

EIGHTEENTH DAY

Tuesday, February 16, 1993

The Senate of the Seventeenth Legislature of the State of Hawaii, Regular Session of 1993, convened at 11:40 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Franklin Chun, Canon, St. Andrew's Cathedral, after which the Roll was called showing all Senators present.

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

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

Senator Nakasato recognized and introduced Ozeki Salevaa "Konishiki" Atisanoe and his stablemaster, Kitanoumi Oyataka, a former yokozuna, seated on the floor of the Senate, and quoted from the Senate certificate expressing support for the Grand Sumo Tournament in Hawaii 1993, as follows:

"Whereas, the sport of sumo is said to have begun more than 1500 years ago with a match between the gods to determine the fate of the Japanese race; and

"Whereas, sumo has always been central to the cultural tradition and sense of pride of the people of Japan; and

"Whereas, sumo was first seen by the people of Hawaii in 1885, when an exhibition was put on for King David Kalakaua at the immigration depot in Honolulu; and

"Whereas, the popularity of the sport in Hawaii has grown steadily due to the achievements of local athletes such as Jesse 'Takamiyama' Kuhaulua, and more recently, Chad 'Akebono' Rowan, Salevaa 'Konishiki' Atisanoe, and Fiamalu 'Musashimaru' Penitani; and

"Whereas, Chad 'Akebono' Rowan was recently promoted to the rank of Yokozuna, or Grand Champion, thereby becoming the first foreigner to be accorded that special honor in more than 200 years of recorded sumo history; and

"Whereas, the sport of sumo has strengthened the ties between the people of Hawaii and the people of Japan; and

"Whereas, for the first time in nine years, professional sumo is returning to Hawaii in the form of the Grand Sumo Tournament in Hawaii 1993, scheduled for June 9 and 10, 1993 at the Neal Blaisdell Arena in Honolulu; and

"Whereas, the tournament will feature forty of Japan's top sumotori, including Hawaii's own Akebono, Konishiki, and Musashimaru; and

"Whereas, the event is expected to bring many Japanese citizens to Hawaii, and with them a needed boost to Hawaii's visitor industry; now, therefore

"The Senate of the Seventeenth Legislature of the State of Hawaii, Regular Session of 1993, expresses its strong support for the Grand Sumo Tournament in Hawaii 1993 and, on behalf of the people of Hawaii, thanks the promoters and participants for their efforts in bringing this great event to the state."

Senator Nakasato continued:

"Mr. President and members of the Senate, visiting us today is Konishiki, Hawaii's goodwill ambassador, not only to Japan but to the entire world.

"From a humble Nanakuli boy who attended University High School, Salevaa Atisanoe went to Japan to train in the Japanese sport of sumo wrestling. He withstood a very different culture, language and food. He learned the tough and sacred traditions of sumo and became only the second foreigner to achieve the second-highest rank of ozeki. He is credited for opening the doors for the first foreigner to the rank of yokozuna or grand champion. Konishiki is poised to become the next grand champion of sumo, only the second foreigner.

"To Konishiki, all the people of Hawaii are behind you in your quest for grand champion. The next time you come back to Hawaii you will be a yokozuna. Thank you." (Konishiki stood to be recognized and was presented a lei by Senator A. Kobayashi.)

Senator Matsuura then introduced Kitanoumi Oyataka, Japan's 55th yokozuna, and Mr. Toshio Hagiwara, director general of the sports department of Nippon TV Network. (The gentlemen stood to be recognized; Kitanoumi was presented a lei by Senator Ikeda.)

The Chair then added:

"Members of the Senate, when I was a teacher at Nanaikapono Elementary School many years ago, Salevaa Atisanoe was only a 'small' student of mine and I did spank him a few times, but, now, I am intimidated by his size. Seriously, Sale, we are very proud of you and thank you very much for all you've done for us in Hawaii."

Senator A. Kobayashi then introduced Mr. Moriyoshi Saito and Mr. Kunihiro Mitamura, also seated on the floor of the Senate, as follows:

"Mr. President, I have the pleasure this morning of introducing some very important visitors to Hawaii. They are no strangers to our beautiful islands, and have been ardent supporters of Hawaii as a worldwide sports center and premier visitor destination.

"These gentlemen bring to Hawaii the very prestigious LPGA Golf Open, a world class tournament for 144 professional women golfers, including 12 members of the Japan Ladies Professional Golf Association. The tournament was played at the Turtle Bay Country Club from 1987 to 1989, and has been headquartered at the Ko Olina Country Club since 1990.

"First to be introduced is Mr. Moriyoshi Saito, President of Mainichi Broadcasting System of Osaka, Japan. Mr. Saito has been the driving force to help sponsor and televise the Itoki Hawaiian Ladies LPGA Open to a worldwide audience. (Mr. Saito stood to be recognized. He was presented a lei by Senator Tungpalan.)

