hse. Com. No. 385, returning S.B. No.  
 1358, S.D. 1, H.D. 2;

Hse. Com. No. 386, returning S.B. No.  
 1487, S.D. 2, H.D. 2;  
 Hse. Com. No. 387, returning S.B. No. 59,  
 S.D. 1, H.D. 1;  
 Hse. Com. No. 388, returning S.B. No. 70,  
 S.D. 1, H.D. 1;  
 Hse. Com. No. 389, returning S.B. No. 86,  
 S.D. 1, H.D. 1;  
 Hse. Com. No. 390, returning S.B. No. 99,  
 H.D. 1;  
 Hse. Com. No. 391, returning S.B. No.  
 102, H.D. 1;  
 Hse. Com. No. 392, returning S.B. No.  
 149, S.D. 1, H.D. 1;  
 Hse. Com. No. 393, returning S.B. No.  
 163, H.D. 1;  
 Hse. Com. No. 394, returning S.B. No.  
 234, S.D. 1, H.D. 1;  
 Hse. Com. No. 395, returning S.B. No.  
 235, S.D. 1, H.D. 1;  
 Hse. Com. No. 396, returning S.B. No.  
 249, S.D. 1, H.D. 1;  
 Hse. Com. No. 397, returning S.B. No.  
 280, S.D. 1, H.D. 1;  
 Hse. Com. No. 398, returning S.B. No.  
 404, H.D. 1;  
 Hse. Com. No. 399, returning S.B. No.  
 462, S.D. 1, H.D. 1;  
 Hse. Com. No. 400, returning S.B. No.  
 468, H.D. 1;  
 Hse. Com. No. 401, returning S.B. No.  
 735, S.D. 1, H.D. 1;  
 Hse. Com. No. 402, returning S.B. No.  
 775, S.D. 1, H.D. 1;  
 Hse. Com. No. 403, returning S.B. No.  
 854, S.D. 1, H.D. 1;  
 Hse. Com. No. 404, returning S.B. No.  
 1223, H.D. 1;  
 Hse. Com. No. 405, returning S.B. No.  
 1264, S.D. 1, H.D. 1;  
 Hse. Com. No. 406, returning S.B. No.  
 1353, S.D. 1, H.D. 1;  
 Hse. Com. No. 407, returning S.B. No. 76,  
 S.D. 1, H.D. 1;  
 Hse. Com. No. 408, returning S.B. No.  
 224, H.D. 1;  
 Hse. Com. No. 409, returning S.B. No.  
 253, S.D. 1, H.D. 1;  
 Hse. Com. No. 410, returning S.B. No.  
 327, S.D. 1, H.D. 1;  
 Hse. Com. No. 411, returning S.B. No.  
 377, S.D. 1, H.D. 1;  
 Hse. Com. No. 412, returning S.B. No.  
 461, S.D. 1, H.D. 1;  
 Hse. Com. No. 413, returning S.B. No.  
 539, S.D. 1, H.D. 1;  
 Hse. Com. No. 414, returning S.B. No.  
 588, S.D. 1, H.D. 1;  
 Hse. Com. No. 415, returning S.B. No.  
 644, S.D. 1, H.D. 1;  
 Hse. Com. No. 416, returning S.B. No.  
 669, S.D. 1, H.D. 1;  
 Hse. Com. No. 417, returning S.B. No.  
 1138, S.D. 1, H.D. 1;  
 Hse. Com. No. 418, returning S.B. No.  
 1155, S.D. 1, H.D. 1;  
 Hse. Com. No. 419, returning S.B. No.  
 1196, S.D. 1, H.D. 1;  
 Hse. Com. No. 420, returning S.B. No.  
 1231, S.D. 1, H.D. 1;  
 Hse. Com. No. 421, returning S.B. No.

