

## FIFTY-SECOND DAY

Tuesday, April 14, 1987

The Senate of the Fourteenth Legislature of the State of Hawaii, Regular Session of 1987, convened at 11:45 o'clock a.m., with the Vice President in the Chair.

The Divine Blessing was invoked by Chaplain Walter M. Harris of Hickam Air Force Base, after which the Roll was called showing all Senators present with the exception of Senators Henderson, Holt and Solomon who were excused.

The Chair announced that she had read and approved the Journal of the Fifty-First Day.

At 11:48 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:50 o'clock a.m.

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

Senator Chang introduced Mr. William Lee, a guest from San Francisco, who is an attorney and a representative of "Asian Business Week."

Senator Hee, on behalf of Senators J. Wong and George and himself, introduced a group of 14 students from the Special Education Class at Castle High School, and their teacher, Mr. August Suehiro, accompanied by five chaperones.

#### MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 210 to 212) were read by the Clerk and were placed on file:

Gov. Msg. No. 210, transmitting a report prepared by the Departments of Attorney General, Land and Natural Resources, and Planning and Economic Development in response to S.C.R. No. 36 (1986), requesting a report on possible state and federal governmental actions to achieve an effective management role for the state of Hawaii in the exclusive economic zone.

Gov. Msg. No. 211, transmitting a report, "Third Biennial Progress Report on Mental Health Services for Children and Youth," prepared by the Department of Health, pursuant to Act 59-80, Sec. 321-176.

Gov. Msg. No. 212, transmitting the 1986 Annual Report of the Department of Planning and Economic Development.

#### HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 650 to 755) were

read by the Clerk and were disposed of as follows:

Hse. Com. No. 650, transmitting House Concurrent Resolution No. 70, H.D. 1, which was adopted by the House of Representatives on April 13, 1987, was placed on file.

By unanimous consent, H.C.R. No. 70, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION DEMONSTRATING THE STATE OF HAWAII'S SERIOUSNESS ABOUT AND COMMITMENT TO HOSTING THE 1990-91 AMERICA'S CUP RACE IN HAWAIIAN WATERS," was referred to the Committee on Tourism and Recreation.

Hse. Com. No. 651 informing the Senate that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 735, S.D. 2, H.D. 2, was adopted by the House; and S.B. No. 735, S.D. 2, H.D. 2, C.D. 1, passed Final Reading in the House of Representatives on April 13, 1987, was placed on file.

Hse. Com. Nos. 652 to 755, informing the Senate that the Speaker, on April 13, 1987, appointed managers on the part of the House for the consideration of amendments proposed by the House to the following Senate bills:

Hse. Com. No. 652 - S.B. No. 1068 (H.D. 1): Representatives Metcalf, chairman, Andrews, Bellinger, Takamine and Hemmings;

Hse. Com. No. 653 - S.B. No. 1072, S.D. 1 (H.D. 2): Representatives Takamine and Souki, co-chairmen, Bellinger, Crozier and Medeiros;

Hse. Com. No. 654 - S.B. No. 1126, S.D. 1 (H.D. 1): Representatives Shon, chairman, Hayes, Kawakami, Tom and Ribellia;

Hse. Com. No. 655 - S.B. No. 1142 (H.D. 1): Representatives Metcalf, chairman, Hagino, Hiraki, Shito and Medeiros;

Hse. Com. No. 656 - S.B. No. 1143 (H.D. 1): Representatives Takamine and Souki, co-chairmen, Cachola, Tungpalan and Medeiros;

Hse. Com. No. 657 - S.B. No. 1154, S.D. 1 (H.D. 2): Representatives Levin and Souki, co-chairmen, D. Ige, Kanoho and O'Kieffe;

Hse. Com. No. 658 - S.B. No. 1163, S.D. 1 (H.D. 1): Representatives Metcalf and Souki, co-chairmen, Andrews, Hagino and

Jones;

Hse. Com. No. 659 - S.B. No. 1164, S.D. 1 (H.D. 1): Representatives Andrews, Honda and Souki, co-chairmen, Kanoho and Pfeil;

Hse. Com. No. 660 - S.B. No. 1172, S.D. 1 (H.D. 1): Representatives Oshiro and Souki, co-chairmen, Bellinger, Ihara and Marumoto;

