

FORTY-SECOND DAY

Friday, March 21, 1986

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1986, convened at 11:37 o'clock a.m., with the Vice President in the Chair.

The Divine Blessing was invoked by Ms. Alicia Guajardo, Hawaii National Baha'i Assembly, after which the Roll was called showing all Senators present with the exception of Senators Aki, Henderson and Wong who were excused.

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

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

Senator Abercrombie introduced Dr. Richard Kosaki as follows:

"Many of us have known Dr. Richard Kosaki as an administrator and as a friend at the University of Hawaii for many, many years. He has retired this year as an administrator of the University of Hawaii, but I'm very happy to say that all of the students still will have the benefit of his knowledge and his inspiration in his teaching ability at the university in the years to come. And it's my opportunity today to make a presentation, on behalf of the Senate, to Dr. Kosaki.

"I can't think of anyone, Mr. Vice President, who embodies more in my estimation the spirit of teaching, research and public service in administration than Dr. Richard Kosaki. Over the years, not only students like myself, but faculty members and people in the community have benefitted again and again from his wisdom, from his perception, from his capacity to analyze the situation and to bring a perspective to bear that has always been in the interest of the people of this state, of the students at the university and the advancement of education.

"Not only is it recognized here by virtue of this certificate which will be presented today, but just before the session was called to order today, members of the ASUH Senate made a special effort to come down today. And not only did they bring leis to be presented to Dr. Kosaki, on behalf of the student body, which will be presented by Senator Young and by Senator Solomon, but they wanted me to indicate — and I know this is going to be a surprise to him — that the ASUH just voted to make a substantial donation in his name to the UH Foundation, for scholarship funds. This is a measure of the respect that the student body, past and present, has for this gentleman.

"I would like us to have this opportunity

to publicly recognize Dr. Richard Kosaki. As you know, Mr. Vice President, Dr. Kosaki, you've heard about the uncrowned champion in all of the various sports, in boxing, and here is the uncrowned champion teacher and administrator, vice president of the University of Hawaii."

The honoree rose to be recognized and was presented the Senate Certificate and leis by Senators A. Kobayashi, Young and Solomon.

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.

Senator Cobb introduced a group of visitors from the Union of Soviet Socialist Republics (USSR), who are members of the Second Goodwill Mission from the USSR to Hawaii: Mr. Zhanis Zakenfeld, the delegation leader, Mr. Sergei Romanov, Dr. Valeriy Tishkov, Dr. Nicolai Skrypnik, the Rev. Anatoly Sokolov, Mr. Gegam Grigorian, Mr. Aram Simonian, Mr. Uriy Yaama, Mr. Vello Moost, Miss Irina Averianova, Dr. Matsapa Bekmetov, Mr. Balkibai Amanturdiev, Mr. Vitautas Levitskas, Mr. Kazis Bagdonavichus, Mr. Nadezhda Babkina, Miss Nina Vorona, Miss Tatiana Savanova and Mr. Alexander Katenin.

The honorees rose to be recognized and were presented State of Hawaii souvenir pens and leis by the Senators.

At 11:52 o'clock a.m., the Senate stood in recess and were entertained with a number of songs by a group of the Russian delegation.

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

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 265 to 269) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 265, transmitting a draft of a Senate Concurrent Resolution, authorizing the Department of Transportation to dispose by way of a lease, certain State fast and submerged and tidal lands situated at Keehi Lagoon, Oahu, Hawaii, for the purpose of constructing, operating and maintaining a marina facility at Keehi Lagoon, Oahu, Hawaii, was referred to the Committee on Economic Development.

Gov. Msg. No. 266, transmitting a draft of a Senate Concurrent Resolution, authorizing

the Department of Transportation to dispose by way of a lease, certain State fast and submerged and tidal lands situated at Keehi Lagoon, Oahu, Hawaii, for the purpose of constructing, operating and maintaining a marina facility at Keehi Lagoon, Oahu, Hawaii, was referred to the Committee on Economic Development.

