### TENTH DAY

## Tuesday, January 28, 1986

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1986, convened at 11:46 o'clock a.m., with the Vice President in the Chair.

The Divine Blessing was invoked by the Reverened Eijo Ikenaga, Honolulu Myohoji Mission, after which the Roll was called showing all Senators present with the exception of Senators Cobb, Henderson and Wong who were excused.

The Chair announced that he had read and approved the Journal of the Ninth Day.

The following groups of student government leaders from the Leeward district schools were introduced to the members of the Senate:

Senator Kuroda introduced the group from Pearl City High School and their advisor, Mr. Mike Ishihara.

Senator Cayetano introduced the group from Waipahu High School and their advisor, Mr. Stanley Tsukamoto.

Senator Young introduced the group from Campbell High School and their advisor, Al Lagaso.

Senator Aki introduced the groups from Waianae and Nanakuli High Schools and their advisors, Linda Tanaka and Noreen Hayamizu, respectively.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 86 to 89) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 86, transmitting a report prepared by the Department of Land and Natural Resouces, "Report to the Thirteenth Legislature of the State of Hawaii on: Land Disposition; Subleases Approved by the Board of Land and Natural Resources; Executive Orders; Quitclaim of State's Interests; and Dispositions to Public Utilities," pursuant to Sec. 171-29, HRS, was referred to the Committee on Economic Development.

Gov. Msg. No. 87, transmitting the State Intake Service Centers' 1985 Annual Report (July 1, 1984 - June 30, 1985), pursuant to Sec. 353-1.4, HRS, was referred to the Committee on Judiciary.

Gov. Msg. No. 88, transmitting a report in response to S.R. No. 23 (1985), Requesting the Insurance Commissioner to Propose Recommendations for Establishing No-Fault Insurance Rates for Taxicabs and Pedi-cabs, was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 89, transmitting reports prepared by the Department of Health in response to the following:

H.R. No. 130 (1985), Requesting a Review of the Need for More Sanitary Facilities in Commercial Buildings and Establishments Open to the Public; and

H.R. No. 243 (1985), Epidemiological Study to Determine Why Lana'i and Moloka'i Have Extraordinarily High Rates of Birth Defects,

was referred to the Committee on Health.

## SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 8 to 14) were read by the Clerk and were disposed of as follows:

8, "SENATE entitled: S.R. No. RESOLUTION IN MEMORY OF LT. COL. ONIZUKA, sнол CREW ELLISON OF THE SPACE SHUTTLE MEMBER CHALLENGER," was offered by Senators Cayetano, Aki, Soares, Kuroda, Α. Kobayashi, Mizuguchi, Matsuura, Machida, Young, Abercrombie, Kobayashi, в. Yamasaki, Fernandes Salling, Hee, Wong, Toguchi, George, Chang, Kawasaki, Holt, Solomon, Henderson, McMurdo and Hagino.

Senator Kuroda then moved that S.R. No. 8 be adopted, seconded by Senator Soares.

At this time, the Chair remarked:

"Members of the Senate, before we adopt this resolution I think it is appropriate to listen to the words which we were privileged to have heard — those spoken by Astronaut Onizuka on April 11th of last year. We have the speech on tape."

The voice of Lt. Col. Ellison Onizuka:

"It's been a dream come true for me, but I think more importantly it reflects the opportunity available to the youth of Hawaii today, the youth of America. Ours is a great country, full of opportunity; it's the freest, most democratic country, and because of its ideals those of us who had dreams in our youth are able to realize them with the help of many people.

"I've been very fortunate and today I'd like to thank all the members of the Senate and the people of Hawaii for their support and help in getting me to where I am today. I will be the first to say that being an astronaut is not an easy task, but it's a long road and it cannot be travelled alone. It requires a lot of help from people back home. It requires a lot of help from the people in the space program. And I'm here today to thank all of you in the State of Hawaii for helping make all of this possible for me...."

The motion was put by the Chair and S.R. No. 8 was adopted.

"SENATE S.R. No. 9, entitled: **RESOLUTION IN MEMORY OF MICHAEL J.** SMITH, COMMANDER, UNITED STATES NAVY, PILOT OF THE SPACE SHUTTLE CHALLENGER," was offered by Senators Kuroda, Soares, Cayetano, Aki, Α. Kobayashi, Kawasaki, Holt, Henderson, George, Mizuguchi, Matsuura, Toguchi, Chang, B. Kobayashi, Young, McMurdo, Hee, Wong, Solomon, Machida, Abercrombie, Yamasaki, Fernandes Salling and Hagino.

On motion by Senator Kuroda, seconded by Senator Soares and carried, S.R. No. 9 was adopted.