"Seated next to him is Mr. Kunihiro Mitamura, President of Itoki Company of Tokyo, Japan. Mr. Mitamura is a generous provider of humanitarian assistance in various fields, and is also the proud sponsor of the Itoki Hawaiian Ladies LPGA Open. (Mr. Mitamura stood to be recognized. He was presented a lei by Senator George.)

"Accompanying the two presidents are staff members Mr. Yoichi Akasaka of Mainichi Broadcasting System and Mr. Nobuyoshi Mori of Itoki Company." (The gentlemen stood to be recognized.)

Senator Nakasato also introduced former Governor George Ariyoshi who was seated on the floor of the Senate accompanying Konishiki and Kitanoumi.

At 11:50 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:55 o'clock a.m.

Senator Hagino then introduced Mr. Bruce Swartz, seated in the gallery, and said, "Bruce is a young and energetic person working in my office. He also has an Eastern flavor. Bruce spent the last year teaching English in Japan."

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 159 to 161) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 159, dated January 22, 1993, transmitting the 1992 Annual Report of the Convention Center Authority pursuant to Act 159, SLH 1992, was placed on file.

Gov. Msg. No. 160, dated February 4, 1993, transmitting the Annual Report of the Governor's Agriculture Coordinating Committee for Fiscal Year 1991-1992, was placed on file.

Gov. Msg. No. 161, submitting for consideration and consent to the Circuit Court of the Third Circuit, the nomination of RIKI MAY AMANO for Second Judge, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, for a term of ten years, was referred to the Committee on Executive Appointments.

HOUSE COMMUNICATION

Hse. Com. No. 4, transmitting H.B. No. 464, which passed Third Reading in the House of Representatives on February 12, 1993, was read by the Clerk and was placed on file.

On motion by Senator Ikeda, seconded by Senator Reed and carried, H.B. No. 464, entitled: "A BILL FOR AN ACT RELATING TO OCEAN RESOURCES," passed First Reading by title and was referred jointly to the Committee on Science, Technology and Economic Development and the Committee on Planning, Land and Water Use Management.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 43 to 47) were read by the Clerk and were referred to committees:

Senate Concurrent Resolution

No. 43 "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW OF STATE AGENCY OVERSIGHT OF OVERTIME AND LEAVES OF ABSENCE."

Offered by: Senator Koki.

Referred to: Committee on Education, Labor and Employment

No. 44 "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION TO NAME THE HAWAII STATE LIBRARY AFTER SAMUEL MANAIKALANI KAMAKAU."

Offered by: Senators Solomon, Blair, George, Hagino, Kanno, Koki, Levin, Matsuura, Mizuguchi, Tanaka.

Referred to: Committee on Education, Labor and Employment

No. 45 "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII HISTORIC PLACES REVIEW BOARD TO ENTER AHUENA HEIAU INTO THE HAWAII REGISTER OF HISTORIC PLACES."

Offered by: Senators Solomon, Blair, George, Hagino, Kanno, Koki, Levin, Mizuguchi, Tanaka.

Referred to: Committee on Higher Education, Culture, Arts and Historic Preservation

No. 46 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY THE FEASIBILITY OF ALLOWING TEACHERS TO RETIRE AT ANY AGE WITH TWENTY-FIVE YEARS OF SERVICE."

Offered by: Senators Solomon, Blair, Fukunaga, Grauly, Hagino, Iwase, Kanno, Koki, Levin, Matsunaga, Matsuura, Mizuguchi, Nakasato, Reed, Tanaka.

Referred to: Committee on Education, Labor and Employment, then to the Committee on Legislative Management

No. 47 "SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR HAWAIIANS AND PART HAWAIIANS ENTERING THE FIELD OF TEACHING."

Offered by: Senators Solomon, Blair, Fukunaga, Grauly, Hagino, Holt, Iwase, Kanno, Koki, Levin, Matsunaga, Matsuura, Mizuguchi, Nakasato, Reed, Tanaka, Tungpalan.

Referred to: Committee on Government Operations, Environmental Protection and Hawaiian Programs

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 34 to 39) were read by the Clerk and were referred to committees:

Senate Resolution

No. 34 "SENATE RESOLUTION REQUESTING A REVIEW OF STATE AGENCY OVERSIGHT OF OVERTIME AND LEAVES OF ABSENCE."

Offered by: Senator Koki.

Referred to: Committee on Education, Labor and Employment

No. 35 "SENATE RESOLUTION AUTHORIZING THE SPECIAL COMMITTEE ON GOVERNMENT PROCUREMENT TO EXERCISE INVESTIGATIVE POWERS IN ACCORDANCE WITH CHAPTER 21, HAWAII REVISED STATUTES."

