

TWENTY-FIRST DAY

Thursday, February 18, 1988

The Senate of the Fourteenth Legislature of the State of Hawaii, Regular Session of 1988, convened at 11:40 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Lt. Roger Richards, Chaplain, Staff Commander's Office, Pearl Harbor, after which the Roll was called showing all Senators present with the exception of Senator Nakasato who was excused.

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

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

Senator Tungpalan introduced a group of Pearl City senior citizens who were seated in the gallery: Takayo Chong, Mary Longo, Jean Adams, David and Mary O'Donnell, George and Mildred Jones, Chei Iha, Michiko Iguchi and Marjorie Umetsu, accompanied by their recreational director, Cirio Tungpalan (Senator Tungpalan's husband).

Senator A. Kobayashi then introduced Tawfiq N. and Richel Khoury of San Diego, California, and part-time residents of Hawaii, who were presented with a Senate certificate of recognition for their outstanding contributions to the Western States.

The honorees rose to be recognized and were presented with the Senate certificate by Senator A. Kobayashi and leis by Senators Young and Matsuura.

At 11:45 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.

Senator Tungpalan then introduced the family of the late Benson W.K. Lee Sr. - Mrs. Antoinette Lee, sons, Benson Jr. and Brandon, and daughter, Brook - who were presented with a Senate certificate of recognition of the late Benson Lee Sr. for his services and devotion to the State of Hawaii and expressions of sympathy to the family.

Mrs. Lee and her children rose to be recognized and were presented with the Senate certificate by Senator Tungpalan and leis by various Senators.

At 11:53 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.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 135 to 137) were read by the Clerk and were placed on file:

Gov. Msg. No. 135, transmitting copies of the 1988 Report on Claims for Legislative Relief, prepared by the Department of the Attorney General pursuant to Section 37-77, HRS.

Gov. Msg. No. 136, transmitting reports prepared by the Department of Transportation in response to the following:

Section 7, Act 342, SLH, 1986, 21-Year Old Minimum Drinking Age; and

Section 5, Act 235, SLH, 1985, Effectiveness of the Mandatory Seat Belt Use Law.

Gov. Msg. No. 137, transmitting copies of the final report, "A Statewide Ocean Recreation Management Plan," prepared for the Department of Transportation by Aotani and Associates, Inc., in response to H.R. No. 170 (1986).

SENATE CONCURRENT RESOLUTION

The following concurrent resolution (S.C.R. No. 26) was read by the Clerk and was referred to committee:

Senate
Concurrent
Resolution

No. 26 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A PLAN FOR VOCATIONAL EDUCATION FOR HAWAII YOUTH CORRECTIONAL FACILITY."

Offered by: Senators Menor, Blair, Fernandes Salling, George, Hee, Herkes, Ikeda, Kobayashi, B., Nakasato, Reed, Solomon, Tungpalan, Wong, J., Yamasaki.

Referred to: Committee on Corrections.

SENATE RESOLUTION

The following resolution (S.R. No. 32) was read by the Clerk and was referred to committee:

Senate
Resolution

No. 32 "SENATE RESOLUTION REQUESTING THE DEVELOPMENT OF A PLAN FOR VOCATIONAL EDUCATION FOR HAWAII YOUTH CORRECTIONAL FACILITY."

Offered by: Senators Menor, Blair, Fernandes Salling, George, Hee, Herkes, Ikeda, Kobayashi, B., Nakasato, Reed, Tungpalan, Wong, J., Yamasaki.

Referred to: Committee on Corrections

STANDING COMMITTEE REPORTS

Senator Blair, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 1546) recommending that Senate Bill No. 2036 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 2036, entitled: "A BILL FOR AN ACT RELATING TO PARKS," passed Second Reading and was placed on the calendar for Third Reading on Monday, February 22, 1988.

Senator Blair, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 1547) recommending that Senate Bill No. 2044 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 2044, entitled: "A BILL FOR AN ACT RELATING TO CALABASH COUSINS OF HAWAII," passed Second Reading and was placed on the calendar for Third Reading on Monday, February 22, 1988.

Senator Blair, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 1548) recommending that Senate Bill No. 2151, as amended in S.D. 1, pass Second Reading and was referred to the Committee on Ways and Means.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 2151, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Blair, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 1549) recommending that Senate Bill No. 2201 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 2201, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Blair, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 1550) recommending that Senate Bill No. 2330 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 2330, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SPECIAL OFFICERS OF THE CITY AND COUNTY OF HONOLULU," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Blair, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 1551) recommending that Senate Bill No. 2753, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 2753, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A STATEWIDE FAIR ACCESS COMMISSION AND MAKING AN APPROPRIATION THEREFOR," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Blair, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 1552) recommending that Senate Bill No. 2903 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 2903, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DISPOSAL OF OLD BUILDING MATERIALS OF THE

FORMER 18TH SERVICE WAREHOUSE AREA AT KAHULUI BEACH ROAD, MAUI," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Blair, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 1553) recommending that Senate Bill No. 3096 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 3096, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE DEVELOPMENT AND IMPLEMENTATION OF THE HAPUNA MASTER PLAN," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1554) recommending that Senate Bill No. 2387 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 2387, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HONOLULU COMMUNITY ACTION PROGRAM'S COMPUTER AWARENESS AND TUTORIAL ASSISTANCE PROJECT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1555) recommending that Senate Bill No. 2899 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 2899, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PURCHASE FILMS ON THE JAPANESE AMERICANS' WORLD WAR II EXPERIENCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1556) recommending that Senate Bill No. 2583, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 2583, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEPARTMENT OF EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator McMurdo, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1557) recommending that Senate Bill No. 2012 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 2012, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION," passed

Second Reading and was referred to the Committee on Ways and Means.