Hse. Com. No. 661 - S.B. No. 1173 (H.D. 1): Representatives Hirono, chairman, Hagino, Hiraki, Takamine and Medeiros;

Hse. Com. No. 662 - S.B. No. 1174, S.D. 1 (H.D. 1): Representatives Takamine, chairman, Crozier, Horita, Taniguchi and Medeiros;

Hse. Com. No. 663 - S.B. No. 1192, S.D. 2 (H.D. 2): Representatives Cachola and Fukunaga, co-chairmen, Horita, Ihara and Jones;

Hse. Com. No. 664 - S.B. No. 1201, S.D. 1 (H.D. 1): Representatives Metcalf, chairman, Hagino, Hiraki, Yoshimura and Hemmings;

Hse. Com. No. 665 - S.B. No. 1202, S.D. 1 (H.D. 1): Representatives Metcalf, chairman, Andrews, Shito, Yoshimura and Medeiros;

Hse. Com. No. 666 - S.B. No. 1218 (H.D. 1): Representatives Takamine and Hagino, co-chairmen, Arakaki, Bellinger and Medeiros;

Hse. Com. No. 667 - S.B. No. 1278 (H.D. 1): Representatives Hirono, chairman, Cachola, Hayes, Hiraki and Hemmings;

Hse. Com. No. 668 - S.B. No. 1288, S.D. 1 (H.D. 1): Representatives Hirono and Souki, co-chairmen, Bellinger, Hiraki and Hemmings;

Hse. Com. No. 669 - S.B. No. 1289, S.D. 1 (H.D. 1): Representatives Hirono, chairman, Bellinger, Hiraki, Shito and Medeiros;

Hse. Com. No. 670 - S.B. No. 1318, S.D. 2 (H.D. 2): Representatives Hagino, Shito and Fukunaga, co-chairmen, Arakaki and Ribellia;

Hse. Com. No. 671 - S.B. No. 1325, S.D. 1 (H.D. 1): Representatives Levin, chairman, D. Ige, Kanoho, Say and Pfeil;

Hse. Com. No. 672 - S.B. No. 1338, S.D. 1 (H.D. 1): Representatives Hirono, chairman, Andrews, Hiraki, Shito and Hemmings;

Hse. Com. No. 673 - S.B. No. 1367, S.D. 1

(H.D. 2): Representatives Takamine and Souki, co-chairmen, Ihara, Tungpalan and Medeiros;

Hse. Com. No. 674 - S.B. No. 5, S.D. 2 (H.D. 3): Representatives Crozier, Hagino, Metcalf and Souki, co-chairmen, Medeiros;

Hse. Com. No. 675 - S.B. No. 24, S.D. 1 (H.D. 1): Representatives Hirono, chairman, Andrews, Hagino, Hiraki and Medeiros;

Hse. Com. No. 676 - S.B. No. 33, S.D. 1 (H.D. 1): Representatives Hirono, chairman, Bellinger, Hiraki, Yoshimura and Medeiros;

Hse. Com. No. 677 - S.B. No. 92 (H.D. 1): Representatives Levin, chairman, Andrews, D. Ige, Tajiri and Pfeil;

Hse. Com. No. 678 - S.B. No. 97, S.D. 1 (H.D. 1): Representatives Metcalf, chairman, Cachola, Hayes, Yoshimura and Hemmings;

Hse. Com. No. 679 - S.B. No. 109, S.D. 1 (H.D. 1): Representatives Shon and Metcalf, co-chairmen, Hagino, Leong and Cavasso;

Hse. Com. No. 680 - S.B. No. 141 (H.D. 1): Representatives Souki, chairman, Fukunaga, Arakaki, Horita, D. Ige, M. Ige, Ihara, Kanoho, Kawakami, Leong, Tajiri, Tungpalan, Cavasso, Isbell and Marumoto;

Hse. Com. No. 681 - S.B. No. 154, S.D. 2 (H.D. 2): Representatives Metcalf and Souki, co-chairmen, Hayes, Hiraki and Hemmings;

Hse. Com. No. 682 - S.B. No. 183, S.D. 1 (H.D. 1): Representatives Takamine, chairman, Hirono, Horita, Taniguchi and Jones;

Hse. Com. No. 683 - S.B. No. 241, S.D. 1 (H.D. 1): Representatives Bellinger, chairman, Cachola, Crozier, Horita and Jones;

