

## TWENTY-FOURTH DAY

Tuesday, February 23, 1988

The Senate of the Fourteenth Legislature of the State of Hawaii, Regular Session of 1988, convened at 11:44 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Julia McKenna-Ritchie of The Divine Harmony Community Church, after which the Roll was called showing all Senators present with the exception of Senator Reed who was excused.

The President announced that he had read and approved the Journal of the Twenty-Third Day.

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

Senator Matsuura introduced Mr. Goichi Ito and Mr. Robert Ishimoto, constituents from Hawaii.

Senator Chang introduced 20 ninth grade students from McKinley High School, accompanied by the vice principal, Mr. Neal Takamori, and a teacher, Mrs. Fely Serra.

Senator Aki, together with Senator Ikeda, introduced Mr. Yoshihiko Miyauchi, president of Orient Leasing Company, and Mr. Moriyoshi Saito, president of Mainichi Broadcasting System, both from Osaka, Japan. Their companies are sponsoring the Orient Leasing Hawaiian Ladies Open Golf Tournament which is being held at Turtle Bay Hilton and Country Club this week, and bringing together 132 American pros and 12 Japan pros.

Accompanying the gentlemen were Mr. Hiroshi Furukawa of Orient Leasing Company and Mr. Takero Ohnuma, Mr. Ryoze Takagi and Mr. Giro Maeda of Mainichi Broadcasting System.

The gentlemen rose to be recognized and were presented the Senate certificate of recognition by Senators Aki and Ikeda and leis by Senators A. Kobayashi and Young.

At 11:55 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:05 o'clock p.m.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 166 and 167) were read by the Clerk and were placed on file:

Gov. Msg. No. 166, transmitting the report on the delegation of expending agencies of capital projects for the calendar year ending December 31, 1987, pursuant to Sec. 264, Act 300, SLH 1985, General Appropriations Act.

Gov. Msg. No. 167, transmitting the 1987 Annual Report of the Department of Business and Economic Development.

## DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 31 and 32) were read by the Clerk and were placed on file:

Dept. Com. No. 31 from the Department of Business and Economic Development, transmitting a report, "Starting a Business in Hawaii."

Dept. Com. No. 32 from the Real Estate Commission, Department of Commerce and Consumer Affairs, transmitting the 1987 Annual Report.

## SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 33 to 46) were read by the Clerk and were referred to committee:

Senate  
Concurrent  
Resolution

No. 33 "SENATE CONCURRENT RESOLUTION URGING THE SECRETARY OF THE NAVY TO HOMEPORT THE USS MISSOURI AND NINE ASSOCIATED SHIPS AT PEARL HARBOR, HAWAII."

Offered by: Senators Wong, J., Aki, Cobb, Holt, Ikeda, Matsuura, McMurdo, Tungpalan, Young.

Referred to: Committee on Military and Civil Defense.

No. 34 "SENATE CONCURRENT RESOLUTION REQUESTING AN EXAMINATION OF CRITICISMS MADE BY MILITARY FAMILIES OF THE PUBLIC SCHOOL SYSTEM."

Offered by: Senators Wong, J., Aki, Cobb, Holt, Ikeda, McMurdo, Mizuguchi, Young.

Referred to: Jointly to the Committee on Military and Civil Defense and the Committee on Education.

No. 35 "SENATE CONCURRENT RESOLUTION URGING STATE, CITY, FEDERAL, AND PRIVATE ENTITIES TO ENTER INTO AGREEMENTS TO MAINTAIN PROPERTY IN FLOOD PRONE AREAS."

Offered by: Senators Wong, J., Aki, Cobb, Holt, Ikeda, McMurdo, Tungpalan, Young.

Referred to: Jointly to the Committee on Government Operations and the Committee on Military and Civil Defense.

No. 36 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE COSTS AND BENEFITS OF PURCHASING GANTRY CRANES FOR LOADING AND UNLOADING CONTAINER SHIPS ON EACH ISLAND."

Offered by: Senators Wong, J., Aki, Cobb, Holt, Ikeda, McMurdo, Tungpalan, Young.

Referred to: Committee on Transportation.

No. 37 "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE JOINT MILITARY/CIVILIAN USE OF KANEOHE MARINE CORPS AIR STATION BE EXPLORED."

Offered by: Senators Wong, J., Aki, Cobb, Holt, Matsuura, Tungpalan, Young.

Referred to: Jointly to the Committee on Transportation and the Committee on Military and Civil Defense.

No. 38 "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE JOINT MILITARY/CIVILIAN USE OF BELLOWS AIR FORCE BASE BE EXPLORED."

Offered by: Senators Wong, J., Aki, Cobb, Holt, Matsuura, Tungpalan, Young.

Referred to: Jointly to the Committee on Transportation and the Committee on Military and Civil Defense.