Senator McMurdo, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1558) recommending that Senate Bill No. 2446 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 2446, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEVELOPMENT OF A SHELTER FOR THE HOMELESS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator McMurdo, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1559) recommending that Senate Bill No. 2895, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 2895, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PERSONAL CARE SERVICES FOR THE COUNTY OF KAUAI," passed Second Reading and was referred to the Committee on Ways and Means.

Senator McMurdo, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1560) recommending that Senate Bill No. 3088, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 3088, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator McMurdo, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1561) recommending that Senate Bill No. 3169 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 3169, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakasato, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 1562) recommending that Senate Bill No. 2062, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 2062, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RETIREMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakasato, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No.

1563) recommending that Senate Bill No. 2350 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 2350, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO CONTINUE THE EMPLOYMENT OF EMPLOYEES OF THE OFFICE OF COMMUNITY SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Matsuura, for the Committee on Agriculture, Energy and Ocean Resources, presented a report (Stand. Com. Rep. No. 1564) recommending that Senate Bill No. 2211, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 2211, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ASSESSMENT OF CONVERTING BIOMASS TO METHANOL," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Matsuura, for the Committee on Agriculture, Energy and Ocean Resources, presented a report (Stand. Com. Rep. No. 1565) recommending that Senate Bill No. 2213 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 2213, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO FINANCE A WIND ENERGY PROJECT IN THE COUNTY OF MAUI," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Matsuura, for the Committee on Agriculture, Energy and Ocean Resources, presented a report (Stand. Com. Rep. No. 1566) recommending that Senate Bill No. 2218 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 2218, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROMOTE CONSUMER ACCEPTANCE OF AGRICULTURAL PRODUCTS FROM HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Matsuura, for the Committee on Agriculture, Energy and Ocean Resources, presented a report (Stand. Com. Rep. No. 1567) recommending that Senate Bill No. 2233, as amended in S.D.1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 2233, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROMOTE THE KONA COFFEE INDUSTRY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Matsuura, for the Committee on Agriculture, Energy and Ocean Resources, presented a report (Stand. Com. Rep. No. 1568) recommending that Senate Bill No. 2234, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 2234, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AN ICE MACHINE AT KAMUELA VACUUM COOLING PLANT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Matsuura, for the Committee on Agriculture, Energy and Ocean Resources, presented a report (Stand. Com. Rep. No. 1569) recommending that Senate Bill No. 2235, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 2235, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A HYDRO-COOLER AND ICE MACHINE AT THE KULA VACUUM COOLING PLANT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Matsuura, for the Committee on Agriculture, Energy and Ocean Resources, presented a report (Stand. Com. Rep. No. 1570) recommending that Senate Bill No. 2243 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 2243, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PURCHASE EQUIPMENT FOR THE OPERATION OF THE MOLOKAI COOLING PLANT," passed Second Reading and was referred to the Committee on Ways and Means.

ORDER OF THE DAY

THIRD READING

Senate Bill No. 1486:

By unanimous consent, action on S.B. No. 1486, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," was deferred until Friday, February 19, 1988.

Senate Bill No. 2029, S.D.1:

On motion by Senator Blair, seconded by Senator Young and carried, S.B. No. 2029, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SURETY BONDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Nakasato).

Senate Bill No. 2030:

On motion by Senator Blair, seconded by Senator Young and carried, S.B. No. 2030, entitled: "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Nakasato).

Senate Bill No. 2031:

On motion by Senator Blair, seconded by Senator Young and carried, S.B. No. 2031, entitled: "A BILL FOR AN ACT RELATING TO FLAGS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Nakasato).

Senate Bill No. 2032, S.D.1:

On motion by Senator Blair, seconded by Senator Young and carried, S.B. No. 2032, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 245. Noes, none. Excused, 1 (Nakasato).

Senate Bill No. 2037:

On motion by Senator Blair, seconded by Senator Young and carried, S.B. No. 2037, entitled: "A BILL FOR AN ACT RELATING TO COMMISSIONER OF DEEDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Nakasato).

Senate Bill No. 2042:

On motion by Senator Blair, seconded by Senator Young and carried, S.B. No. 2042, entitled: "A BILL FOR AN ACT RELATING TO GLASS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Nakasato).

RE-REFERRAL OF SENATE BILLS

The President re-referred the following Senate bills:

Senate
Bill

Referred to:

No. 2512 Committee on Health, then to the Committee on Ways and Means

No. 2722 Committee on Judiciary

No. 2811 Committee on Corrections, then to the Committee on Judiciary, then to the Committee on Ways and Means

At 12:01 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

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

Senator Cobb, chairman of the Committee on Consumer Protection and Commerce, requested a waiver of the 48-hour Notice of a Public Hearing for the subjects listed on the agenda of the Senate Consumer Protection Committee's hearing notice for Friday, February 19, 1988, and the President granted the waiver.

Senator Cobb, chairman of the Committee on Consumer Protection and Commerce, also requested a waiver of the 48-hour Notice of a Decision-Making Hearing on S.B. No. 2256, jointly by the Committee on Housing, Hawaiian Programs and Natural Resources and the Committee on Consumer Protection and Commerce, and the President granted the waiver.

Senator Aki, chairman of the Committee on Housing, Hawaiian Programs and Natural Resources, then requested a waiver of the 48-hour Notice of a Public Hearing on S.B. No. 3425, and the President granted the waiver.

ADJOURNMENT

At 12:06 o'clock p.m., on motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, February 19, 1988.