

## THIRTY-EIGHTH DAY

Tuesday, March 24, 1987

The Senate of the Fourteenth Legislature of the State of Hawaii, Regular Session of 1987, convened at 11:40 o'clock a.m., with the Vice President in the Chair.

The Divine Blessing was invoked by the Reverend Joanne Stearns of the Church of the Holy Nativity, after which the Roll was called showing all Senators present with the exception of Senator R. Wong who was excused.

The Chair announced that she had read and approved the Journal of the Thirty-Seventh Day.

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

Senator George introduced a group of students from Proctor Academy in Andover, New Hampshire: Marks Moore from Texas; Amy Morrill, Elizabeth Carpenter, Tim Johnson, and Adam Rohner from Massachusetts; Peter Foster, Mike Parks, and Jessica Gwinn from New Hampshire; Monica Wertz from Connecticut; Ashley Shenk from Ohio; Tom Parenteau from Maine; and Rob Itner from New York. They were accompanied by their group leaders, Mr. Yunus Peer who taught at Maryknoll High School from 1980 to 1985 and a graduate of the University of Hawaii, and Mr. Bill Harris who is a graduate in math from Kent State.

Senator Cobb introduced Sherrie Lynn Sawa from Mililani High School and Stephanie Morgan from Wheeler Intermediate School, students observing the legislature process.

Senator Chang introduced Mr. Earl Anzai, the chief counsel for the Senate Committee on Judiciary, his daughter Miki Anzai and her friend Jennifer Mahle.

Senator Kuroda introduced Kumiko (Hosaka) and Masatoshi Sakuramoto from Fukuoka, Japan.

Senator Kuroda also introduced Mr. David Ishii, Mr. Masayoshi Yashima, Mr. Al Ogata and Miss Lorraine Daos, who were present on the Senate floor, as follows:

"Madam Vice President, Senators, ladies and gentlemen, I take great pleasure this morning to introduce a young man of Hawaii, born and raised in Lihue, Kauai, who is a success story of the professional golf tour. Although most of his golf successes have been in Japan and against Asian competition, David Ishii has held his own against American and European professional golfers. His greatest success was his

victory at the first Kapalua Open on Maui in 1982.

"David is a 1973 graduate of Kauai High School and has been a golf student of golf professional Toyo Shirai since the age of five. Attending the University of Houston on a scholarship, he won the All-American Collegiate Invitational twice against such golfers as current pros Andy Bean, Scott Simpson and Curtis Strange.

"In 1980, David competed in his first Japan tournament and finished tenth. This success led to a degree of confidence in 1986 which helped him win the Shunichi Ground Crown's Tournament, which has a prestigious tradition similar to the Augusta Masters — \$95,000 is one heck of a money for an Island boy to win in four days.

"David is here today after competing in the Honda Classic in Florida two weeks ago and also competing in golf tournaments in Hawaii before he leaves for Japan a week from now to compete against the Asian pros.

"David's success story is not complete if we do not mention the Pearl Country Club. The Pearl Country Club is owned by the Honda Kaihatsu Kogyo. To you and me it's the 'Honda Motors' people.' David is the golf pro at the Pearl Country Club and it is through the Honda Kaihatsu Kogyo Company President Tsugio Ogata that David's golf door to Japan was open.

"Today, on the floor with David is Mr. Masayoshi Yashima, the general manager of Pearl Country Club who has been here since November, 1985. The Pearl Country Club sponsors the Pearl Open which is held in February of each year. This tournament brings to Hawaii 90 Japanese pro golfers and 20 Japanese amateurs. The local pros and the local amateurs also participate. The Pearl Open is of great importance to Hawaii because of the many tourists it attracts and since it precedes the Hawaiian Open.

"Also here to be recognized is Mr. Al Ogata, the assistant general manager to Mr. Yashima. Al is a retired Army sergeant, born and raised in Honolulu and was the interpreter for the commanding general at Fort Shafter. He has been a valuable link between Hawaii and Japan, especially through the efforts of Hawaii's Pearl Country Club.

"At this time, ladies and gentlemen, I'd like to introduce our Island boy success, David Ishii and his fiancée, Lorraine Daos, who is from Kauai."

Mr. Ishii, Miss Daos, Mr. Yashima and Mr. Ogata stood to be recognized and were

presented with leis by Senators Kuroda, Ikeda and A. Kobayashi.

At 11:54 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:57 o'clock a.m.

At this time, Senator Blair, on behalf of the members of the Senate, extended Happy Birthday wishes to Senator Kuroda who was then given a lei by Senator Fernandes Salling.

Senator Hagino introduced the Honorable Irving Stolberg, Mr. Earl Mackey and Mr. William Pound, who were present on the Senate floor, as follows:

"Madam Vice President and fellow Senators, on behalf of Senate President Wong, I'd like to introduce the Honorable Irving Stolberg, Speaker of the House, State of Connecticut. He is also the president of the National Conference of State Legislatures (NCSL).

