

EIGHTEENTH DAY

Tuesday, February 13, 1990

The Senate of the Fifteenth Legislature of the State of Hawaii, Regular Session of 1990, convened at 11:37 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Marcia Lockwood, St. Andrew's Cathedral, after which the Roll was called showing all Senators present with the exception of Senators Aki and Nakasato who were excused.

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

MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 126, informing the Senate that on February 7, 1990, he signed the following bills into law:

House Bill No. 2138 as Act 3, entitled: "MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," and

House Bill No. 2139 as Act 4, entitled: "RELATING TO EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING UNIT 7 AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS,"

was read by the Clerk and was placed on file.

DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 28 to 31) were read by the Clerk and were placed on file:

Dept. Com. No. 28, from the University of Hawaii dated February 2, 1990, transmitting the "1989-1993 Agreement between the University of Hawaii Professional Assembly and the Board of Regents of the University of Hawaii."

Dept. Com. No. 29, from the Department of Agriculture dated February 8, 1990, transmitting their Market Development Report for calendar year 1989.

Dept. Com. No. 30, from the Office of the Administrative Director of the Courts, the Judiciary, dated February 9, 1990, transmitting the 1989 Annual Report of the Judiciary.

Dept. Com. No. 31, from the Office of the Auditor dated February 12, 1990, transmitting the "Study of Foster Care in Hawaii," prepared by a consortium of five national organizations under the direction of the National Child Welfare Resource Center for Management and Administration of the University of Southern Maine.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 46 and 47) were read by the Clerk and were referred to committees:

Senate
Concurrent
Resolution

No. 46 "SENATE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO SUSPEND TRADE RELATIONS WITH ANY NATION

SUPPORTING OR SANCTIONING THE PRACTICE OF DRIFTNET FISHING."

Offered by: Senators Cobb, Aki, Blair, Chang, Fernandes Salling, Ikeda, Kobayashi, B., Levin, Matsuura, McCartney, McMurdo, Nakasato, Solomon, Tungpalan.

Referred to: Committee on Energy and Natural Resources

No. 47 "SENATE CONCURRENT RESOLUTION URGING THE GOVERNOR TO SEEK WAYS IN WHICH THE STATE OF HAWAII MAY ASSIST THE PEOPLE OF WESTERN SAMOA AND AMERICAN SAMOA IN THEIR TIME OF CRISIS."

Offered by: Senators Wong, R., Aki, Blair, Chang, Cobb, Crozier, Fernandes Salling, George, Hagino, Holt, Ikeda, Kobayashi, A., Kobayashi, B., Koki, Levin, Matsuura, McCartney, McMurdo, Menor, Mizuguchi, Reed, Solomon, Tungpalan, Yamasaki.

Referred to: Committee on Business Development and Pacific Relations

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 42 and 43) were read by the Clerk and were referred to committees:

Senate
Resolution

No. 42 "SENATE RESOLUTION REQUESTING THE FOUR COUNTIES OF THE STATE OF HAWAII TO INVESTIGATE THE POSSIBILITY OF LEVYING TAX UPON UNUSED AGRICULTURAL LANDS."

Offered by: Senators Reed, Chang, Cobb, George, Kobayashi, A., Kobayashi, B., Koki, McMurdo, Menor, Nakasato.

Referred to: Jointly to the Committee on Agriculture and the Committee on Government Operations

No. 43 "SENATE RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO SUSPEND TRADE RELATIONS WITH ANY NATION SUPPORTING OR SANCTIONING THE PRACTICE OF DRIFTNET FISHING."

Offered by: Senators Cobb, Aki, Blair, Chang, Fernandes Salling, Ikeda, Kobayashi, B., Levin, Matsuura, McCartney, McMurdo, Nakasato, Solomon, Tungpalan.

