

## FIFTY-FIFTH DAY

Monday, April 18, 1988

The Senate of the Fourteenth Legislature of the State of Hawaii, Regular Session of 1988, convened at 11:46 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Chaplain Wayne Harris from Schofield Barracks, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Fifty-Fourth Day.

Senator Hee, on behalf of the Windward District Senators, then introduced to the members of the Senate 19 fourth grade students from Windward Nazarene Academy who were accompanied by their teachers, Ms. Kathleen Matayoshi and Ms. Diana Reach.

At 10:49 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:50 o'clock a.m.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 1035 to 1042) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 1035, transmitting House Concurrent Resolution No. 15, H.D. 1, which was adopted by the House of Representatives on April 15, 1988, was placed on file.

By unanimous consent, H.C.R. No. 15, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT FOREIGN LANGUAGE STUDY BE STRENGTHENED IN ALL PUBLIC SCHOOLS," was referred to the Committee on Education.

Hse. Com. No. 1036, transmitting House Concurrent Resolution No. 16, H.D. 1, which was adopted by the House of Representatives on April 15, 1988, was placed on file.

By unanimous consent, H.C.R. No. 16, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REVIEW OF THE CURRICULUM OFFERED IN PUBLIC SCHOOLS," was referred to the Committee on Education.

Hse. Com. No. 1037, transmitting House Concurrent Resolution No. 70, H.D. 1, which was adopted by the House of Representatives on April 15, 1988, was placed on file.

By unanimous consent, H.C.R. No. 70, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO FACILITATE THE DEVELOPMENT OF AN AUDITORIUM AT CAMPBELL HIGH SCHOOL," was referred to the Committee on Education.

Hse. Com. No. 1038, transmitting House Concurrent Resolution No. 132, H.D. 1, which was adopted by the House of Representatives on April 15, 1988, was placed on file.

By unanimous consent, H.C.R. No. 132, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE AVAILABILITY OF

NONARABLE AND MARGINAL LANDS FOR THE DEVELOPMENT OF AFFORDABLE HOUSING," was referred to the Committee on Housing, Hawaiian Programs and Natural Resources.

Hse. Com. No. 1039, transmitting House Concurrent Resolution No. 135, H.D. 1, which was adopted by the House of Representatives on April 15, 1988, was placed on file.

By unanimous consent, H.C.R. No. 135, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO FACILITATE THE DEVELOPMENT OF AN AUDITORIUM AT KONAWAENA HIGH SCHOOL," was referred to the Committee on Education.

Hse. Com. No. 1040, transmitting House Concurrent Resolution No. 144, H.D. 1, which was adopted by the House of Representatives on April 15, 1988, was placed on file.

By unanimous consent, H.C.R. No. 144, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON PROVIDING COVERED PHYSICAL EDUCATION FACILITIES FOR SCHOOLS IN AREAS WITH HEAVY RAINFALL," was referred to the Committee on Education.

Hse. Com. No. 1041, transmitting House Concurrent Resolution No. 326, which was adopted by the House of Representatives on April 15, 1988, was placed on file.

By unanimous consent, H.C.R. No. 326, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A PLAN FOR THE COMMERCIAL DEVELOPMENT OF AREA ADJACENT TO THE UNIVERSITY OF HAWAII AT HILO," was referred to the Committee on Higher Education.

Hse. Com. No. 1042, transmitting House Concurrent Resolution No. 58, H.D. 1, which was adopted by the House of Representatives on April 15, 1988, was placed on file.

By unanimous consent, H.C.R. No. 58, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REPORT ON THE IMPLEMENTATION OF ITS POLICY REGARDING LOST AND DAMAGED BOOKS," was referred to the Committee on Education.

## ORDER OF THE DAY

## ADVICE AND CONSENT

Stand. Com. Rep. No. 2678 (Gov. Msg. Nos. 203, 215 and 216):

By unanimous consent, action on Stand. Com. Rep. No. 2678 and Gov. Msg. Nos. 203, 215 and 216 was deferred until Tuesday, April 19, 1988.