Gov. Msg. No. 267, transmitting a draft of a Senate Concurrent Resolution, authorizing the Department of Transportation to dispose by way of a lease, certain State fast and submerged and tidal lands situated at Pier 41, Honolulu Harbor, Oahu, Hawaii, for the purpose of constructing, operating and maintaining a shipyard facility at Pier 41, Honolulu Harbor, Oahu, Hawaii, was referred to the Committee on Economic Development.

Gov. Msg. No. 268, transmitting a draft of a Senate Concurrent Resolution, authorizing the Department of Transportation to dispose by way of a lease, certain State fast and submerged and tidal lands situated at Ala Wai Small Boat Harbor, Honolulu, Hawaii, for the purpose of constructing, operating and maintaining a marine facility at Ala Wai Small Boat Harbor, Honolulu, Hawaii, was referred to the Committee on Economic Development.

Gov. Msg. No. 269, transmitting a draft of a Senate Concurrent Resolution, authorizing the Department of Transportation to dispose by way of a lease, certain State fast and submerged and tidal lands situated at Kewalo Basin, Honolulu, Hawaii, for the purpose of constructing, operating and maintaining a shipyard facility at Kewalo Basin, Honolulu, Hawaii, was referred to the Committee on Economic Development.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 56 to 61) were read by the Clerk and were disposed of as follows:

S.C.R. No. 56, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO CONDUCT A MANAGEMENT AND FINANCIAL AUDIT OF MOLOKAI GENERAL HOSPITAL," was offered by Senators Hee and B. Kobayashi.

By unanimous consent, S.C.R. No. 56 was referred to the Committee on Health.

S.C.R. No. 57, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DISPOSE BY WAY OF AN EASEMENT, CERTAIN GOVERNMENT SUBMERGED LAND FOR PURPOSES OF ESTABLISHING A MOORING ANCHOR FOR AN OFF-SHORE FISHING PLATFORM," was

offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 57 was referred to the Committee on Economic Development.

S.C.R. No. 58, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DISPOSE BY WAY OF A LEASE, TOGETHER WITH AN EASEMENT, CERTAIN GOVERNMENT SUBMERGED LANDS AND LANDS BENEATH TIDAL WATERS FOR PURPOSES OF CONSTRUCTING CERTAIN OFFSHORE IMPROVEMENTS," was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 58 was referred to the Committee on Economic Development.

S.C.R. No. 59, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DISPOSE BY WAY OF AN EASEMENT, CERTAIN GOVERNMENT SUBMERGED LANDS AND LANDS BENEATH TIDAL WATERS FOR PURPOSES OF CONSTRUCTING CERTAIN OFFSHORE IMPROVEMENTS," was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 59 was referred to the Committee on Economic Development.

S.C.R. No. 60, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DISPOSE BY WAY OF AN EASEMENT CERTAIN GOVERNMENT SUBMERGED LANDS AND LANDS BENEATH TIDAL WATERS FOR PURPOSES OF CONSTRUCTING CERTAIN OFFSHORE IMPROVEMENTS," was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 60 was referred to the Committee on Economic Development.

S.C.R. No. 61, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO APPOINT A PANEL TO STUDY THE INSURANCE PREMIUM TAX," was offered by Senators Yamasaki, Machida, Holt, Hagino, Cayetano, Soares, Henderson, George, McMurdo, B. Kobayashi, Cobb, Fernandes Salling and Mizuguchi.

By unanimous consent, S.C.R. No. 61 was referred to the Committee on Ways and Means.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 81 to 84) were read by the Clerk and were disposed of as follows:

S.R. No. 81, entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO CONDUCT A MANAGEMENT AND FINANCIAL AUDIT OF MOLOKAI GENERAL HOSPITAL," was offered by Senators Hee and B. Kobayashi.