Hse. Com. No. 684 - S.B. No. 242, S.D. 1 (H.D. 1): Representatives D. Ige, chairman, Bunda, Kanoho, Say and Isbell;

Hse. Com. No. 685 - S.B. No. 518, S.D. 2 (H.D. 2): Representatives Shon and Hirono, co-chairmen, Arakaki, Hiraki and Ribellia;

Hse. Com. No. 686 - S.B. No. 526, S.D. 1 (H.D. 1): Representatives Hirono, chairman, Andrews, Hagino, Hiraki and Jones;

Hse. Com. No. 687 - S.B. No. 545, S.D. 1 (H.D. 1): Representatives Hirono,

chairman, Bellinger, Hayes, Hiraki and Medeiros;

Hse. Com. No. 688 - S.B. No. 548, S.D. 2 (H.D. 1): Representatives Levin and Metcalf, co-chairmen, D. Ige, Kanoho and Pfeil;

Hse. Com. No. 689 - S.B. No. 559, S.D. 1 (H.D. 1): Representatives Levin and Souki, co-chairmen, Kanoho, Tajiri and Isbell;

Hse. Com. No. 690 - S.B. No. 575, S.D. 1 (H.D. 1): Representatives Metcalf, chairman, Bellinger, Hayes, Hiraki and Hemmings;

Hse. Com. No. 691 - S.B. No. 576, S.D. 1 (H.D. 1): Representatives Metcalf, chairman, Bellinger, Hayes, Hiraki and Medeiros;

Hse. Com. No. 692 - S.B. No. 619, S.D. 1 (H.D. 1): Representatives Shon, chairman, Hagino, Hayes, Kawakami and Ribellia;

Hse. Com. No. 693 - S.B. No. 630, S.D. 1 (H.D. 1): Representatives Shon and Metcalf, co-chairmen, Leong, Tom and Hemmings;

Hse. Com. No. 694 - S.B. No. 634, S.D. 1 (H.D. 1): Representatives Takamine and Souki, co-chairmen, Horita, Taniguchi and Medeiros;

Hse. Com. No. 695 - S.B. No. 1007, S.D. 1 (H.D. 2): Representatives Shon and Metcalf, co-chairmen, Hayes, Leong and Cavasso;

Hse. Com. No. 696 - S.B. No. 420, S.D. 1 (H.D. 1): Representatives Hirono, chairman, Hayes, Hiraki, Shito and Jones;

Hse. Com. No. 697 - S.B. No. 431, S.D. 1 (H.D. 1): Representatives Metcalf, chairman, Andrews, Bellinger, Cachola and Jones;

Hse. Com. No. 698 - S.B. No. 432, S.D. 2 (H.D. 1): Representatives Takamine and Souki, co-chairmen, Bellinger, Yoshimura and Marumoto;

Hse. Com. No. 699 - S.B. No. 441, S.D. 1 (H.D. 1): Representatives Hirono, chairman, Hayes, Hiraki, Peters and Jones;

Hse. Com. No. 700 - S.B. No. 445, S.D. 1 (H.D. 1): Representatives Hirono and Metcalf, co-chairmen, Hagino, Hiraki and Medeiros;

Hse. Com. No. 701 - S.B. No. 447 (H.D. 1): Representatives Hirono, chairman, Hagino, Hiraki, Takamine and Medeiros;

Hse. Com. No. 702 - S.B. No. 456, S.D. 1 (H.D. 2): Representatives Bunda and Oshiro, co-chairmen, Bellinger, Hashimoto and O'Kieffe;

Hse. Com. No. 703 - S.B. No. 469, S.D. 1 (H.D. 1): Representatives Hirono, chairman, Cachola, Hiraki, Yoshimura and Jones;

Hse. Com. No. 704 - S.B. No. 481, S.D. 1 (H.D. 1): Representatives Andrews and Levin, co-chairmen, D. Ige, Kanoho and O'Kieffe;

Hse. Com. No. 705 - S.B. No. 486, S.D. 1 (H.D. 1): Representatives Metcalf, chairman, Andrews, Bellinger, Yoshimura and Medeiros;

Hse. Com. No. 706 - S.B. No. 515, S.D. 2 (H.D. 1): Representatives Shon, Hagino and Souki, co-chairmen, Arakaki and Cavasso;