10, entitled: "SENATE No. S.R. RESOLUTION IN MEMORY OF FRANCIS SCOBEE, USAF, COMMANDER OF THE SPACE SHUTTLE CHALLENGER," was Soares, offered Senators Kuroda, by Cayetano, Aki, A. Kobayashi, Chang, Toguchi, Henderson, Kawasaki, Holt, George, Mizuguchi, Matsuura, B. Kobayashi, Young, Abercrombie, McMurdo, Hee, Wong, Solomon, Machida, Yamasaki, Fernandes Salling and Hagino.

On motion by Senator Kuroda, seconded by Senator Soares and carried, S.R. No. 10 was adopted.

S.R. 11, entitled: "SENATE No. RESOLUTION IN MEMORY OF SHARON CHRISTA MCAULIFFE, CREW MEMBER OF THE SPACE SHUTTLE CHALLENGER," was offered by Senators Kuroda, Soares, Henderson, Yamasaki, B. Kobayashi, Aki, Machida, Hagino, Chang, George, Kawasaki, Fernandes Hagino, Matsuura, McMurdo, Salling, Mizuguchi, Holt, Young, Abercrombie, Solomon, Hee, A. Kobayashi, Mizuguchi, Toguchi, Cayetano, Wong and Cobb.

On motion by Senator Kuroda, seconded by Senator Soares and carried, S.R. No. 11 was adopted.

"SENATE S.R. No. 12, entitled: **RESOLUTION IN MEMORY OF RONALD E.** MCNAIR, CREW MEMBER OF THE SPACE SHUTTLE CHALLENGER," was offered by Senators Kuroda, Soares, Cayetano, Aki, A. Chang, Holt, Henderson, Kobayashi, Mizuguchi, Toguchi, George, Matsuura, в. Kobayashi, Kawasaki, Young, Abercrombie, McMurdo, Hee, Wong, Solomon, Machida, Yamasaki, Fernandes

Salling and Hagino.

On motion by Senator Kuroda, seconded by Senator Soares and carried, S.R. No. 12 was adopted.

entitled: "SENATE No. 13, S.R. OF RESOLUTION IN MEMORY JUDY RESNIK, CREW MEMBER OF THE SPACE SHUTTLE CHALLENGER," was offered by Senators Kuroda, Soares, Cayetano, Aki, A. Chang, Holt, Henderson, Kobayashi, Toguchi, George, Mizuguchi, Matsuura, Kawasaki, в. Kobayashi, Young, Wong, McMurdo, Hee, Abercrombie, Solomon, Machida, Yamasaki, Fernandes Salling and Hagino.

On motion by Senator Kuroda, seconded by Senator Soares and carried, S.R. No. 13 was adopted.

entitled: "SENATE 14, S.R. No. RESOLUTION IN MEMORY OF GREGORY B. JARVIS, CREW MEMBER OF THE SPACE SHUTTLE CHALLENGER," was Kuroda, Soares, offered by Senators Cayetano, Aki, A. Kobayashi, Chang, Holt, Toguchi, George, Mizuguchi, Matsuura, Kobayashi, Young, В. Kawasaki, McMurdo, Hee, Wong, Abercrombie, Solomon, Machida, Henderson, Yamasaki, Fernandes Salling and Hagino.

On motion by Senator Kuroda, seconded by Senator Soares and carried, S.R. No. 14 was adopted.

## INTRODUCTION OF SENATE BILLS

On motion by Senator Mizuguchi, seconded by Senator Soares and carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Wednesday, January 29, 1986:

Senate Bills

No. 1819-86 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."

Introduced by: Senator Kawasaki, by request.

No. 1820-86 "A BILL FOR AN ACT RELATING TO THE HAWAII PENAL CODE."

Introduced by: Senator Kawasaki, by request.

No. 1821-86 "A BILL FOR AN ACT RELATING TO CONDITIONAL RELEASE OF PERSONS ACQUITTED AND COMMITTED."

Introduced by: Senator Kawasaki, by request.

No. 1822-86 "A BILL FOR AN ACT RELATING TO VETERINARY MEDICINE."

Introduced by: Senator Kawasaki, by request.

No. 1823-86 "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY."

Introduced by: Senator Kawasaki, by request.

No. 1825-86 "A BILL FOR AN ACT RELATING TO CHILDREN'S FACILITIES."

Introduced by: Senator Kawasaki, by request.

No. 1826-86 "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASEHOLDS."

Introduced by: Senator Kawasaki, by request.

No. 1827-86 "A BILL FOR AN ACT RELATING TO CHILD PROTECTIVE ACT."