Referred to: Committee on Energy and Natural Resources

STANDING COMMITTEE REPORTS

Senator Ikeda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1930) recommending that S.B. No. 2430 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and S.B. No. 2430, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A MOLOKAI

SLAUGHTER FACILITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ikeda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1931) recommending that S.B. No. 2782 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and S.B. No. 2782, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PROMOTION OF PAPAYAS IN JAPAN," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ikeda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1932) recommending that S.B. No. 3031 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and S.B. No. 3031, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE MONOCLONAL ANTIBODY SERVICE FACILITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ikeda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1933) recommending that S.B. No. 2474, 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 Reed and carried, the report of the Committee was adopted and S.B. No. 2474, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO BRING APPROPRIATE UTILITIES INTO PHASE II OF THE MOLOKAI AGRICULTURAL PARK," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ikeda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1934) recommending that S.B. No. 2504, 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 Reed and carried, the report of the Committee was adopted and S.B. No. 2504, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR RESEARCH ON THE CHEMICAL RESISTANCE OF APHIDS ON WATERMELON," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ikeda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1935) recommending that S.B. No. 2505, 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 Reed and carried, the report of the Committee was adopted and S.B. No. 2505, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SALES AT WHOLESALE TO PRODUCERS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ikeda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1936) recommending that S.B. No. 2678, 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 Reed and carried, the report of the Committee was adopted and S.B. No. 2678, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WATER POLLUTION CONTROL," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ikeda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1937) recommending that S.B. No. 2679, 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 Reed and carried, the report of the Committee was adopted and S.B. No. 2679, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AN INTERISLAND AGRICULTURE EXPRESS SERVICE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ikeda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1938) recommending that S.B. No. 2785, 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 Reed and carried, the report of the Committee was adopted and S.B. No. 2785, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEVELOPMENT OF ALTERNATIVES FOR THE USE OF ETHYLENE BISDITHIOCARBAMATES (EBDC)," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ikeda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1939) recommending that S.B. No. 2790, 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 Reed and carried, the report of the Committee was adopted and S.B. No. 2790, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEVELOPMENT OF VARIETIES OF DISEASE RESISTANT PAPAYAS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Menor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1940) recommending that S.B. No. 3144 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and S.B. No. 3144, entitled: "A BILL FOR AN ACT RELATING TO ADULT PROTECTIVE SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Menor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1941) recommending that S.B. No. 2569, 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 Reed and carried, the report of the Committee was adopted and S.B. No. 2569, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO UPGRADE THE TELECOMMUNICATIONS SYSTEM OF THE HONOLULU POLICE DEPARTMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Menor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1942) recommending that S.B. No. 3016, 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 Reed and carried, the report of the Committee was adopted and S.B. No. 3016, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Menor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1943) recommending that S.B. No. 3215, 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 Reed and carried, the report of the Committee was adopted and S.B. No. 3215, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DRUG PROSECUTION UNIT IN THE PROSECUTING ATTORNEY'S OFFICE OF THE COUNTY OF MAUI," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Menor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1944) recommending that S.B. No. 3217, 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 Reed and carried, the report of the Committee was adopted and S.B. No. 3217, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DRUG PROSECUTION UNIT IN THE PROSECUTING ATTORNEY'S OFFICE OF THE COUNTY OF KAUAI," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Menor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1945) recommending that S.B. No. 3218, 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 Reed and carried, the report of the Committee was adopted and S.B. No. 3218, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DRUG PROSECUTION UNIT IN THE PROSECUTING ATTORNEY'S OFFICE OF THE COUNTY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Menor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1946) recommending that S.B. No. 3358, 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 Reed and carried, the report of the Committee was adopted and S.B. No. 3358, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AN INTRAFAMILY SEXUAL ASSAULT PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Menor for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1947) recommending that S.B. No. 2282 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and S.B. No. 2282, entitled: "A BILL FOR AN ACT RELATING TO THE FAMILY COURT," passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 15, 1990.