Stand. Com. Rep. No. 2681 (Gov. Msg. Nos. 106, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 213, 221 and 222):

Senator B. Kobayashi moved that Stand. Com. Rep. No. 2681 be received and placed on file, seconded by Senator Matsuura and carried.

Senator B. Kobayashi then moved that the Senate advise and consent to the nominations of the following:

Dirk Wasano to the State Planning Council on Developmental Disabilities, term to expire June 30, 1991;

David A. Woll to the State Planning Council on Developmental Disabilities, term to expire June 30, 1988;

Nadine C. Bruce, M.D., Anelia Reyes Jacang, M.D., and Henry Don Lindley to the Drug Product Selection Board, terms to expire June 30, 1992;

Richard Paul Bettini, Janice M. Campbell, Katherine Grace Takehiro and Norman K. Oshiro to the Statewide Health Coordinating Council, terms to expire June 30, 1992;

Nancy E. Smith and Nona Wilson to the Statewide Health Coordinating Council, terms to expire June 30, 1989;

Gladys Ella Kuapu Hulu, Elizabeth L. A. K. Takao, William R. Flanders and Nathan K. H. Mau to the Honolulu Subarea Health Planning Council, terms to expire June 30, 1991;

Tomoe Komata, Kathleen K. Yoshitomi, Winifred H. Ishimoto, Scott Nomura, Rix Maurer III, Judy Ramseyer, M.D., and Elizabeth Giesting to the Honolulu Subarea Health Planning Council, terms to expire June 30, 1992;

Chiseno Eleanor Miyasaki, Dennis F. Tamashiro, Ronald H. Takata, Ph.D., David Edward Gire and Gary I. Tokunaga to the Central Oahu Subarea Health Planning Council, terms to expire June 30, 1992;

Rose Marie M. May to the Central Oahu Subarea Health Planning Council, term to expire June 30, 1989;

Sue Carpenter Quinn and Alvin Fuse, M.D., to the Central Oahu Subarea Health Planning Council, terms to expire June 30, 1991;

Andrea De Serres, Shirley Kealoha and Mary Ojerio to the Waianae Coast Subarea Health Planning Council, terms to expire June 30, 1992;

Florence D. Pell to the Waianae Coast Subarea Health Planning Council, term to expire June 30, 1991;

Rose Marie Purdy to the Waianae Coast Subarea Health Planning Council, term to expire June 30, 1989;

Edward C. McCrea, Loretta T. Schuler, Allen L. Novak and Colleen Saiki Singleton to the Windward Oahu Subarea Health Planning Council, terms to expire June 30, 1991;

Barbara Cool and Natalie Oda to the Windward Oahu Subarea Health Planning Council, terms to expire June 30, 1992;

Katherine Grace Takehiro, Lily Kong, Robert M. Kawakone, Donna Rodgers, Beatrice T. Cabral and Mark Onaka to the Hawaii County Subarea Health Planning Council, terms to expire June 30, 1992;

Araceli Geroso Gushiken, Sally S. Britton, Richard K. Nii, Keith Horinouchi, D.H.Sc., and Phil Palmer to the Kauai County Subarea Health Planning Council, terms to expire June 30, 1992;

Peter M. Kim to the Kauai County Subarea Health Planning Council, term to expire June 30, 1991;

Earl L. Waiwaiole to the Kauai County Subarea Health Planning Council, term to expire June 30, 1990;

Jonathan Preza to the Maui County Subarea Health Planning Council, term to expire June 30, 1991;

Norman K. Oshiro, Gary Robert and Carol O'Malley to the Maui County Subarea Health Planning Council, terms to expire June 30, 1992;

Sharon E. Ogawa, Cliff K. Cisco and Elizabeth Anne Taga to the County Hospital Management Advisory Committee, City and County of Honolulu Hospital System, terms to expire June 30, 1992;

Majken Blomqvist, Rosalyn Hester Baker, Tina L. Dameron, Connie C. Chun and Walter Nunokawa, Ph.D., to the State Council on Mental Health and Substance Abuse, terms to expire June 30, 1992;

