

FORTY-FOURTH DAY

Thursday, April 2, 1987

The Senate of the Fourteenth Legislature of the State of Hawaii, Regular Session of 1987, convened at 11:42 o'clock a.m., with the Vice President in the Chair.

The Divine Blessing was invoked by the Reverend Peter Salmas of the Saints Constantine and Helen Greek Orthodox Church, after which the Roll was called showing all Senators present.

The Chair announced that she had read and approved the Journal of the Forty-Third Day.

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

Senator Chang introduced representatives from the St. Francis Home Care Services, who were present on the Senate floor, as follows:

"Madam Vice President, it is my great pleasure to present a certificate today to the St. Francis Home Care Services, recognizing the pioneering efforts of St. Francis Home Care Services in Hawaii.

"The St. Francis Home Care Services began in Hawaii on April 2, 1962 as one solution to rising medical costs and as an alternative to institutionalization. Through home care services, a patient receives quality and professionally supervised care from family or friends in his or her home at considerably less cost than if cared for in a hospital or nursing home.

"As today is Thursday, April 2, and is the 25th anniversary of the founding of St. Francis Home Care Services in Hawaii, we have asked several administrators and representatives of the hospital to be with us today: Sister Maureen Keleher, president of St. Francis Hospital; Ms. Charlotte Dennis, director of home care services; Mr. Wally Wake, coordinator of St. Francis Hospital; and Mr. Vincent Lee, assistant administrator for the medical center."

The honorees rose to be recognized and were presented with the Senate Certificate by Senator Chang.

Senator Henderson introduced Miss Diane Vey from Kona, Hawaii, president of the Island Hotel Association. Miss Vey was at the Legislature representing the Big Island Business Council, accompanied by Mr. Clem Judd.

Senator Ikeda, on behalf of Senators Cobb and B. Kobayashi and herself, introduced 140 students of the Kaiser-Kalani Interaction Council, representing their grade level in their school student council,

who were at the Legislature learning about the different branches of government. They were accompanied by various principals: Mrs. Lum from Koko Head Elementary School, Mrs. Lau from Wailupe Valley School, Mr. Blitman from Hahaione Elementary School, Mr. Pangilinan from Aina Haina School, and Dr. Noda from Kahala Elementary School.

Senator Reed introduced Mr. David Foster from Molokai who was at the Legislature to testify in one of the hearings.

Senator Menor introduced members of the Aloha Medical Mission, who were present on the Senate floor, as follows:

"Madam Vice President, it gives me great pleasure to introduce to this honorable body several individuals who are members of the Aloha Medical Mission. The Aloha Medical Mission is basically an outstanding organization that has devoted a lot of time and effort to providing free medical services and care to the needy in the Philippines.

"During the past few years, the Aloha Medical Mission has sent physicians from Hawaii to the Philippines to provide this kind of medical care to the needy and most recently, as the certificate that we will be presenting to them indicates, they went to the Philippines in December 1986 to the Bacolod Negros Occidental Province where they donated medical and hospital supplies, provided health education services, trained local doctors, and even rendered free medical services to the needy who do not have access to or who cannot afford professional health care.

"So, it is basically for these accomplishments, these contributions, that these particular physicians and volunteers are being honored today.

"They would like to continue their outreach effort. They would like to go back to the Philippines once again during the coming year to continue to provide those very important services and if at all possible, if their fund raising permits, they would also like to expand their efforts beyond the Philippines and go to places in the Pacific Basin such as, Tonga, Samoa and Palau, and in Southeast Asia where there are also many areas that are in desperate need for this kind of medical care from competent and qualified physicians that we have in Hawaii.

"So, in that regard, they are also going to be having more fund raising activities and, for the information of this body, they have one scheduled for May 9 at the Halekulani

Hotel, and if anybody here would like to participate in that you can always contact my office.

"I would like to introduce several of the leaders and participants in this medical mission: Dr. Ramon K. Sy, chairman of the Board of the Aloha Medical Mission; Dr. Erlinda Cachola, president of the Aloha Medical Mission and the wife of our distinguished State Representative Romy Cachola; Dr. Danilo Ponce, a volunteer for the Aloha Medical Mission and who is now president of the Philippine Medical Association that was in fact the organization that spearheaded the creation of the Aloha Medical Mission; and Dr. Charles Carroll, also a volunteer and the assistant chief of surgery for Tripler Army Medical Center."

The honorees rose to be recognized and were presented the Senate Certificate by Senator Menor and leis by Senators Fernandes Salling, B. Kobayashi, A. Kobayashi and McMurdo.

Senator Menor also introduced the rest of the members of the Aloha Medical Mission who were sitting in the gallery.

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

The Senate reconvened at 11:59 o'clock a.m.