Senator Menor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1948) recommending that S.B. No. 2283 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and S.B. No. 2283, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 15, 1990.

Senator Menor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1949) recommending that S.B. No. 3019 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and S.B. No. 3019, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL," passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 15, 1990.

Senator Menor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1950) recommending that S.B. No. 3091, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and S.B. No. 3091, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CLAIMS FOR LEGISLATIVE RELIEF," passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 15, 1990.

Senator Tungpalan, for the Committee on Culture, Arts and Historic Preservation, presented a report (Stand. Com. Rep. No. 1951) recommending that S.B. No. 2341 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and S.B. No. 2341, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ONE OR MORE STATUES OF ALEXANDER JOY CARTWRIGHT, THE INVENTOR OF BASEBALL," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tungpalan, for the Committee on Culture, Arts and Historic Preservation, presented a report (Stand. Com. Rep. No. 1952) recommending that S.B. No. 2710 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and S.B. No. 2710, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT TO THE HAWAII YOUTH SYMPHONY ASSOCIATION,"

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

Senator Tungpalan, for the Committee on Culture, Arts and Historic Preservation, presented a report (Stand. Com. Rep. No. 1953) recommending that S.B. No. 2978 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and S.B. No. 2978, entitled: "A BILL FOR AN ACT ESTABLISHING A COMMISSION TO CELEBRATE THE 500TH ANNIVERSARY OF CHRISTOPHER COLUMBUS' ARRIVAL IN THE NEW WORLD AND MAKING AN APPROPRIATION THEREFOR," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tungpalan, for the Committee on Culture, Arts and Historic Preservation, presented a report (Stand. Com. Rep. No. 1954) recommending that S.B. No. 2980 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and S.B. No. 2980, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR WAIPAHU CULTURAL GARDEN PARK," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tungpalan, for the Committee on Culture, Arts and Historic Preservation, presented a report (Stand. Com. Rep. No. 1955) recommending that S.B. No. 2984 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and S.B. No. 2984, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE RESTAGING OF THE FOLKLIFE FESTIVAL HELD IN WASHINGTON, D.C.," passed Second Reading and was referred to the Committee on Ways and Means.

Senator George then rose to speak on a point of personal privilege and said:

"Thank you, Mr. President. I apologize for my voice. I rise on a point of personal privilege, somewhat connected with the condition of my voice.

"I received a communication from the Minority office that makes a considerable point here. We have had some amelioration of the frigidity of this chamber due to the intercession of couple of the Majority senators, but the intercession hasn't resulted in anything very practical as far as the Minority side of the aisle is concerned.

"I have here a temperature report from Minority staffers. In the Minority office the temperature was read this morning at 64 degrees; our caucus room at 61 degrees; the caucus room bathroom at 59 degrees, and to get out of the Minority side the bathroom by the Clerk's office at 57 degrees. I offer the thought, Mr. President, that a good many people are resorting to space heaters in order to ameliorate some of this frigidity, which seems a rather foolish way to save energy as we are all supposed to be doing in this building.

"I don't know exactly what you can do about it, Mr. President, but the staffers on the Minority side have offered the thought that if we can fly to the moon, surely we can do something about the temperature.

"Thank you, Mr. President."

ORDER OF THE DAY

RE-REFERRAL OF SENATE BILLS

The President re-referred the following Senate bills that were introduced:

Senate Bill	Referred to:
No. 1169	Committee on Ways and Means
No. 1656, S.D. 1	Committee on Ways and Means
No. 2254	Jointly to the Committee on Government Operations and the Committee on Agriculture
No. 2765	Committee on Ways and Means
No. 2851	Committee on Ways and Means
No. 2857	Committee on Ways and Means
No. 3401	Committee on Ways and Means
No. 3508	Committee on Ways and Means

ADJOURNMENT

At 11:50 o'clock a.m., on motion by Senator Blair, seconded by Senator Reed and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, February 14, 1990.