Introduced by: Senator Kawasaki, by request.

No. 1828-86 "A BILL FOR AN ACT RELATING TO THE ACCOUNTS OF THE UNIVERSITY OF HAWAII."

Introduced by: Senator Kawasaki, by request.

No. 1829-86 "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES."

Introduced by: Senators Chang and Cayetano.

No. 1830-86 "A BILL FOR AN ACT RELATING TO CHILD SUPPORT."

Introduced by: Senators Chang and Cayetano.

No. 1831-86 "A BILL FOR AN ACT RELATING TO MENTAL HEALTH."

Introduced by: Senators Chang and Cayetano.

No. 1832-86 "A BILL FOR AN ACT RELATING TO FIREARMS AND AMMUNITION."

Introduced by: Senators Chang and Cayetano.

No. 1833-86 "A BILL FOR AN ACT RELATING TO FIREARMS AND AMMUNITION."

Introduced by: Senators Chang and

Cayetano.

No. 1834-86 "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATION."

Introduced by: Senators Chang and Cayetano.

No. 1835-86 "A BILL FOR AN ACT RELATING TO DECEASED PERSONALITIES."

Introduced by: Senators Chang and Cayetano.

No. 1836-86 "A BILL FOR AN ACT RELATING TO SURROGATE DECISION-MAKING."

Introduced by: Senators Chang and Cayetano.

No. 1837-86 "A BILL FOR AN ACT RELATING TO MEDICAL USE OF BODIES."

Introduced by: Senators B. Kobayashi, Yamasaki, McMurdo and Solomon.

No. 1838-86 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PURCHASE OF MAUNAWILI VALLEY, OAHU."

Introduced by: Senators Hee, Abercrombie, Toguchi, McMurdo, Chang, Machida, Hagino, Yamasaki, Young, B. Kobayashi, Cayetano, Aki, Henderson, Fernandes Salling and Mizuguchi.

No. 1839-86 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS."

Introduced by: Senators Hagino and Chang.

No. 1840-86 "A BILL FOR AN ACT RELATING TO LIMITING COMMERCIAL EXPLOITATION OF CRIME."

Introduced by: Senators Chang, Aki, Hagino, Solomon and B. Kobayashi.

No. 1841-86 "A BILL FOR AN ACT RELATING TO VIDEO DISPLAY TERMINALS."

Introduced by: Senators Chang, Aki, Hagino, Solomon and B. Kobayashi.

No. 1842-86 "A BILL FOR AN ACT RELATING TO THE UNIFORM RIGHTS OF THE TERMINALLY ILL ACT."

Introduced by: Senators Chang, Aki, Hagino, Solomon and B. Kobayashi.

No. 1843-86 "A BILL FOR AN ACT RELATING TO CHILD SUPPORT."

Introduced by: Senators Chang, Aki, Hagino, Solomon and B. Kobayashi.

No. 1844-86 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Senators Chang and Young.

No. 1845-86 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT."

Introduced by: Senators Chang, Aki, Hagino, Solomon and B. Kobayashi.

No. 1846-86 "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES."

Introduced by: Senators B. Kobayashi, Matsuura, Machida, Solomon, A. Kobayashi and George.

No. 1847-86 "A BILL FOR AN ACT RELATING TO PILOTAGE WATERS."

Introduced by: Senators B. Kobayashi, Hagino, Machida, Soares, George and Aki.

No. 1848-86 "A BILL FOR AN ACT RELATING TO INVESTMENT ADVISERS."

Introduced by: Senators B. Kobayashi, Kuroda, Henderson, McMurdo, A. Kobayashi and Matsuura.

No. 1849-86 "A BILL FOR AN ACT RELATING TO GRANTS FOR DEVELOPMENT OF CHILD ABUSE AND NEGLECT PREVENTION PROGRAMS."

Introduced by: Senators B. Kobayashi, Matsuura, Machida, Solomon, A. Kobayashi and George.

No. 1850-86 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PROVISION OF SERVICES TO DEVELOPMENTALLY DISABLED PERSONS THROUGH THE COMMUNITY SERVICES FOR THE DEVELOPMENTALLY DISABLED BRANCH OF THE DEPARTMENT OF HEALTH."

Introduced by: Senators B. Kobayashi, Machida, George, Solomon, Matsuura and Soares.

No. 1851-86 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A THERAPEUTIC HOME PROJECT SERVING INDIVIDUALS WHO ARE DEVELOPMENTALLY DISABLED."

Introduced by: Senators B. Kobayashi, Machida and George.