By unanimous consent, S.R. No. 81 was referred to the Committee on Health, then to the Committee on Legislative Management.

S.R. No. 82, entitled: "SENATE RESOLUTION SUBMITTING TO THE LEGISLATURE OF THE STATE OF HAWAII FOR REVIEW OF ACTION TAKEN BY THE BOARD OF LAND AND NATURAL RESOURCES ON THE EXCHANGE OF PUBLIC LAND FOR PRIVATE LAND," was offered by Senator Wong, by request.

By unanimous consent, S.R. No. 82 was referred to the Committee on Economic Development.

S.R. No. 83, entitled: "SENATE RESOLUTION SUBMITTING TO THE LEGISLATURE OF THE STATE OF HAWAII FOR REVIEW OF ACTION TAKEN BY THE BOARD OF LAND AND NATURAL RESOURCES ON THE EXCHANGE OF PUBLIC LAND FOR PRIVATE LAND," was offered by Senator Wong, by request.

By unanimous consent, S.R. No. 83 was referred to the Committee on Economic Development.

S.R. No. 84, entitled: "SENATE RESOLUTION REQUESTING THE GOVERNOR TO APPOINT A PANEL TO STUDY THE INSURANCE PREMIUM TAX," was offered by Senators Yamasaki, Machida, Holt, Hagino, Cayetano, Soares, Henderson, McMurdo, B. Kobayashi, Cobb, Fernandes Salling and Mizuguchi.

By unanimous consent, S.R. No. 84 was referred to the Committee on Ways and Means.

STANDING COMMITTEE REPORTS

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 621-86) recommending that House Bill No. 2028-86 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 2028-86, entitled: "A BILL FOR AN ACT RELATING TO BONDING OF SOLAR ENERGY DEVICE DEALERS," passed

Second Reading and was placed on the calendar for Third Reading on Monday, March 24, 1986.

Senator Solomon, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 622-86) recommending that House Bill No. 1975-86 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1975-86, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATION OF OATH," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 24, 1986.

Senator Solomon, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 623-86) recommending that House Bill No. 1973-86, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1973-86, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FORM OF SUMMONS AND CITATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 24, 1986.

ORDER OF THE DAY

MATTERS DEFERRED FROM
THURSDAY, MARCH 20, 1986

THIRD READING

House Bill No. 2004-86, S.D. 1:

By unanimous consent, action on H.B. No. 2004-86, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGENT ORANGE," was deferred until Monday, March 24, 1986.

House Bill No. 2003-86, H.D. 1, S.D. 1:

Senator B. Kobayashi moved that H.B. No. 2003-86, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Machida.

At this time, Senator B. Kobayashi rose on a point of information regarding the measure:

"Mr. Vice President, I'd like to note that there's a small error in the committee report -- a mistaken reference to a chapter title. The title of Chapter 328 should read: 'Food, Drugs, and Cosmetics.'"

The Chair responded, "Correction is ordered."

The motion was put by the Chair and carried, and H.B. No. 2003-86, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POISONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Aki, Henderson and Wong).

FINAL READING

Senate Bill No. 1647-86, H.D. 1 (Hse. Com. No. 366):

On motion by Senator Solomon, seconded by Senator Hagino and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1647-86, and S.B. No. 1647-86, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MONGOOSE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Aki, Henderson and Wong).

RE-REFERRAL OF A HOUSE BILL

The President re-referred House Bill No. 2284-86, H.D. 2, to the Committee on Ways and Means.

At this time, Senator Machida, on behalf of Senators Solomon and Yamasaki and himself, introduced eighteen students from the Baldwin High School Key Club, accompanied by one of their teachers, Mrs Barbara Huntley, and advisors who are members of the Kiwanis Club of Maui, Mr. Ken Kurokawa and Mr. Alan Manibog.

At 12:06 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:09 o'clock p.m.

ADJOURNMENT

At 12:12 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:00 o'clock a.m., Monday, March 14, 1986.