Hse. Com. No. 707 - S.B. No. 749, S.D. 1 (H.D. 1): Representatives Shon, chairman, Arakaki, Hagino, Leong and Ribellia;

Hse. Com. No. 708 - S.B. No. 769, S.D. 1 (H.D. 1): Representatives Metcalf, chairman, Hayes, Peters, Yoshimura and Medeiros;

Hse. Com. No. 709 - S.B. No. 774, S.D. 1 (H.D. 1): Representatives Taniguchi, chairman, Crozier, Oshiro, Say and O'Kieffe;

Hse. Com. No. 710 - S.B. No. 785 (H.D. 1): Representatives Metcalf, chairman, Cachola, Peters, Yoshimura and Jones;

Hse. Com. No. 711 - S.B. No. 787, S.D. 1 (H.D. 1): Representatives Tam and Metcalf, co-chairmen, Honda, Lee and O'Kieffe;

Hse. Com. No. 712 - S.B. No. 792 (H.D. 2): Representatives Metcalf and Souki, co-chairmen, Peters, Yoshimura and Medeiros;

Hse. Com. No. 713 - S.B. No. 797, S.D. 1 (H.D. 1): Representatives Metcalf, chairman, Hiraki, Hirono, Takamine and Medeiros;

Hse. Com. No. 714 - S.B. No. 801, S.D. 1 (H.D. 1): Representatives Metcalf, chairman, Hiraki, Hirono, Takamine and Medeiros;

Hse. Com. No. 715 - S.B. No. 808, S.D. 2 (H.D. 2): Representatives Hirono and Souki, co-chairmen, Hagino, Hiraki and Medeiros;

Hse. Com. No. 716 - S.B. No. 815, S.D. 1 (H.D. 2): Representatives Shon and Hirono, co-chairmen, Hiraki, Tom and Ribellia;

Hse. Com. No. 717 - S.B. No. 1395, S.D. 1 (H.D. 1): Representatives Hirono, chairman, Bellinger, Hagino, Hiraki and Jones;

Hse. Com. No. 718 - S.B. No. 1399, S.D. 1 (H.D. 1): Representatives Takamine, chairman, Bellinger, Ihara, Tungpalan and Yoshimura;

Hse. Com. No. 719 - S.B. No. 1424, S.D. 1 (H.D. 1): Representatives Metcalf and Souki, co-chairmen, Hagino, Takamine and Hemmings;

Hse. Com. No. 720 - S.B. No. 1443, S.D. 1 (H.D. 2): Representatives Metcalf and Souki, co-chairmen, Hagino, Takamine and Hemmings;

Hse. Com. No. 721 - S.B. No. 1446, S.D. 1 (H.D. 1): Representatives Metcalf, chairman, Cachola, Hiraki, Takamine and Hemmings;

Hse. Com. No. 722 - S.B. No. 1472, S.D. 1 (H.D. 1): Representatives Metcalf, chairman, Bellinger, Peters, Yoshimura and Medeiros;

Hse. Com. No. 723 - S.B. No. 1500, S.D. 1 (H.D. 2): Representatives Takamine and Souki, co-chairmen, Tungpalan, Yoshimura and Medeiros;

Hse. Com. No. 724 - S.B. No. 1525, S.D. 2 (H.D. 1): Representatives Hirono, chairman, Andrews, Hiraki, Shito and Hemmings;

Hse. Com. No. 725 - S.B. No. 1660 (H.D. 1): Representatives Souki, chairman, Fukunaga, Arakaki, Horita, D. Ige, M. Ige, Ihara, Kanoho, Kawakami, Leong, Tajiri, Tungpalan, Cavasso, Isbell and Marumoto;

Hse. Com. No. 726 - S.B. No. 1673, S.D. 1 (H.D. 1): Representatives Takamine and Souki, co-chairmen, Horita, Taniguchi and Medeiros;

Hse. Com. No. 727 - S.B. No. 1713, S.D. 2 (H.D. 1): Representatives Takamine and Souki, co-chairmen, Ihara, Oshiro and Marumoto;

Hse. Com. No. 728 - S.B. No. 255 (H.D. 1): Representatives Metcalf, chairman, Hayes, Hirono, Shito and Hemmings;