No. 1852-86 "A BILL FOR AN ACT RELATING TO THE UNVERSITY OF HAWAII." Introduced by: Senators Holt, Soares, Machida, McMurdo, Hagino, Mizuguchi, Yamasaki, Aki and Chang.

No. 1853-86 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ESTABLISH A PACIFIC/ASIAN INTERPRETER TRAINING PROGRAM AT THE UNVERSITY OF HAWAII."

Introduced by: Senators Holt, Mizuguchi, Yamasaki and Aki.

No. 1854-86 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ESTABLISH A PACIFIC/ASIAN TRANSLATION CENTER FOR HAMILTON LIBRARY AT THE UNIVERSITY OF HAWAII."

Introduced by: Senators Holt, Soares, Machida, McMurdo, Hagino, Mizuguchi, Yamasaki, Chang and Aki.

No. 1855-86 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES."

Introduced by: Senators Matsuura and Solomon.

No. 1856-86 "A BILL FOR AN ACT RELATING TO INCOME TAXATION."

Introduced by: Senators Matsuura and A. Kobayashi.

No. 1857-86 "A BILL FOR AN ACT RELATING TO TORTS."

Introduced by: Senators Matsuura and Chang.

No. 1858-86 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Senators Matsuura and B. Kobayashi.

On motion by Senator Mizuguchi, seconded by Senator Soares and carried, the following bill was referred to print and was placed on the calendar for further consideration on Wednesday, January 29, 1986:

No. 1824-86 "A BILL FOR AN ACT RELATING TO TORT LAW REFORM."

Introduced by: Senator Kawasaki, by request.

# STANDING COMMITTEE REPORT

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 8-86) informing the Senate that S.B. Nos. 1742-86 to 1818-86 have been printed and have been distributed

to the members of the	Senate.	Consumer Protection and Commerce
On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.		No. 1760-86 Committee on Consumer Protection and Commerce
ORDER OF	-	No. 1761-86 Committee on Housing and Community Development
<b>REFERRAL OF SENATE BILLS</b>		No. 1762-86 Committee on
The Chair made the following committee assignments of bills introduced on Monday,		Judiciary, then to the Committee on Ways and Means
January 27, 1986:		No. 1763-86 Committee on Human Services
Senate Bills	Referred to:	No. 1764-86 Committee on
No. 1742–86 Labor and Employment	Committee on	Housing and Community Development, then to the Committee on Ways and Means
No. 1743–86 and Means	Committee on Ways	No. 1765–86 Committee on Housing and Community Development
No. 1744-86 Economic Developme Committee on Ways an		No. 1766-86 Committee on Judiciary
No. 1745-86 Health	Committee on	No. 1767-86 Committee on Judiciary
No. 1746-86 Health	Committee on	No. 1768-86 Committee on Judiciary
No. 1747-86 Economic Development	Committee on	No. 1769-86 Committee on Judiciary
No. 1748-86	Committee on	No. 1770-86 Committee on Transportation
Economic Development	Committee on	No. 1771-86 Committee on Economic Development
Economic Developme Committee on Ways an	ent, then to the	•
No. 1750-86	Committee on	-
Energy No. 1751-86	Committee on	Higher Education, then to the Committee on
Economic Development	t	No. 1774-86 Jointly to the
No. 1752-86 Consumer Protection a	Committee on nd Commerce	
No. 1753-86	Committee or	•
Consumer Protection a	nd Commerce	No. 1775-86 Jointly to the Committee on Higher Education and the
No. 1754-86	Committee or	Committee on Labor and Employment, then
Consumer Protection a	nd Commerce	to the Committee on Ways and Means
No. 1755-86	Committee or	
Consumer Protection a	nd Commerce	Government Operations, then to the Committee on Ways and Means
No. 1756-86	Committee or	
Consumer Protection a		No. 1777-86 Committee on Government Operations
No. 1757-86	Committee or	
Consumer Protection a	ma commerce	No. 1778-86 Committee on Higher Education
No. 1758-86	Committee or	
Consumer Protection a	ina Commerce	No. 1779-86 Jointly to the Committee on Higher Education and the
No. 1759-86	Committee or	

the Committee on Ways and Means

No. 1780-86 Committee on Higher Education, then to the Committee on Ways and Means

No. 1781-86 Committee on Higher Education, then to the Committee on Ways and Means

No. 1782-86 Committee on Higher Education

No. 1783-86 Jointly to the Committee on Higher Education and the Committee on Human Services, then to the Committee on Ways and Means

No. 1784-86 Committee on Education, then to the Committee on Ways and Means

No. 1785-86 Committee on Higher Education, then to the Committee on Ways and Means