No. 39 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO COMPARE HAWAII'S SCHOOL CURRICULUM TO THAT OF THE UNITED STATES DEPARTMENT OF DEFENSE OVERSEAS CURRICULUM."

Offered by: Senators Wong, J., Aki, Cobb, Holt, Ikeda, Matsuura, McMurdo, Mizuguchi, Tungpalan, Young.

Referred to: Jointly to the Committee on Military and Civil Defense and the Committee on Education.

No. 40 "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW OF THE EFFECTIVENESS OF CHAPTER 1 OF THE EDUCATION CONSOLIDATION AND IMPROVEMENT ACT IN HAWAII'S PUBLIC SCHOOLS."

Offered by: Senators Wong, J., Aki, Cobb, George, Kobayashi, A.

Referred to: Committee on Education.

No. 41 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO CONDUCT A STUDY ON PROVIDING RENTAL HOUSING."

Offered by: Senators Wong, J., Aki, Cobb, George, Ikeda, Kobayashi, A., McMurdo, Reed.

Referred to: Committee on Housing, Hawaiian Programs and Natural Resources.

No. 42 "SENATE CONCURRENT RESOLUTION REQUESTING AN EVALUATION OF THE COST EFFECTIVENESS TO THE STATE OF CONSTRUCTING EXERCISE FACILITIES FOR USE BY STATE EMPLOYEES."

Offered by: Senators Wong, J., Aki, Cobb, George, Ikeda, Kobayashi, A., Reed.

Referred to: Committee on Government Operations.

No. 43 "SENATE CONCURRENT RESOLUTION REQUESTING THE HOUSING FINANCE DEVELOPMENT CORPORATION TO CONDUCT A FEASIBILITY STUDY ON RENTAL HOUSING."

Offered by: Senators Wong, J., Aki, Cobb, George, Ikeda, Kobayashi, A., McMurdo, Reed.

Referred to: Committee on Housing, Hawaiian Programs and Natural Resources.

No. 44 "SENATE CONCURRENT RESOLUTION URGING THE PREPARATION OF A MILITARY FUNCTIONAL PLAN."

Offered by: Senators Wong, J., George, Ikeda, McMurdo, Reed, Solomon.

Referred to: Committee on Military and Civil Defense, then to the Committee on Planning and Environment.

No. 45 "SENATE CONCURRENT RESOLUTION REQUESTING THE COLLEGE OF EDUCATION OF THE UNIVERSITY OF HAWAII TO ESTABLISH A YOUTH SPORTS AND FITNESS INSTITUTE IN THE HEALTH, PHYSICAL EDUCATION AND RECREATION DEPARTMENT."

Offered by: Senators Wong, J., George, Ikeda, McMurdo, Reed, Solomon, Tungpalan.

Referred to: Committee on Higher Education.

No. 46 "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO CONDUCT A STUDY ON VETERAN PROGRAMS."

Offered by: Senators Wong, J., George, Ikeda, McMurdo, Reed, Solomon, Tungpalan.

Referred to: Committee on Military and Civil Defense.

#### SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 39 to 52) were read by the Clerk and were referred to committee:

Senate  
Resolution

No. 39 "SENATE RESOLUTION URGING THE SECRETARY OF THE NAVY TO HOMEPORTR THE USS MISSOURI AND NINE ASSOCIATED SHIPS AT PEARL HARBOR, HAWAII."

Offered by: Senators Wong, J., Aki, Cobb, Holt, Ikeda, Matsuura, McMurdo, Tungpalan, Young.

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**PURCHASING GANTRY CRANES FOR LOADING AND UNLOADING CONTAINER SHIPS ON EACH ISLAND."**

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**No. 45 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO COMPARE HAWAII'S SCHOOL CURRICULUM TO THAT OF THE UNITED STATES DEPARTMENT OF DEFENSE OVERSEAS CURRICULUM."**

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Offered by: Senators Wong, J., Aki, Cobb, George, Kobayashi, A.

Referred to: Committee on Education.

**No. 47 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO CONDUCT A STUDY ON PROVIDING RENTAL HOUSING."**

Offered by: Senators Wong, J., Aki, Cobb, George, Ikeda, Kobayashi, A., McMurdo, Reed.

Referred to: Committee on Housing, Hawaiian Programs and Natural Resources.

**No. 48 "SENATE RESOLUTION REQUESTING AN EVALUATION OF THE COST EFFECTIVENESS TO THE STATE OF CONSTRUCTING EXERCISE FACILITIES FOR USE BY STATE EMPLOYEES."**

Offered by: Senators Wong, J., Aki, Cobb, George, Ikeda, Kobayashi, A., Reed.

Referred to: Committee on Government Operations.