1270, S.D. 1, H.D. 1;  
Hse. Com. No. 422, returning S.B. No. 1310, S.D. 1, H.D. 1;  
Hse. Com. No. 423, returning S.B. No. 1404, H.D. 1;  
Hse. Com. No. 424, returning S.B. No. 1408, S.D. 2, H.D. 1;  
Hse. Com. No. 425, returning S.B. No. 115, S.D. 1, H.D. 1;  
Hse. Com. No. 426, returning S.B. No. 237, S.D. 2, H.D. 1;  
Hse. Com. No. 427, returning S.B. No. 239, S.D. 2, H.D. 1;  
Hse. Com. No. 428, returning S.B. No. 309, S.D. 1, H.D. 1;  
Hse. Com. No. 429, returning S.B. No. 384, H.D. 1;  
Hse. Com. No. 430, returning S.B. No. 558, S.D. 2, H.D. 1;  
Hse. Com. No. 431, returning S.B. No. 662, H.D. 1;  
Hse. Com. No. 432, returning S.B. No. 1057, S.D. 1, H.D. 1;  
Hse. Com. No. 433, returning S.B. No. 1089, S.D. 2, H.D. 1;  
Hse. Com. No. 434, returning S.B. No. 1157, S.D. 1, H.D. 1;  
Hse. Com. No. 435, returning S.B. No. 1185, S.D. 1, H.D. 1;  
Hse. Com. No. 436, returning S.B. No. 1413, S.D. 1, H.D. 1;  
Hse. Com. No. 437, returning S.B. No. 90, S.D. 1, H.D. 1;  
Hse. Com. No. 438, returning S.B. No. 127, S.D. 1, H.D. 1;  
Hse. Com. No. 439, returning S.B. No. 133, S.D. 1, H.D. 1;  
Hse. Com. No. 440, returning S.B. No. 252, S.D. 2, H.D. 1;  
Hse. Com. No. 441, returning S.B. No. 460, S.D. 2, H.D. 2;  
Hse. Com. No. 442, returning S.B. No. 589, S.D. 2, H.D. 1;  
Hse. Com. No. 443, returning S.B. No. 610, S.D. 1, H.D. 1;  
Hse. Com. No. 444, returning S.B. No. 1198, S.D. 2, H.D. 1;  
Hse. Com. No. 445, returning S.B. No. 1386, S.D. 1, H.D. 1; and  
Hse. Com. No. 446, returning S.B. No. 1432, S.D. 2, H.D. 1.

#### SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 70 to 73) were read by the Clerk and were disposed of as follows:

S.C.R. No. 70, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE FEDERAL GOVERNMENT TO TAKE CERTAIN ACTIONS TO ASSIST SCHIZOPHRENICS," was offered by Senators B. Kobayashi, McMurdo, Fernandes Salling, Yamasaki, Solomon, Matsuura, A. Kobayashi, George, Kuroda, Machida, Abercrombie, Henderson and Hagino.

By unanimous consent, S.C.R. No. 70 was referred to the Committee on Health.

S.C.R. No. 71, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE SERVICES FOR SCHIZOPHRENICS PROVIDED BY THE MENTAL HEALTH DIVISION," was offered by Senators B. Kobayashi, McMurdo, Fernandes Salling, Yamasaki, Solomon, Matsuura, A. Kobayashi, George, Kuroda, Machida, Abercrombie and Chang.

By unanimous consent, S.C.R. No. 71 was referred to the Committee on Health.

S.C.R. No. 72, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF KAHEKILI HIGHWAY BECOMING ONE-WAY DURING RUSH HOURS," was offered by Senators Hee and Cayetano.

By unanimous consent, S.C.R. No. 72 was referred to the Committee on Transportation.

S.C.R. No. 73, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL TO FILE AN AMICUS CURIAE BRIEF TO THE LAWSUIT CHALLENGING THE FEDERAL MINIMUM DRINKING AGE LEGISLATION," was offered by Senators Cayetano, Chang, B. Kobayashi, Mizuguchi, Matsuura, Hee, Abercrombie, Kawasaki, Fernandes Salling, Toguchi, Cobb, Aki, Machida, Hagino, Yamasaki, Solomon, Holt and Wong.