"Accompanying Speaker Stolberg is Mr. Earl Mackey, executive director of the NCSL, and Mr. William Pound, director of the Denver Office of the NCSL."

The gentlemen rose to be recognized and were presented with leis by Senators Fernandes Salling, McMurdo and Solomon.

At 11:59 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:03 o'clock p.m.

At this time, the Chair invited the Honorable Irving Stolberg to the rostrum and he addressed the members of the Senate as follows:

"Madam President, distinguished members of the Senate, it's an honor to stand here before you today. I must admit, I'm somewhat bemused. I'm not sure which the longer distance is, the distance from Connecticut, five or six thousand miles all the way to Hawaii or, spiritually, the distance from the House chamber to the Senate chamber. As a Speaker of the House, I know that there are some differences that sometimes exist between the two chambers, but today it's wonderful to be here before you and bridge both those distances.

"As president of the National Conference of State Legislatures, it is an honor to represent you and your colleagues from the 49 other states, and all of the staff that do so much work for us and for the citizens of our states and our legislatures.

"These are exciting times. They are times when we're re-examining the role, the function, the duties of the federal government and state government and local government, when we're re-examining the roles of the private sector and the public sector and, indeed, it's wonderful to share this period of time with you.

"Let me suggest that whatever the distances are, whatever the miles are, whatever the differences in our histories, all of us, as legislators, have a particular commitment to the people's interest in these times. I would hope that we could work together; we could learn from each other.

"I know you are awaiting the budget from the House. We were just in the House chamber. I had the opportunity to chair our finance committee before becoming Speaker of the House and the processes are indeed important ones. This is one of the most exciting periods of time and places here in Hawaii to be. The combination of development and the need for preserving both the physical and cultural resources that are so rich in these Islands are a challenge that will demand from you wisdom and leadership.

"I wish you the best in your deliberations in the remainder of this session and I hope, if any of you are able to, you can join us at our conference meetings. Our annual meeting of the National Conference of State Legislatures will be in Indianapolis, Indiana, the final week of July this year. If you are able to, we would benefit from your presence at that meeting and I hope you could see what progress being made in many of the other states is.

"Again, Madam President, thank you for the opportunity to be with you. I wish you the best of luck in your deliberations. Mahalo."

Senator Hee then introduced the "Hawaii Family of the Year" as follows:

"Madam Vice President and members of the Senate, I would, at this time, like to recognize the 'Hawaii Family of the Year.' I will do so with the following remarks which have been submitted as part of the Senate Certificate:

'Whereas, the Rantas and their children have always assisted, have always been involved with community service and church activities, and in assisting friends and neighbors in less formal ways; and that the Ranta family has also pursued and achieved personal goals having helped eight children graduate from high school, five of whom also graduated from college, and having their youngest still in elementary school; and

'Whereas, members of the Ranta family have self-sacrificed and cared for each other, displayed a pride in themselves and demonstrated concern for their community which exemplifies the idea of characteristics of family life; and

'Whereas, the selection of the Ranta family as a Hawaii family of the year is appropriate, well-deserved and could not have been bettered;

'Now therefore, be it resolved by the Senate of the Fourteenth Legislature, that this body congratulates and commends the Ranta family for its selection as the 'Hawaii Family of the Year.'

"Madam Vice President, I present to you the 'Hawaii Family of the Year' - Mr. Roger Ranta, father, Mrs. Judy Ranta, mother, and their children, Christopher, Helena and Keicha. Their daughter, Maggie Dumlao, and son-in-law, Guy Dumlao, are sitting in the gallery. Accompanying the family is Ms. Patti Lyons of the Child and Family Service."

The honorees rose to be recognized and were presented the Senate Certificate of recognition by Senator Hee and leis by Senators A. Kobayashi, Hagino, Solomon, Menor and Chang.

At 12:10 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:14 o'clock p.m.

#### MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 139 to 142) were read by the Clerk and were placed on file:

Gov. Msg. No. 139, transmitting a report prepared by the Department of Health in response to a request for information on Section 65A and Section 65B.

Gov. Msg. No. 140, transmitting the "CIP Status Report, 1986, Construction Summary," prepared by the Department of Planning and Economic Development.

Gov. Msg. No. 141, transmitting the "Report on the Implementation of Act 237, SLH 1985," prepared by the Department of Planning and Economic Development, pursuant to Chapter 201, HRS, as amended.

Gov. Msg. No. 142, transmitting reports prepared by the Department of Health as follows:

Annual Progress Report on the Implementation of the State Plan on Substance Abuse;

Proposed Ground Water Protection Strategy for the State of Hawaii, Hawaii State Department of Health; and

A Five-Year Budget for the Implementation of the Proposed Ground Water Protection Strategy.

#### SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 35 to 37) were read by the Clerk and were disposed of as follows:

S.C.R. No. 35, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF MANDATING MOTOR VEHICLE INSURANCE PREMIUM DISCOUNTS FOR SAFE DRIVING COURSES," was offered by Senators Cobb, Henderson, George, Chang, Blair, Menor, J. Wong, B. Kobayashi, Matsuura, Nakasato and Ikeda.