**No. 49 "SENATE RESOLUTION REQUESTING THE HOUSING FINANCE DEVELOPMENT CORPORATION TO CONDUCT A FEASIBILITY STUDY ON RENTAL HOUSING."**

Offered by: Senators Wong, J., Aki, Cobb, George, Ikeda, Kobayashi, A., McMurdo, Reed.

Referred to: Committee on Housing, Hawaiian Programs and Natural Resources.

**No. 50 "SENATE RESOLUTION URGING THE PREPARATION OF A MILITARY FUNCTIONAL PLAN."**

Offered by: Senators Wong, J., George, Ikeda, McMurdo, Reed, Solomon.

Referred to: Committee on Military and Civil Defense, then to the Committee on Planning and Environment.

**No. 51 "SENATE RESOLUTION REQUESTING THE COLLEGE OF EDUCATION OF THE UNIVERSITY OF HAWAII TO ESTABLISH A YOUTH SPORTS AND FITNESS INSTITUTE IN THE HEALTH, PHYSICAL EDUCATION AND RECREATION DEPARTMENT."**

Offered by: Senators Wong, J., George, Ikeda, McMurdo, Reed, Solomon, Tungpalan.

Referred to: Committee on Higher Education.

**No. 52 "SENATE RESOLUTION REVIEWING ACTION TAKEN BY THE BOARD OF LAND AND NATURAL RESOURCES ON THE EXCHANGE OF PUBLIC LAND FOR PRIVATE LAND."**

Offered by: Senator Wong, R., by request.

Referred to: Committee on Housing, Hawaiian Programs and Natural Resources.

**ORDER OF THE DAY**

**MATTERS DEFERRED FROM MONDAY, FEBRUARY 22, 1988**

**THIRD READING**

**Senate Bill No. 2570:**

By unanimous consent, action on S.B. No. 2570, entitled: "A BILL FOR AN ACT RELATING TO CRUELTY TO ANIMALS," was deferred until Wednesday, March 2, 1988.

**Senate Bill No. 2718:**

By unanimous consent, action on S.B. No. 2718, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE II, SECTION 1, OF THE HAWAII CONSTITUTION, TO CHANGE THE AGE QUALIFICATION FOR VOTING," was deferred until Wednesday, March 2, 1988.

**Senate Bill No. 2279, S.D. 1:**

Senator Hee moved that S.B. No. 2279, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Menor.

Senator Hee then spoke in favor of the bill and said:

"Mr. President, this bill is very similar to the bill passed by the Senate in 1987, which makes the 'Johns' arrestable.

"Last year, I said it was the 'hookees' bill, as well as the 'hooker.' This bill once again before this body will now make the 'Johns' arrestable when engaging in prostitution. It is an effort again by the Senate to clean the streets of Waikiki in deference to the former chairman of the Waikiki Improvement Association.

"In addition, this bill also raises the age from 14 to 16, whereby in that effort asking the police enforcement agencies to go after the minors who many times are coerced into engaging in prostitution.

"I urge the members to favorably consider this bill. Thank you, Mr. President."

The motion was put by the Chair and carried, and S.B. No. 2279, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (George and Reed).

Senate Bill No. 2625, S.D. 1:

By unanimous consent, S.B. No. 2625, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE-OWNED CEMETERIES," was referred to the Committee on Ways and Means.

The Chair then made the following remark:

"Members of the Senate, with reference to S.B. No. 2625, dealing with state-owned cemeteries, the Chair finds that this bill, as amended, provides for the transfer of administrative responsibilities and appropriates funds from one agency to another. The bill, as amended, also establishes a special trust fund. These are matters which fall within the purview of the Ways and Means Committee. Therefore, the Chair re-refers the bill to Ways and Means."

At 12:13 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:17 o'clock p.m.

#### RE-REFERRAL OF SENATE BILL

The President re-referred S.B. No. 3151 to the Committee on Ways and Means.

#### RECONSIDERATION OF ACTION TAKEN

Stand. Com. Rep. No. 1797 (S.B. No. 3136, S.D. 1):

By unanimous consent, the Senate reconsidered its action taken on February 19, 1988 on Stand. Com. Rep. No. 1797 and S.B. No. 3136, S.D. 1, and Stand. Com. Rep. No. 1797 and S.B. No. 3136, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE PREMIUM TAX," were recommitted to the Committee on Consumer Protection and Commerce.

The Chair then made the following observation:

"Members of the Senate, with reference to S.B. No. 3136 and the attached Stand. Com. Rep. No. 1797 which was listed on Supplemental Calendar No. 2 of last

Friday's Order of the Day, the Chair finds that there are insufficient signatures on the committee report. Therefore, the Chair rules that the bill was not properly before the body. All floor actions on the bill are thus null and void and said bill and committee report are recommitted to the Consumer Protection and Commerce Committee."

#### ADJOURNMENT

At 12:20 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., Wednesday, March 2, 1988.