

FOURTEENTH DAY

Monday, February 9, 1987

The Senate of the Fourteenth Legislature of the State of Hawaii, Regular Session of 1987, convened at 11:38 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Major Tom Elliott of the Salvation Army, Kauluwela Mission Corps, after which the Roll was called showing all Senators present with the exception of Senators Menor and Solomon who were excused.

The President announced that he had read and approved the Journal of the Thirteenth Day.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 106 to 109) were read by the Clerk and were placed on file:

Gov. Msg. No. 106, transmitting a Commissioner's Report on the Thrift Guaranty Corporation of Hawaii, in response to Act 187, SLH 1985.

Gov. Msg. No. 107, transmitting a report, "Hawaii International Trade Center Market Analysis," prepared for the Department of Planning and Economic Development by David Cheever Marketing, pursuant to Act 345/1986, Sec. 21B.

Gov. Msg. No. 108, transmitting a report prepared by the Department of Social Services and Housing in response to S.R. No. 90, requesting a study of the reasonableness of child care laws and rules as they relate to different types of child care programs.

Gov. Msg. No. 109, transmitting the 1986 Annual Report of the Research Corporation of the University of Hawaii, pursuant to Sec. 307-6, HRS.

DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 24 to 26) were read by the Clerk and were placed on file:

Dept. Com. No. 24 from the Department of Planning and Economic Development transmitting a report "Mining Development Scenario for Cobalt-Rich Manganese Crusts in the Exclusive Economic Zones of the Hawaiian Archipelago and Johnston Island," prepared by DPED and the U.S. Department of the Interior Minerals Management Service.

Dept. Com. No. 25 from the Office of the Legislative Auditor, transmitting Report No. 87-10, "Sunrise Analysis of a Proposal to Regulate Polygraph Examiners," and Report No. 87-11, "Sunrise Analysis of a Proposal

to Regulate Home Care Services," pursuant to Sec. 26H-6 of the Hawaii Regulatory Licensing Reform Act (Sunset Law).

Dept. Com. No. 26 from the Hawaii Criminal Justice Commission, submitting the 1986 Annual Report.

INTRODUCTION OF SENATE BILLS

On motion by Senator Blair, seconded by Senator George and carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Tuesday, February 10, 1987:

Senate Bills

No. 478 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senators Matsuura, Holt, Nakasato and Aki.

No. 479 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senators Matsuura, Nakasato and Aki.

No. 480 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senators Matsuura, Nakasato and Aki.

No. 481 "A BILL FOR AN ACT RELATING TO GEOTHERMAL MINING LEASES."

Introduced by: Senators Matsuura, Holt and A. Kobayashi.

No. 482 "A BILL FOR AN ACT RELATING TO FAMILY COURT."

Introduced by: Senators Matsuura, Menor, Holt and A. Kobayashi.

No. 483 "A BILL FOR AN ACT RELATING TO MEDICAL CARE PAYMENTS."

Introduced by: Senators Matsuura, Cobb and A. Kobayashi.

No. 484 "A BILL FOR AN ACT RELATING TO TORT ACTIONS."

Introduced by: Senators Matsuura, Hee and A. Kobayashi.

No. 485 "A BILL FOR AN ACT

RELATING TO HEALTH."

Introduced by: Senators Matsuura,
Holt and B. Kobayashi.

No. 486 "A BILL FOR AN ACT
RELATING TO HIGHWAY SAFETY."

Introduced by: Senator Hee.

No. 487 "A BILL FOR AN ACT
RELATING TO EDUCATION."

Introduced by: Senator Hee.

No. 488 "A BILL FOR AN ACT
RELATING TO USE TAX OVERPAYMENT."

Introduced by: Senators Matsuura,
Yamasaki, Cobb, Holt and A. Kobayashi.

No. 489 "A BILL FOR AN ACT
RELATING TO THE GENERAL EXCISE
TAX."

Introduced by: Senator Yamasaki.

No. 490 "A BILL FOR AN ACT
RELATING TO STATE FUNDS."

Introduced by: Senator Yamasaki.

No. 491 "A BILL FOR AN ACT
RELATING TO THE HAWAII CRIMINAL
JUSTICE COMMISSION."