Hse. Com. No. 729 - S.B. No. 320, S.D. 2 (H.D. 1): Representatives Souki, chairman, Fukunaga, Arakaki, Horita, D. Ige, M. Ige, Ihara, Kanoho, Kawakami, Leong, Tajiri, Tungpalan, Cavasso, Isbell

and Marumoto;

Hse. Com. No. 730 - S.B. No. 341, S.D. 1 (H.D. 1): Representatives Hirono, chairman, Bellinger, Hayes, Hiraki and Hemmings;

Hse. Com. No. 731 - S.B. No. 348, S.D. 1 (H.D. 1): Representatives Hirono and Souki, co-chairmen, Cachola, Hiraki and Hemmings;

Hse. Com. No. 732 - S.B. No. 350, S.D. 1 (H.D. 2): Representatives Shon and Metcalf, co-chairmen, Hagino, Leong and Hemmings;

Hse. Com. No. 733 - S.B. No. 356, S.D. 1 (H.D. 2): Representatives Levin and Fukunaga, co-chairmen, D. Ige, Lee and Pfeil;

Hse. Com. No. 734 - S.B. No. 361, S.D. 3 (H.D. 1): Representatives Hirono and Souki, co-chairmen, Andrews, Hiraki and Hemmings;

Hse. Com. No. 735 - S.B. No. 389, S.D. 1 (H.D. 1): Representatives Hirono, chairman, Bellinger, Hiraki, Takamine and Hemmings;

Hse. Com. No. 736 - S.B. No. 398, S.D. 2 (H.D. 2): Representatives Honda, Levin and Souki, co-chairmen, Say and Pfeil;

Hse. Com. No. 737 - S.B. No. 1718 (H.D. 1): Representatives Takamine and Fukunaga, co-chairmen, Hirono, Ihara and Medeiros;

Hse. Com. No. 738 - S.B. No. 1720 (H.D. 2): Representatives Takamine and Souki, co-chairmen, Cachola, Yoshimura and Marumoto;

Hse. Com. No. 739 - S.B. No. 1729, S.D. 1 (H.D. 2): Representatives Shito and Metcalf, co-chairmen, Arakaki, Leong and Ribellia;

Hse. Com. No. 740 - S.B. No. 1735, S.D. 2 (H.D. 2): Representatives Metcalf and Souki, co-chairmen, Bellinger, Hayes and Jones;

Hse. Com. No. 741 - S.B. No. 1744, S.D. 1 (H.D. 1): Representatives Takamine and Souki, co-chairmen, Hirono, Taniguchi and Medeiros;

Hse. Com. No. 742 - S.B. No. 1747, S.D. 2 (H.D. 2): Representatives Andrews, Takamine and Fukunaga, co-chairmen, Say and Pfeil;

Hse. Com. No. 743 - S.B. No. 1748, S.D. 1 (H.D. 1): Representatives Oshiro and Souki, co-chairmen, Ihara, Tungpalan and Marumoto;

Hse. Com. No. 744 - S.B. No. 1750, S.D. 1 (H.D. 1): Representatives Oshiro and Souki, co-chairmen, Ihara, Tungpalan and Marumoto;

Hse. Com. No. 745 - S.B. No. 1751, S.D. 2 (H.D. 2): Representatives Hagino, Shito and Fukunaga, co-chairmen, Arakaki and Ribellia;

Hse. Com. No. 746 - S.B. No. 1765, S.D. 1 (H.D. 2): Representatives Levin and Souki, co-chairmen, Bunda, Honda and Isbell;

Hse. Com. No. 747 - S.B. No. 832 (H.D. 1): Representatives Metcalf, chairman, Hagino, Hirono, Takamine and Hemmings;

Hse. Com. No. 748 - S.B. No. 847, S.D. 1 (H.D. 1): Representatives Metcalf, chairman, Cachola, Peters, Shito and Hemmings;

Hse. Com. No. 749 - S.B. No. 915, S.D. 1 (H.D. 1): Representatives Tam, chairman, Honda, Lee, Oshiro and Pfeil;

Hse. Com. No. 750 - S.B. No. 957, S.D. 1 (H.D. 1): Representatives Hagino, chairman, Arakaki, Metcalf, Tom and Cavasso;