Senator Ikeda also introduced the Cherry Blossom Festival Queen and her court as follows:

"Madam President, it gives me great pleasure this morning to introduce to this august body some very beautiful ladies, and I know the gentlemen have already been eyeing them up.

"We have with us the 35th Cherry Blossom Festival Queen Marlene Akemi Sato. She is the daughter of Dorothy Sato and the late George Sato and a graduate of Kalani High School. Her ambition is to pursue a successful career in marketing combined with a happy and fulfilling family life.

"We also have with us her court. The first attendant is Kimberly Hatsue Inouye, the daughter of Dennis and Thelma Inouye and a graduate of Iolani High School. Her ambition is to have a career as a broadcast journalist and share an exciting and fulfilling life with family and friends. (Not present.)

"The second attendant is Shana Miyoko Kuratsu, Miss Congeniality, the daughter of Ronald and Eleanor Kuratsu and a graduate of Kwajalein Junior/Senior High School. Her ambition is to pursue her dreams in a professional and personal life, and thus in

doing so, making a positive contribution to this community.

"The third attendant is Robin Noriko Kosaki, the daughter of Robert and Helen Kosaki and a graduate of Kaimuki High School. Her ambition is to manage a public relations firm with an international clientele and someday be a warm and supportive wife and mother.

"The fourth attendant is Julie Mie Fukunaga, Miss Popularity, the daughter of Thomas and Grace Fukunaga and a graduate of Kalani High School. Her ambition is to obtain a masters degree in business administration and become a successful executive officer in a major corporation and raise a happy family.

"In addition to these lovely ladies, we also have two visitors from Los Angeles. This is the 46th year of Nisei Week Japanese Festival and we have with us Queen Jennifer Lynn Kusumoto Ahn. She was born in Los Angeles and her ambition is to become a successful business person in the fashion industry.

"Miss Tomodachi is Karen Chiemi Tokuta. She was also born in Los Angeles and her ambition is to start a computer consulting business."

Senator Ikeda then introduced Mr. Terrance Iwamoto, general chairman of the Cherry Blossom Festival, and Mr. Matt Miura, president of the Honolulu Japanese Junior Chamber of Commerce, who accompanied the women.

The honorees rose to be recognized and were presented the Senate Certificate by Senator Ikeda and leis by Senators Kuroda, Chang, B. Kobayashi, Aki, Yamasaki, Cobb and Blair.

At 12:04 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:08 o'clock p.m.

At this time, the Chair invited the Cherry Blossom Festival Queen Marlene Sato to the rostrum and she addressed the members of the Senate as follows:

"Madam President, members of the Senate, on behalf of the Honolulu Japanese Junior Chamber of Commerce and the 35th Annual Cherry Blossom Festival, I would like to thank you for welcoming us this morning on your busy schedule, and we are looking forward to a busy and exciting year ahead of us. Thank you."

The Chair also invited the Nisei Week Japanese Festival Queen Jennifer Ahn to the rostrum and she addressed the members

of the Senate as follows:

"Madam President and members of the Senate, I must first say we enjoy your welcome, warm aloha for Karen and me to Honolulu. Our stay here has been very nice and we're now enjoying the sunny weather but believe it or not, and I don't know whether you've heard it, back home it's 85 degrees and sunny, and the week we've been here it's been rainy and cloudy. But we're enjoying it and the warm hospitality from the members of the Honolulu Japanese Junior Chamber of Commerce.

"On behalf of the 1986 Nisei Week Festival and myself, I'd like to present all of you with our official Nisei Week booklet and our official key chain necklace. Thank you."

DEPARTMENTAL COMMUNICATION

Dept. Com. No. 34 from the Department of Budget and Finance, transmitting the "Plan of Organization: Executive Branch of the Hawaii State Government," was read by the Clerk and was placed on file.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 64 to 72) were read by the Clerk and were disposed of as follows:

S.C.R. No. 64, entitled: "SENATE CONCURRENT RESOLUTION URGING THAT THE DEPARTMENT OF TRANSPORTATION INCLUDE CERTAIN PROVISIONS IN DEPARTMENTAL RULES REGARDING THE DISCHARGE OR LEAKAGE OF WATER POLLUTANTS FROM VESSELS INTO OR UPON STATE WATERS," was offered by Senators Aki, Young, Fernandes Salling, J. Wong, Kuroda, Matsuura, Reed, Blair, McMurdo, Yamasaki, Hee, Mizuguchi, B. Kobayashi, Chang, Holt, Menor, Nakasato, George, Henderson, Ikeda, Cobb and Solomon.

By unanimous consent, S.C.R. No. 64 was referred jointly to the Committee on Planning and Environment and the Committee on Transportation.