Introduced by: Senator Yamasaki.

No. 492 "A BILL FOR AN ACT
RELATING TO TAX INCREMENT
FINANCING."

Introduced by: Senator Yamasaki.

No. 493 "A BILL FOR AN ACT
RELATING TO THE GENERAL EXCISE
TAX."

Introduced by: Senator Yamasaki, by
request.

No. 494 "A BILL FOR AN ACT
RELATING TO MEDICAL ASSISTANCE."

Introduced by: Senator Yamasaki, by
request.

No. 495 "A BILL FOR AN ACT
RELATING TO HOME CARE SERVICES."

Introduced by: Senator Yamasaki, by
request.

No. 496 "A BILL FOR AN ACT
RELATING TO GOVERNMENT."

Introduced by: Senator Ikeda.

No. 497 "A BILL FOR AN ACT
RELATING TO THE JUDICIARY."

Introduced by: Senator Ikeda.

No. 498 "A BILL FOR AN ACT
RELATING TO GRAFFITI."

Introduced by: Senator B. Kobayashi.

No. 499 "A BILL FOR AN ACT
RELATING TO COUNTY ZONING."

Introduced by: Senator B. Kobayashi.

No. 500 "A BILL FOR AN ACT
RELATING TO PLANNING."

Introduced by: Senator B. Kobayashi.

No. 501 "A BILL FOR AN ACT
RELATING TO CIVIL DEFENSE."

Introduced by: Senator Hagino.

No. 502 "A BILL FOR AN ACT
RELATING TO EXECUTIVE AND
ADMINISTRATIVE DEPARTMENTS."

Introduced by: Senator Hagino.

No. 503 "A BILL FOR AN ACT
RELATING TO OPEN LANDS
MANAGEMENT."

Introduced by: Senator Hagino.

No. 504 "A BILL FOR AN ACT
RELATING TO AN EMERGENCY AND
BUDGET STABILIZATION FUND."

Introduced by: Senator Hagino.

No. 505 "A BILL FOR AN ACT
RELATING TO ANNUITIES."

Introduced by: Senator Reed.

No. 506 "A BILL FOR AN ACT
RELATING TO TOBACCO PRODUCTS."

Introduced by: Senator Reed.

No. 507 "A BILL FOR AN ACT
RELATING TO INDIVIDUAL MEDICAL
ACCOUNTS."

Introduced by: Senator Reed.

No. 508 "A BILL FOR AN ACT
RELATING TO THE HONOLULU
SYMPHONY."

Introduced by: Senators Kuroda,
Matsuura, Aki, Yamasaki and Chang.

No. 509 "A BILL FOR AN ACT
RELATING TO FOREIGN SALES
CORPORATIONS."

Introduced by: Senators Hagino and
Chang.

No. 510 "A BILL FOR AN ACT RELATING TO FOREST RESERVATIONS."

Introduced by: Senator A. Kobayashi.

No. 511 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES."

Introduced by: Senators Matsuura, Holt, Mizuguchi and Blair.

No. 512 "A BILL FOR AN ACT RELATING TO EXPENDITURE OF PUBLIC MONEY."

Introduced by: Senators B. Kobayashi and Matsuura.

No. 513 "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES."

Introduced by: Senators B. Kobayashi and Matsuura.

No. 514 "A BILL FOR AN ACT RELATING TO MEDICAL TORTS."

Introduced by: Senators B. Kobayashi and Matsuura.

No. 515 "A BILL FOR AN ACT RELATING TO GRANTS FOR CHILD ABUSE AND NEGLECT PREVENTION."

Introduced by: Senators B. Kobayashi and Matsuura.

No. 516 "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS."

Introduced by: Senators B. Kobayashi and Matsuura.

No. 517 "A BILL FOR AN ACT RELATING TO HELICOPTERS."

Introduced by: Senators B. Kobayashi and McMurdo.

No. 518 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."

Introduced by: Senators B. Kobayashi and Matsuura.

No. 519 "A BILL FOR AN ACT RELATING TO THE PENAL CODE."

Introduced by: Senator B. Kobayashi.

No. 520 "A BILL FOR AN ACT RELATING TO REAL PROPERTY LEASES."