Hse. Com. No. 751 - S.B. No. 978, S.D. 1 (H.D. 1): Representatives Hirono and Metcalf, co-chairmen, Andrews, Hiraki and Jones;

Hse. Com. No. 752 - S.B. No. 986, S.D. 2 (H.D. 1): Representatives Hirono, chairman, Hagino, Hiraki, Takamine and Medeiros;

Hse. Com. No. 753 - S.B. No. 993, S.D. 1 (H.D. 1): Representatives Metcalf, chairman, Hiraki, Hirono, Takamine and Medeiros;

Hse. Com. No. 754 - S.B. No. 994, S.D. 1 (H.D. 2): Representatives Shon and Souki, co-chairmen, Hagino, Leong and Ribellia; and

Hse. Com. No. 755 - S.B. No. 1000, S.D. 1 (H.D. 2): Representatives Takamine and Souki, co-chairmen, Horita, Taniguchi and Medeiros,

were placed on file.

#### STANDING COMMITTEE REPORTS

Senator Matsuura, for the Committee on Agriculture, Energy and Ocean Resources, presented a report (Stand. Com. Rep. No. 1149) recommending that House Bill No. 1233 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Matsuura, seconded

by Senator Aki and carried, the report of the Committee was adopted and H.B. No. 1233, entitled: "A BILL FOR AN ACT RELATING TO NET FISHING IN HILO BAY," passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 16, 1987.

Senator Aki, for the Committee on Housing, Hawaiian Programs and Natural Resources, presented a report (Stand. Com. Rep. No. 1150) recommending that House Bill No. 477, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Aki, seconded by Senator Fernandes Salling and carried, the report of the Committee was adopted and H.B. No. 477, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE," passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 16, 1987.

#### ORDER OF THE DAY

MATTERS DEFERRED FROM  
MONDAY, APRIL 13, 1987

#### FINAL READING

By unanimous consent, action on the following bills was deferred until Wednesday, April 15, 1987:

S.B. No. 67, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TORTS";

S.B. No. 162, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES";

S.B. No. 268, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF OFFENDERS UNDER TREATY";

S.B. No. 337, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE INVESTIGATORS AND GUARDS";

S.B. No. 379, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS";

S.B. No. 414, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX EXEMPTIONS";

S.B. No. 442, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE PROFESSIONALS";

S.B. No. 492, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX INCREMENT FINANCING";

S.B. No. 539, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR";

S.B. No. 552, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENTAL HOUSING";

S.B. No. 565, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE";

S.B. No. 568, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRACTICE OF MEDICINE AND SURGERY";

S.B. No. 584, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEALERS IN NEW MOTOR VEHICLES";

S.B. No. 589, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DERELICT VEHICLES";

S.B. No. 590, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LICENSE PLATES OF STORED VEHICLES";

S.B. No. 599, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REPLACEMENT OF SAND ON PUBLIC BEACHES";

S.B. No. 778, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROTECTION OF HAWAII'S NATIVE FLORA AND FAUNA";

S.B. No. 800, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL";

S.B. No. 827, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WITNESS AND DEFENDANT'S EXPENSES; COST OF EXTRADITION";

S.B. No. 830, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATION IN REAL PROPERTY";

S.B. No. 833, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE";

S.B. No. 934, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FACILITATION OF PERMIT PROCESSING";

S.B. No. 959, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS";

S.B. No. 979, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXPENDITURE OF PUBLIC MONEY";

S.B. No. 980, S.D. 1, H.D. 1, entitled: "A

BILL FOR AN ACT RELATING TO ACCOUNTING OF GOVERNMENT ASSETS";

S.B. No. 982, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NOXIOUS WEED CONTROL";

S.B. No. 997, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SALE OF FISHING LICENSES";

S.B. No. 1024, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR";

S.B. No. 1079, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES";

S.B. No. 1146, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO USE OF FEDERAL WRITE-IN ABSENTEE BALLOT";

S.B. No. 1156, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEGITIMATION";

S.B. No. 1277, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PEST CONTROL OPERATORS";

S.B. No. 1342, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAVEL AGENCIES";

S.B. No. 1372, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LABOR";

S.B. No. 1451, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOME AND COMMUNITY-BASED CARE FOR THE ELDERLY";

S.B. No. 1458, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INVESTIGATION OF ELDERLY ABUSE OR NEGLECT";

S.B. No. 1518, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL RESOURCE SUBZONES";

S.B. No. 1627, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION";

S.B. No. 1708, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LOANS";

S.B. No. 1711, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PARKS";

S.B. No. 1722, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECOVERY OF MONEY OWED TO THE STATE";

S.B. No. 1726, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED"; and

S.B. No. 1740, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM".