Kina'u Boyd Kamali'i as State Administrator, State Health Planning and Development Agency, term to expire December 3, 1990;

Libby Pulelehua Oshiyama, Martha Travers Torney and Jason T. Hashimoto to the Advisory Commission on Drug Abuse and Controlled Substances, terms to expire June 30, 1992;

Ramon K. Sy, M.D., to the Advisory Commission on Drug Abuse and Controlled Substances, term to expire June 30, 1989; and

April S. Apana, Bernard K. Punikaia and Sherman See Mun Hee to the Board of Health, terms to expire June 30, 1992,

seconded by Senator Matsuura.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator B. Kobayashi then asked Ms. Kina'u Boyd Kamali'i who was seated in the gallery to stand and be recognized.

Stand. Com. Rep. No. 2682 (Gov. Msg. No. 176):

Senator Mizuguchi moved that Stand. Com. Rep. No. 2682 be received and placed on file, seconded by Senator Fernandes Salling and carried.

Senator Mizuguchi then moved that the Senate advise and consent to the nomination of Patricia Brandt to the Education Commission of the States, term to expire June 30, 1992, seconded by Senator Fernandes Salling.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2689 (Gov. Msg. No. 267):

Senator Hagino moved that Stand. Com. Rep. No. 2689 be received and placed on file, seconded by Senator Nakasato and carried.

Senator Hagino then moved that the Senate advise and consent to the nominations of Michael G. Hadfield, Ph.D., and Phillip Lloyd Bruner to the Animal Species Advisory Commission, terms to expire June 30, 1992, seconded by Senator Nakasato.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

### THIRD READING

House Bill No. 2426:

On motion by Senator B. Kobayashi, seconded by Senator Matsuura and carried, H.B. No. 2426, entitled: "A BILL FOR AN ACT RELATING TO NUISANCES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 3540:

On motion by Senator Fernandes Salling, seconded by Senator Chang and carried, H.B. No. 3540, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2085:

On motion by Senator Aki, seconded by Senator Solomon and carried, H.B. No. 2085, entitled: "A BILL FOR AN ACT RELATING TO DISPLACED PERSONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2083:

On motion by Senator Aki, seconded by Senator Solomon and carried, H.B. No. 2083, entitled: "A BILL FOR AN ACT RELATING TO DISPLACED PERSONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2905 (H.B. No. 2448, H.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 2905 was adopted and H.B. No. 2448, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

### FINAL READING

Senate Bill No. 21, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Blair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 21, S.D. 1, and S.B. No. 21, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REGULATION OF MOTOR VEHICLE REPAIRS," having been read throughout,

passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2003, H.D. 1:

On motion by Senator Cobb, seconded by Senator Blair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2003, and S.B. No. 2003, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAVEL AGENCIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Solomon, chairman of the Committee on Higher Education, then requested a waiver of the 48-hour Notice of a Public Hearing for the subjects listed on the agenda of the Senate Higher Education Committee's hearing notice for Tuesday, April 19, 1988, and the President granted the waiver.

### RECONSIDERATION OF ACTION TAKEN

Senate Bill No. 3175, S.D. 1, H.D. 1:

Senator Yamasaki moved that the Senate reconsider its action taken on April 7, 1988 on S.B. No. 3175, S.D. 1, H.D. 1, seconded by Senator Mizuguchi and carried.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 3175, S.D. 1, and that S.B. No. 3175, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEPOSIT AND INVESTMENT OF STATE FUNDS," was placed on the calendar for Final Reading on Tuesday, April 19, 1988.

At 11:58 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.

Senator Holt, chairman of the Committee on Tourism and Recreation, then requested a waiver of the 48-hour Notice of a Public Hearing for the subjects listed on the agenda of the Senate Tourism and Recreation Committee's hearing notice for Tuesday, April 19, 1988, and the President granted the waiver.

### ADJOURNMENT

At 12:05 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., Tuesday, April 19, 1988.