Introduced by: Senators Cobb, Reed, Blair, Matsuura, Aki and J. Wong.

No. 521 "A BILL FOR AN ACT RELATING TO CONTRACTORS."

Introduced by: Senator Cobb, by request.

No. 522 "A BILL FOR AN ACT RELATING TO CLOSED BANKS."

Introduced by: Senator Cobb, by request.

No. 523 "A BILL FOR AN ACT RELATING TO ATTORNEYS."

Introduced by: Senator Cobb, by request.

No. 524 "A BILL FOR AN ACT RELATING TO NATUROPATHY."

Introduced by: Senator Cobb, by request.

No. 525 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senator Cobb, by request.

No. 526 "A BILL FOR AN ACT RELATING TO GROUP LIFE INSURANCE."

Introduced by: Senator Cobb, by request.

No. 527 "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASEHOLDS."

Introduced by: Senators Cobb, Blair, Menor, Ikeda, Chang, Reed and Holt.

No. 528 "A BILL FOR AN ACT RELATING TO A VENTURE CAPITAL NETWORK."

Introduced by: Senators Chang, A. Kobayashi and Young.

No. 529 "A BILL FOR AN ACT RELATING TO INTEREST RATES."

Introduced by: Senators Chang, A. Kobayashi and Young.

No. 530 "A BILL FOR AN ACT RELATING TO CONSUMER FINANCIAL SERVICES."

Introduced by: Senators Chang, A. Kobayashi and Young.

No. 531 "A BILL FOR AN ACT RELATING TO EXPORT TRADE."

Introduced by: Senators Chang, A. Kobayashi and Young.

No. 532 "A BILL FOR AN ACT
RELATING TO CORRECTIONS."

Introduced by: Senators Chang, A.
Kobayashi and Young.

No. 533 "A BILL FOR AN ACT
RELATING TO OFFENDER FAMILIES."

Introduced by: Senators Chang, A.
Kobayashi and Young.

No. 534 "A BILL FOR AN ACT
RELATING TO NATURAL AREA
RESERVES SYSTEM."

Introduced by: Senators Chang, A.
Kobayashi and Young.

No. 535 "A BILL FOR AN ACT
RELATING TO NATURAL AREA RESERVE
FUND."

Introduced by: Senators Chang, A.
Kobayashi and Young.

No. 536 "A BILL FOR AN ACT
RELATING TO THE CONVEYANCE TAX."

Introduced by: Senators Chang, A.
Kobayashi and Young.

No. 537 "A BILL FOR AN ACT
RELATING TO OFF-TRACK WAGERING."

Introduced by: Senator Chang.

No. 538 "A BILL FOR AN ACT
RELATING TO FINANCIAL INSTITUTIONS."

Introduced by: Senator Hagino.

No. 539 "A BILL FOR AN ACT
RELATING TO LIQUOR."

Introduced by: Senator Blair.

No. 540 "A BILL FOR AN ACT
RELATING TO MOPEDS."

Introduced by: Senator Blair.

No. 541 "A BILL FOR AN ACT
RELATING TO TAXATION."

Introduced by: Senator Blair.

No. 542 "A BILL FOR AN ACT
RELATING TO THE DISBURSEMENT OF
FINES AND FORFEITURES."

Introduced by: Senator Blair.

No. 543 "A BILL FOR AN ACT
RELATING TO EXEMPTING COUNTIES
FROM THE GENERAL EXCISE TAX."

Introduced by: Senator Blair.

No. 544 "A BILL FOR AN ACT

RELATING TO BEAUTY CULTURE."

Introduced by: Senator Blair.

No. 545 "A BILL FOR AN ACT
RELATING TO LONG-TERM CARE
INSURANCE."

Introduced by: Senator Blair.

No. 546 "A BILL FOR AN ACT
RELATING TO COUNTIES."

Introduced by: Senator Blair.

No. 547 "A BILL FOR AN ACT
RELATING TO WAGES AND HOURS."

Introduced by: Senators Blair, Young,
Reed, A. Kobayashi, Fernandes Salling,
Aki, Yamasaki, Ikeda, Matsuura, Holt,
Hagino, B. Kobayashi, Cobb, Menor,
Chang, Nakasato, J. Wong, McMurdo,
Kuroda and Mizuguchi.