S.C.R. No. 65, entitled: "SENATE CONCURRENT RESOLUTION CONCERNING THE POSTING OF THE PRICE OF GASOLINE BY THE GALLON," was offered by Senators Cobb, Ikeda, Kuroda, Henderson, A. Kobayashi, Blair, Fernandes Salling, Nakasato, Aki, Matsuura, Holt, McMurdo, Chang, Henderson, Solomon, Hagino, Reed, George, J. Wong, Menor, Mizuguchi and Hee.

By unanimous consent, S.C.R. No. 65 was referred to the Committee on Consumer Protection and Commerce.

S.C.R. No. 66, entitled: "SENATE

CONCURRENT RESOLUTION REQUESTING A STUDY OF THE EXISTING AND PLANNED USES OF LEAHI INTENDED TO ENHANCE CULTURAL AND RECREATIONAL ENJOYMENT BY THE PEOPLE, INCLUDING AN EVALUATION OF THE FEASIBILITY OF INCREASING PUBLIC USE AND ACCESS BY DEVELOPING A GOLF FACILITY WITHIN THE CRATER," was offered by Senators Kuroda, Henderson, J. Wong, Young, Chang and McMurdo.

By unanimous consent, S.C.R. No. 66 was referred to the Committee on Culture, Arts and Historic Preservation.

S.C.R. No. 67, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE DEPARTMENT OF TRANSPORTATION TO DEVELOP THROUGH PRIVATE DEVELOPERS AND CAPITAL CERTAIN FAST AND SUBMERGED LANDS FOR CERTAIN ENUMERATED PURPOSES," was offered by Senator R. Wong, by request.

By unanimous consent, S.C.R. No. 67 was referred jointly to the Committee on Housing, Hawaiian Programs and Natural Resources and the Committee on Transportation.

S.C.R. No. 68, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE DEPARTMENT OF TRANSPORTATION TO DEVELOP THROUGH PRIVATE DEVELOPERS AND CAPITAL CERTAIN FAST AND SUBMERGED LANDS FOR CERTAIN ENUMERATED PURPOSES," was offered by Senator R. Wong, by request.

By unanimous consent, S.C.R. No. 68 was referred jointly to the Committee on Housing, Hawaiian Programs and Natural Resources and the Committee on Transportation.

S.C.R. No. 69, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE DEPARTMENT OF TRANSPORTATION TO DISPOSE, BY WAY OF A LEASE, CERTAIN GOVERNMENT SUBMERGED LANDS FOR THE PURPOSE OF A BERTHING FACILITY," was offered by Senator R. Wong, by request.

By unanimous consent, S.C.R. No. 69 was referred jointly to the Committee on Housing, Hawaiian Programs and Natural Resources and the Committee on Transportation.

S.C.R. No. 70, entitled: "SENATE CONCURRENT RESOLUTION

AUTHORIZING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE DEPARTMENT OF TRANSPORTATION TO DEVELOP THROUGH PRIVATE DEVELOPERS AND CAPITAL CERTAIN FAST AND SUBMERGED LANDS FOR CERTAIN ENUMERATED PURPOSES," was offered by Senator R. Wong, by request.

By unanimous consent, S.C.R. No. 70 was referred jointly to the Committee on Housing, Hawaiian Programs and Natural Resources and the Committee on Transportation.

S.C.R. No. 71, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE DEPARTMENT OF TRANSPORTATION TO DEVELOP THROUGH PRIVATE DEVELOPERS AND CAPITAL CERTAIN FAST AND SUBMERGED LANDS FOR CERTAIN ENUMERATED PURPOSES," was offered by Senator R. Wong, by request.

By unanimous consent, S.C.R. No. 71 was referred jointly to the Committee on Housing, Hawaiian Programs and Natural Resources and the Committee on Transportation.

S.C.R. No. 72, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE DEPARTMENT OF TRANSPORTATION TO DEVELOP THROUGH PRIVATE DEVELOPERS AND CAPITAL CERTAIN FAST AND SUBMERGED LANDS FOR CERTAIN ENUMERATED PURPOSES," was offered by Senator R. Wong, by request.

By unanimous consent, S.C.R. No. 72 was referred jointly to the Committee on Housing, Hawaiian Programs and Natural Resources and the Committee on Transportation.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 77 to 79) were read by the Clerk and were disposed of as follows:

S.R. No. 77, entitled: "SENATE RESOLUTION URGING THAT THE DEPARTMENT OF TRANSPORTATION INCLUDE CERTAIN PROVISIONS IN DEPARTMENTAL RULES REGARDING THE DISCHARGE OR LEAKAGE OF WATER POLLUTANTS FROM VESSELS INTO OR UPON STATE WATERS," was offered by Senators Aki, Young, J. Wong, Fernandes Salling, Kuroda, Matsuura, Reed, Blair, McMurdo, Yamasaki, Hee, Mizuguchi, B. Kobayashi, Chang, Holt, Menor,

Nakasato, George, Henderson, Ikeda, Cobb and Solomon.