#### RE-REFERRAL OF RESOLUTIONS

The Chair made the following re-referral of resolutions:

Senate

Concurrent  
Resolutions

Referred to:

No. 94 Committee on Government Operations, then to the Committee on Ways and Means

No. 135 Committee on Tourism and Recreation

No. 173 Jointly to the Committee on Military and Civil Defense and the Committee on Housing, Hawaiian Programs and Natural Resources

Senate

Resolutions

Referred to:

No. 103 Committee on Government Operations, then to the Committee on Ways and Means

No. 145 Committee on Tourism and Recreation, then to the Committee on Legislative Management

No. 186 Jointly to the Committee on Military and Civil Defense and the Committee on Housing, Hawaiian Programs and Natural Resources

Senator Cobb, chairman of the Committee on Conference of the Senate Committee on Consumer Protection and Commerce, then requested a waiver of the 48-hour Notice of a Public Hearing on the bills listed on the agenda of said Conference Committee's hearing notice for Tuesday, April 14, 1987, and the Chair granted the waiver.

Senator Aki, chairman of the Committee on Conference of the Senate Committee on Housing, Hawaiian Programs and Natural Resources, then requested a waiver of the 48-hour Notice of a Public Hearing on the bills listed on the agenda of said Conference Committee's hearing notice for Wednesday, April 15, 1987, and the Chair granted the waiver.

Senator Fernandes Salling, chairman of the Committee on Conference of the Senate Committee on Transportation, then requested a waiver of the 48-hour Notice of

a Public Hearing on the bills listed on the agenda of said Conference Committee's hearing notice for Tuesday, April 14, 1987, and the Chair granted the waiver.

Senator B. Kobayashi, chairman of the Committee on Conference of the Senate Committee on Health, then requested a waiver of the 48-hour Notice of a Public Hearing on the bills listed on the agenda of said Conference Committee's hearing notice for Tuesday, April 14, 1987, and the Chair granted the waiver.

Senator J. Wong rose on a point of personal privilege and remarked:

"Madam Vice President, in Sunday's Advertiser, our good friend Jerry Burris wrote an editorial entitled, 'Planning amid the fusses.' 'For a place that puts so much emphasis on planning,' Jerry writes, 'Hawaii sees a remarkable amount of basic land use decision-making conducted in an atmosphere of crises.'

"On behalf of my good friend and colleague from the 18th Senatorial District, I would like to point out an example of moment-to-moment politics, and as Jerry cites Coconut Island, Kaiser, Kakaako and Keehi Lagoon, today, the Senator from the 18th Senatorial District and myself would like to add three more — 14.4 acres of the Kapalama Military Reservation in Kalihi, Oahu; 13.34 acres of land at Makahuina Lighthouse near Poipu on Kauai; and 10.6 acres at Hawea Point near Kapalua on Maui. The Federal Government is putting these parcels on the auction block.

"I have checked on the sale of the aforementioned properties, Madam Vice President, based on the obvious fact that there is a dearth of prime rate property in Hawaii available for public use. It is unfortunate that the citizens of Hawaii and their state government do not learn of the availability of excess federal property until the U.S. General Services Administration declares it surplus. Furthermore, the State of Hawaii, at the present moment, has no right of first refusal on these surplus lands which, incidentally, include other valuable sites — Bellows Airfield and other beachfronts on all major islands, as an example.

"The all too cumbersome and time consuming process by which land is declared surplus puts the state in a severely disadvantaged position. To my understanding, when land is no longer needed by a branch of the military service, it is declared excess land. It is then offered to other military services for their use. If the other military services have no use for the property, it is referred to appropriate committees of the United States Congress. If it is declared surplus land by Congress, it

is then transferred to GSA for administrative disposition. GSA would then offer the surplus land to other federal agencies for possible use. If other federal agencies make no claim to the surplus land, it is then offered to the general public for sale. This entire process may take three to four years to complete.