No. 1786-86 Committee on Education, then to the Committee on Ways and Means

No. 1787-86 Committee on Housing and Community Development, then to the Committee on Ways and Means

No. 1788-86 Committee on Consumer Protection and Commerce

No. 1789-86 Committee on Transportation

No. 1790-86 Jointly to the Committee on Higher Education and the Committee on Labor and Employment

No. 1791-86 Committee on Transportation, then to the Committee on Ways and Means

No. 1792–86 Committee on Judiciary

No. 1793-86 Committee on Judiciary

No. 1794-86 Committee on Transportation

No. 1795–86 Committee on Government Operations

No. 1796-86 Committee on Judiciary

No. 1797-86 Committee on Government Operations, then to the Committee on Ways and Means

No. 1798-86 Committee on Government Operations

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No. 1799-86 Committee Government Operations	on
No. 1800-86 Committee Government Operations, then to Committee on Ways and Means	on the
No. 1801-86 Committee Housing and Community Development	on
No.1802-86 Committee Judiciary	on
No. 1803-86 Committee Housing and Community Development, to the Committee on Ways and Means	on then
No. 1804-86 Committee Government Operations, then to Committee on Ways and Means	on the
No. 1805-86 Committee Economic Development	on
No. 1806-86 Committee on W and Means	Vays
No.1807-86 Committee Judiciary	on
No. 1808-86 Committee Judiciary	on
No. 1809-86 Committee Judiciary	on
No. 1810-86 Committee Judiciary	on
No. 1811-86 Committee Judiciary	on
No. 1812-86 Committee Judiciary	on
No. 1813-86 Committee Judiciary	on
No. 1814-86 Committee Government Operations, then to Committee on Ways and Means	on the
No. 1815-86 Committee Government Operations, then to Committee on Ways and Means	on the
No. 1816-86 Committee Consumer Protection and Commerce	on
No. 1817-86 Committee Transportation, then to the Committee Ways and Means	on e on
No. 1818-86 Committee on V	Ways

and Means

MISCELLANEOUS COMMUNICATION

Misc. Com. No. 5 from the Advisory

Committee to Study Overlapping State and County Functions, transmitting the Interim Report (January 9, 1986), pursuant to Act 98, SLH 1985, was read by the clerk and was referred to the Committee on Government Operations.

#### BENEDICTION

The Chair, at this time, called Chaplain Lemuel M. Boyles, Colonel, United States Air Force, to the rostrum to deliver the benediction in memory of the crew members of the space shuttle Challenger.

Chaplain Boyles, delivered a solemn benediction, preceded by a few remarks:

"Thank you, Senator Kawasaki.

"I was called this morning and asked that I come to give a prayer in honor of our people who lost their lives in the mission which you saw on TV this morning — people who were dedicated to a cause — not just to take another ride. They believed in what they were doing and willing to sacrifice their lives, if need be. They believed in what they were doing as far as exploring the world, so that we might share in the beauty of this nation that we enjoy this day.

"Let us pray.

"Heavenly Father, we are saddened and sick at heart at the tragic loss of our astronauts. Their flight into space has turned into a flight into eternity. You alone can be their mission controller now. We, their fellow countrymen, commend these seven souls to your merciful love and their loved ones to your compassionate care. They were pioneers who bravely faced the challenges and dangers of exploring the mysteries of your world in our universe.

"Their dedication to fulfilling their dreams once again points to our great nation and the opportunities for mankind. We must be sure to carry on their work as a nation and people who are proud of their dedication and continue to be committed to the awesome mission set before us. For without our vision of the future, mankind will cease to exist. Our prayers are that they may rest in peace and that we may remember their sacrifice of this day with honor and commitment, for which in Thy name we pray. Amen."

After being called to the rostrum by the Chair, Puanani Akiona Kalama, accompanied by Mrs. Anuhea Brown on the piano, sang a medley of two songs in memory of Lt. Col. Ellison Shoji Onizuka: <u>E</u> Kolu Mea Nui (Faith, Hope and Charity) and <u>Kona Kai O Paa</u>, a song about the birthplace of Lt. Col. Onizuka.

The Chair, on behalf of the Senate, thanked Mrs. Kalama for the beautiful and appropriate rendition. In closing, she led the members of the Senate and guests in singing "God Bless America."

#### ADJOURNMENT

At 12:09 o'clock p.m., on motion by Senator Kuroda, seconded by Senator Soares and carried, the Senate adjourned, observing a moment of silent prayer in memory of Lt. Col. Ellison Shoji Onizuka and his crewmates of the space shuttle Challenger, until 11:30 o'clock a.m., Wednesday, January 29, 1986.