By unanimous consent, S.R. No. 77 was referred to the Committee on Planning and Environment.

S.R. No. 78, entitled: "SENATE RESOLUTION CONCERNING THE POSTING OF THE PRICE OF GASOLINE BY THE GALLON," was offered by Senators Cobb, Ikeda, Kuroda, Henderson, A. Kobayashi, Blair, Fernandes Salling, Nakasato, Aki, Matsuura, Chang, Holt, McMurdo, Solomon, Hagino, Reed, George, J. Wong, Menor, Mizuguchi and Hee.

By unanimous consent, S.R. No. 78 was referred to the Committee on Consumer Protection and Commerce.

S.R. No. 79, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE EXISTING AND PLANNED USES OF LEAHI INTENDED TO ENHANCE CULTURAL AND RECREATIONAL ENJOYMENT BY THE PEOPLE, INCLUDING AN EVALUATION OF THE FEASIBILITY OF INCREASING PUBLIC USE AND ACCESS BY DEVELOPING A GOLF FACILITY WITHIN THE CRATER," was offered by Senators Kuroda, Henderson, J. Wong, Young, Chang and McMurdo.

By unanimous consent, S.R. No. 79 was referred to the Committee on Culture, Arts and Historic Preservation.

STANDING COMMITTEE REPORTS

Senator J. Wong, for the Committee on Military and Civil Defense, presented a report (Stand. Com. Rep. No. 933) recommending that House Bill No. 1477 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator J. Wong, seconded by Senator Kuroda and carried, the report of the Committee was adopted and H.B. No. 1477, entitled: "A BILL FOR AN ACT RELATING TO THE MILITIA," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 6, 1987.

Senator J. Wong, for the Committee on Military and Civil Defense, presented a report (Stand. Com. Rep. No. 934) recommending that House Bill No. 878 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator J. Wong, seconded by Senator Kuroda and carried, the report of the Committee was adopted and H.B. No. 878, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CODE OF MILITARY JUSTICE," passed Second Reading and was placed on the calendar for

Third Reading on Monday, April 6, 1987.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 935) recommending that House Bill No. 858 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator B. Kobayashi, seconded by Senator Matsuura and carried, the report of the Committee was adopted and H.B. No. 858, entitled: "A BILL FOR AN ACT RELATING TO AUTOPSIES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 6, 1987.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 936) recommending that House Bill No. 890, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator B. Kobayashi, seconded by Senator Matsuura and carried, the report of the Committee was adopted and H.B. No. 890, S.D.1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 6, 1987.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 937) recommending that House Bill No. 1102, as amended in S.D.1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator B. Kobayashi, seconded by Senator Matsuura and carried, the report of the Committee was adopted and H.B. No. 1102, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 6, 1987.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 938) recommending that House Bill No. 211, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Blair and carried, the report of the Committee was adopted and H.B. No. 211, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL MALPRACTICE INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 6, 1987.

Senator Cobb, for the Committee on Consumer Protection and Commerce,

presented a report (Stand. Com. Rep. No. 939) recommending that House Bill No. 312 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Blair and carried, the report of the Committee was adopted and H.B. No. 312, entitled: "A BILL FOR AN ACT RELATING TO DECISIONS OF THE COMMISSIONER OF FINANCIAL INSTITUTIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 6, 1987.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 940) recommending that House Bill No. 497, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Blair and carried, the report of the Committee was adopted and H.B. No. 497, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CEMETERIES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 6, 1987.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 941) recommending that House Bill No. 1073, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Blair and carried, the report of the Committee was adopted and H.B. No. 1073, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INSURANCE LAW," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 6, 1987.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 942) recommending that House Bill No. 521, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Blair and carried, the report of the Committee was adopted and H.B. No. 521, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOXING COMMISSION," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 6, 1987.

ORDER OF THE DAY

REFERRAL OF RESOLUTIONS

The Chair made the following committee assignments of resolutions introduced on Wednesday, April 1, 1987:

Senate Concurrent Resolution	Referred to:
No. 63 and Environment	Committee on Planning and Environment
Senate Resolution	Referred to:
No. 76 and Environment	Committee on Planning and Environment

At this time, Senator Kuroda, chairman of the Committee on Culture, Arts and Historic Preservation, requested a waiver

of the 48-hour Notice of a Public Hearing on S.C.R. No. 66 and S.R. No. 79, and the Chair granted the waiver.

Senator Yamasaki, chairman of the Committee on Ways and Means, then requested a waiver of the 48-hour Notice of a Public Hearing on decision-making for the subjects listed on the agenda of the Senate Ways and Means Committee's hearing notice for Thursday, April 2, 1987 and Friday, April 3, 1987, and the Chair granted the waiver.

ADJOURNMENT

At 12:16 o'clock p.m., on motion by Senator Blair, seconded by Senator George and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, April 3, 1987.