By unanimous consent, S.C.R. No. 35 was referred to the Committee on Consumer Protection and Commerce.

S.C.R. No. 36, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT TO CONDUCT A STUDY TO IDENTIFY A FORM OF LOCAL GOVERNMENT FOR MOLOKAI THAT WILL BE CONSISTENT WITH THE NEEDS AND RESOURCES OF THE ISLAND," was offered by Senators Reed, Menor, Blair, Chang, McMurdo, Young, Hee, Matsuura, Yamasaki, A. Kobayashi, J. Wong, Aki, Fernandes Salling and Nakasato.

By unanimous consent, S.C.R. No. 36 was referred to the Committee on Government Operations.

S.C.R. No. 37, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY TO REVIEW THE LAWS AND PROCEDURES REGARDING PROFESSIONAL PEER REVIEW IN HAWAII," was offered by Senator Cobb, by request.

By unanimous consent, S.C.R. No. 37 was referred to the Committee on Consumer Protection and Commerce.

#### SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 46 to 48) were read by the Clerk and were disposed of as follows:

S.R. No. 46, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF MANDATING MOTOR VEHICLE INSURANCE PREMIUM

DISCOUNTS FOR SAFE DRIVING COURSES," was offered by Senators Cobb, Henderson, George, Chang, Blair, Menor, J. Wong, B. Kobayashi, Matsuura, Nakasato and Ikeda.

By unanimous consent, S.R. No. 46 was referred to the Committee on Consumer Protection and Commerce.

S.R. No. 47, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT TO CONDUCT A STUDY TO IDENTIFY A FORM OF LOCAL GOVERNMENT FOR MOLOKAI THAT WILL BE CONSISTENT WITH THE NEEDS AND RESOURCES OF THE ISLAND," was offered by Senators Reed, Menor, Blair, Chang, McMurdo, Young, Matsuura, Hee, Yamasaki, A. Kobayashi, J. Wong, Aki, Fernandes Salling and Nakasato.

By unanimous consent, S.R. No. 47 was referred to the Committee on Government Operations.

S.R. No. 48, entitled: "SENATE RESOLUTION REQUESTING A STUDY TO REVIEW THE LAWS AND PROCEDURES REGARDING PROFESSIONAL PEER REVIEW IN HAWAII," was offered by Senator Cobb, by request.

By unanimous consent, S.R. No. 48 was referred to the Committee on Consumer Protection and Commerce.

#### STANDING COMMITTEE REPORT

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 799) recommending that House Bill No. 1532, H.D. 1, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Consumer Protection and Commerce.

On motion by Senator Cobb, seconded by Senator Blair and carried, the report of the majority of the Committee was adopted and H.B. No. 1532, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was recommitted to the Committee on Consumer Protection and Commerce.

#### ORDER OF THE DAY

##### RE-REFERRAL OF HOUSE BILLS

The Chair made the following re-referral of House Bills:

House Bills Referred to:

No. 5 Committee on Labor and Employment, then to the Committee on Judiciary

No. 62, H.D. 1 Committee on Consumer Protection and Commerce, then to the Committee on Judiciary

No. 233 Committee on Human Services, then to the Committee on Judiciary

No. 250, H.D. 2 Committee on Government Operations, then to the Committee on Judiciary

No. 370 Committee on Labor and Employment, then to the Committee on Judiciary

No. 445, H.D. 1 Committee on Labor and Employment

No. 737 Committee on Ways and Means

No. 1091 Committee on Culture, Arts and Historic Preservation, then to the Committee on Ways and Means

No. 1738, H.D. 1 Committee on Health

At this time, Senator Cobb, chairman of the Committee on Consumer Protection and Commerce, requested a waiver of the 48-hour Notice of a Public Hearing on H.B. No. 62, and the Chair granted the waiver.

Senator Aki then introduced to the members of the Senate Michelle Naone, a student at Drake University, and her father who is from Waianae and a good friend.

#### HOUSE COMMUNICATIONS

On motion by Senator Blair, seconded by Senator George and carried unanimously, the Senate authorized the Senate Clerk to receive House Communications transmitting House Bills. In consequence thereof, and subsequent to its recessing at 12:18 o'clock p.m., House Communication Nos. 350 to 352 transmitting House Bills which passed Third Reading in the House of Representatives on Tuesday, March 24, 1987, were placed on file and the following House Bills passed First Reading by title and were referred to committee:

Hse. Com. No. 350 - H.B. No. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," was referred to the Committee on Ways and Means;

Hse. Com. No. 351 - H.B. No. 49, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," was referred to the Committee on Judiciary, then to the Committee on Ways and Means; and

Hse. Com. No. 352 - H.B. No. 287, H.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," was referred to the Committee on Housing, Hawaiian Programs and Natural Resources, then to the Committee on Ways and Means.

## ADJOURNMENT

At 4:30 o'clock p.m., the Senate adjourned until 11:30 o'clock a.m., Wednesday, March 25, 1987.