No. 548 "A BILL FOR AN ACT
RELATING TO THE ESCHEAT OF
KULEANA LANDS."

Introduced by: Senators Aki, Matsuura,
Hagino, J. Wong, Holt, Hee and Chang.

No. 549 "A BILL FOR AN ACT
RELATING TO WATER DEVELOPMENT
CHARGES FOR STATE HOUSING
PROJECTS."

Introduced by: Senators Aki, Matsuura,
Holt, Hagino, J. Wong, Chang, Cobb and
Hee.

No. 550 "A BILL FOR AN ACT
RELATING TO HOUSING."

Introduced by: Senators Aki, Matsuura,
Young, McMurdo, Chang and Cobb.

No. 551 "A BILL FOR AN ACT
RELATING TO SYMBOLS AND EMBLEMS."

Introduced by: Senators Aki, Matsuura,
Young, McMurdo, Chang and Cobb.

No. 552 "A BILL FOR AN ACT
RELATING TO RENTAL HOUSING."

Introduced by: Senators Aki, Matsuura,
Young, McMurdo, Cobb and Chang.

No. 553 "A BILL FOR AN ACT
RELATING TO REAL PROPERTY."

Introduced by: Senators Aki, Matsuura,
Hagino, Holt, Hee and Chang.

No. 554 "A BILL FOR AN ACT
RELATING TO BUSINESS REGISTRATION."

Introduced by: Senators Cobb, Blair,
Holt, Hagino, Aki and Young.

No. 555 "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES."

Introduced by: Senators Cobb, Ikeda, Chang, Hagino, Aki and Young.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills introduced on Friday, February 6, 1987:

Senate Bills	Referred to:
No. 459	Committee on Government Operations, then to the Committee on Ways and Means
No. 460	Committee on Government Operations, then to the Committee on Ways and Means
No. 461	Committee on Government Operations, then to the Committee on Ways and Means
No. 462	Committee on Government Operations, then to the Committee on Ways and Means
No. 463	Committee on Judiciary
No. 464	Committee on Judiciary
No. 465	Committee on Judiciary
No. 466	Committee on Judiciary
No. 467	Committee on Government Operations, then to the Committee on Ways and Means
No. 468	Committee on Judiciary
No. 469	Committee on Consumer Protection and Commerce
No. 470	Committee on Housing, Hawaiian Programs and Natural Resources, then to the Committee on Ways and Means
No. 471	Committee on Government Operations, then to the Committee on Ways and Means
No. 472	Committee on Judiciary
No. 473 and Means	Committee on Ways and Means
No. 474	Committee on

Government Operations, then to the Committee on Ways and Means

No. 475 Committee on Human Services

No. 476 Committee on Housing, Hawaiian Programs and Natural Resources

No. 477 Committee on Ways and Means

Senator Ikeda then rose on a point of personal privilege and stated:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, on September 10, last year, I requested an opinion from the attorney general regarding the applicability of the Sunshine Law to certain statutorily established legal entities. I intended to use this opinion to formulate legislation in the event such legislation proved necessary. During the past five months, I called the attorney general's office repeatedly regarding this request, stressing my concern that this opinion be rendered in time for the drafting of legislation. I have continually been assured that it is imminently forthcoming.

"Mr. President, we are now two days away from the deadline for bill introduction, and I have yet to receive that opinion. Therefore, Mr. President, I am invoking Rule 81 of the Senate Rules for the Fourteenth Legislature which provides that 'Any member of the Senate may ask any question of any state officer relating to the officer's respective department ...' and 'Any officer questioned shall reply to such question upon the following day, unless the Senate shall grant a definite extension of time for replying.'

"Mr. President, I asked the attorney general of the State of Hawaii to respond to the following question: Are the Hawaii Life and Disability Insurance Guaranty Association and the Hawaii Insurance Guaranty Association required to comply with the provisions of Chapter 92, Hawaii Revised Statutes? Thank you, Mr. President."

ADJOURNMENT

At 11:45 o'clock a.m., on motion by Senator Blair, seconded by Senator George and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, February 10, 1987.