"Madam Vice President, I might note that all federal land interests are vested in the U.S. Government, rather than in its individual agencies. Accordingly, no Defense Department component owns or leases any real estate; rather, each branch of the military service is assigned control over specific parcels as required.

"Madam Vice President, the State of Hawaii lacks basic rudimentary information concerning federal and military control over land in Hawaii. Such a lack of information is detrimental to the ability of the Legislature to make valid and informed decisions concerning the possible acquisition and use of public and private lands in Hawaii. At a minimal, there is a need to obtain answers to basic questions relating to land use in order to provide the context and framework for effective and efficient civilian planning here in Hawaii.

"The state stands to lose substantially should federal property, for example, Kapalama, Honolulu, be sold to private enterprise. If you would kindly notice on the handout I have prepared (and distributed) for you and my colleagues, this centrally located parcel could serve as an important facet for such future plans as a major rapid transit commuter terminal to link Windward motorists with the Honolulu transit system because Kalihi Street comes right into Likelike Highway, and Kalihi Street also can be extended through the military reservation in Kapalama, support facilities and additional space located near yacht berthing sites for the America's Cup proposal. (We just took a tour of that site on Friday.)

"Another example of what this property could be used for is to mitigate traffic congestion in the Sand Island area by merely extending Mokauea Street or Kalihi Street to Sand Island Access Road. And another proposal, perhaps in the future, could be a freight distribution center because the property is located in close proximity to Sand Island.

"I'd like to digress a little bit because we do have Senate Bill 1778 which relates to cargo distribution planning. It's in the Senate. I digress because I just want to make a point about why this piece of property is so important.

"It is estimated that 285,000 containers enter Hawaii annually. Currently, upon

reaching Honolulu Harbor and Sand Island, each container is pulled by tractors to various destinations scattered throughout our city and opened. By transporting them to break bulk facilities, these containers add to traffic congestion upon our highways sidestreets, constitute a needless consumption of energy, and substantially delay delivery of goods to their final destination.

"Centralizing the opening of containers and the distribution of cargo at, for example, the Federal Government's Kapalama property would result in reduction of total travel time on goods, mitigation of traffic congestion on public streets and highways, decreased energy and fuel consumption, more efficient use of existing facilities due to the fact that a central transportation facility requires less storage space for steamship operations. In general, Madam Vice President, centralized facilities would render a more efficient delivery system than currently exists. If Kapalama were sold it would preempt this option.

"As you can see, there is a myriad of planning potential surrounding the federally-owned properties and putting the land on the auction block severely hampers the state's efforts to provide the quality of life that is desirable for our people.

"Several years ago, the Reagan administration decided to sell federal land to pay down our national debt. Real estate in Hawaii is much more valuable than real estate in many of the other 49 states. There is a question of fairness and equity as it relates to our responsibility of mitigating our national debt. But that is not the subject of this discourse today.

"The scarcity of land for both civilian and federal military needs is well documented. Admiral Hays, Commander-in-Chief of the U.S. Pacific Command, stated in a letter to me, dated April 2nd, that the requirements for military land development have continued to increase, constituting the need for additional leased land. The reasons for the increased demand cited by Admiral Hays include the need for greater military housing development, training areas, and changes in military mission requirements.

"Doesn't it make better sense and logic, Madam Vice President, that the State of Hawaii and the Federal Government and the military get together to make better use of our scarce land, perhaps embarking on land exchanges that will accommodate each other's needs.

"In summary, Madam Vice President, I have written our Congressional Delegation urging them to prohibit the sale of the first-rate property and to provide the state with the first right of refusal with regards



to federal property in Hawaii. A Senate resolution is also forthcoming which will address these concerns and proposals raised today, and I ask your support and the support of the rest of my colleagues to save what really belongs to the people of Hawaii.

"Lastly, Madam Vice President, I thank you for allowing me to make this political fuss for what I feel is an important concern.

"Thank you."

#### APPOINTMENT OF CONFERE

House Bill No. 37, H.D. 1 (S.D. 2):

The Chair appointed Senator Yamasaki as an additional manager on the part of the Senate at the conference to be held for the consideration of amendments made by the Senate to H.B. No. 37, H.D. 1.

#### ADJOURNMENT

At 12:09 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., Wednesday, April 15, 1987.