By unanimous consent, S.C.R. No. 73 was referred jointly to the Committee on Judiciary and the Committee on Transportation.

#### SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 90 to 92) were read by the Clerk and were disposed of as follows:

S.R. No. 90, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF KAHEKILI HIGHWAY BECOMING ONE-WAY DURING RUSH HOURS," was offered by Senators Hee and Cayetano.

By unanimous consent, S.R. No. 90 was referred to the Committee on Transportation.

S.R. No. 91, entitled: "SENATE RESOLUTION REQUESTING THE ATTORNEY GENERAL TO FILE AN AMICUS CURIAE BRIEF TO THE LAWSUIT CHALLENGING THE FEDERAL MINIMUM DRINKING AGE LEGISLATION," was offered by Senators Cayetano, Chang, B. Kobayashi, Mizuguchi, Matsuura, Hee, Abercrombie, Kawasaki, Fernandes Salling, Toguchi, Cobb, Aki, Machida, Hagino, Solomon, Yamasaki, Holt and Wong.

By unanimous consent, S.R. No. 91 was referred jointly to the Committee on Judiciary and the Committee on Transportation.

S.R. No. 92, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF AUTHORIZING THE STATE AND THE COUNTIES TO ESTABLISH CAFETERIA BENEFIT PLANS," was offered by Senators Machida, Yamasaki, Matsuura, Cayetano, Cobb, Abercrombie, Henderson, A. Kobayashi, George, Solomon, Hee, Kuroda, Kawasaki, Hagino, Chang, Mizuguchi, McMurdo, Soares, Holt, Toguchi, Fernandes Salling, B. Kobayashi, Aki and Young.

By unanimous consent, S.R. No. 92 was referred to the Committee on Labor and Employment.

#### ORDER OF THE DAY

#### ADVISE AND CONSENT

Stand. Com. Rep. No. 941 (Gov. Msg. No. 197):

Senator Chang moved that Stand. Com. Rep. No. 941 be received and placed on file, seconded by Senator Cayetano and carried.

Senator Chang moved that the Senate consent to the nomination of Wilfred K. Watanabe as Judge to the First Circuit Court, for a ten-year term, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, seconded by Senator Cayetano.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 942 (Gov. Msg. No. 199):

Senator Chang moved that Stand. Com. Rep. No. 942 be received and placed on file, seconded by Senator Cayetano and carried.

Senator Chang then moved that the Senate consent to the nomination of Frank Tokio Takao as Judge to the First Circuit Court, for a ten-year term, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, seconded by Senator Cayetano.

The motion was put by the Chair and carried on the following showing of Ayes

and Noes:

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

Stand. Com. Rep. No. 943 (Gov. Msg. No. 198):

Senator Chang moved that Stand. Com. Rep. No. 943 be received and placed on file, seconded by Senator Cayetano and carried.

Senator Chang then moved that the Senate consent to the nomination of E. John McConnell as Judge to the Second Circuit Court, for a ten-year term, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, seconded by Senator Cayetano.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

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

The Senate reconvened at 12:05 o'clock p.m.

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 the following measures:

S.R. No. 84, entitled: "SENATE RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES AND THE GENERAL SECRETARY OF THE COMMUNIST PARTY OF THE SOVIET UNION TO MEET AT LEAST ONCE A YEAR FOR PURPOSES OF NEGOTIATIONS"; and

S.C.R. No. 64, entitled: "SENATE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES AND THE GENERAL SECRETARY OF THE COMMUNIST PARTY OF THE SOVIET UNION TO MEET AT LEAST ONCE A YEAR FOR PURPOSES OF NEGOTIATIONS,"

and the Chair granted the waiver.

#### ADJOURNMENT

At 12:08 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., Wednesday, April 3, 1985.