Offered by: Senator Aki.

Referred to: Committee on Legislative Management

No. 36 "SENATE RESOLUTION REQUESTING THE BOARD OF EDUCATION TO NAME THE HAWAII STATE LIBRARY AFTER SAMUEL MANAIKALANI KAMAKAU."

Offered by: Senators Solomon, Blair, George, Hagino, Kanno, Koki, Levin, Matsuura, Mizuguchi, Tanaka.

Referred to: Committee on Education, Labor and Employment

No. 37 "SENATE RESOLUTION REQUESTING THE HAWAII HISTORIC PLACES REVIEW BOARD TO ENTER AHUENA HEIAU INTO THE HAWAII REGISTER OF HISTORIC PLACES."

Offered by: Senators Solomon, Blair, George, Hagino, Kanno, Koki, Levin, Mizuguchi, Tanaka.

Referred to: Committee on Higher Education, Culture, Arts and Historic Preservation

No. 38 "SENATE RESOLUTION REQUESTING THE AUDITOR TO STUDY THE FEASIBILITY OF ALLOWING TEACHERS TO RETIRE AT ANY AGE WITH TWENTY-FIVE YEARS OF SERVICE."

Offered by: Senators Solomon, Grauly, Hagino, Iwase, Kanno, Koki, Levin, Matsunaga, Matsuura, Mizuguchi, Nakasato, Reed, Tanaka.

Referred to: Committee on Education, Labor and Employment, then to the Committee on Legislative Management

No. 39 "SENATE RESOLUTION EXPRESSING SUPPORT FOR HAWAIIANS AND PART HAWAIIANS ENTERING THE FIELD OF TEACHING."

Offered by: Senators Solomon, Grauly, Hagino, Holt, Iwase, Kanno, Koki, Levin, Matsunaga, Matsuura, Mizuguchi, Nakasato, Reed, Tanaka, Tungpalan.

Referred to: Committee on Government Operations, Environmental Protection and Hawaiian Programs

STANDING COMMITTEE REPORTS

Senator Grauly, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 22) recommending that S.B. No. 664 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Ikeda, seconded by Senator Reed and carried, the report of the Committee was adopted and S.B. No. 664, entitled: "A BILL FOR AN ACT RELATING TO PROBATE," passed Second Reading and was referred to the Committee on Judiciary.

Senator Grauly, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 23) recommending that S.B. No. 831 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Ikeda, seconded by Senator Reed and carried, the report of the Committee was adopted and S.B. No. 831, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE FACILITIES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Grauly, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 24)

recommending that S.B. No. 1420 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ikeda, seconded by Senator Reed and carried, the report of the Committee was adopted and S.B. No. 1420, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR THE PAYMENT PROGRAMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Grauly, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 25) recommending that S.B. No. 1713 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ikeda, seconded by Senator Reed and carried, the report of the Committee was adopted and S.B. No. 1713, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR OPERATING EXPENSES FOR THE STATE MEDICAL ASSISTANCE PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tungpalan, for the Committee on Higher Education, Culture, Arts and Historic Preservation, presented a report (Stand. Com. Rep. No. 26) recommending that S.B. No. 519 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ikeda, seconded by Senator Reed and carried, the report of the Committee was adopted and S.B. No. 519, entitled: "A BILL FOR AN ACT RELATING TO THE STATE HISTORY MUSEUM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tungpalan, for the Committee on Higher Education, Culture, Arts and Historic Preservation, presented a report (Stand. Com. Rep. No. 27) recommending that S.B. No. 798, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ikeda, seconded by Senator Reed and carried, the report of the Committee was adopted and S.B. No. 798, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE RESTORATION AND RENOVATION OF THE WAIKIKI NATATORIUM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tungpalan, for the Committee on Higher Education, Culture, Arts and Historic Preservation, presented a report (Stand. Com. Rep. No. 28) recommending that S.B. No. 1323 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ikeda, seconded by Senator Reed and carried, the report of the Committee was adopted and S.B. No. 1323, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MARITIME CENTER," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tungpalan, for the Committee on Higher Education, Culture, Arts and Historic Preservation, presented a report (Stand. Com. Rep. No. 29) recommending that S.B. No. 1528 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ikeda, seconded by Senator Reed and carried, the report of the Committee was adopted and S.B. No. 1528, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PROMOTION OF TOURISM AND HAWAII'S FILM INDUSTRY THROUGH THE HAWAII

INTERNATIONAL FILM FESTIVAL," passed Second Reading and was referred to the Committee on Ways and Means.

Senator George, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 30) recommending that S.B. No. 275 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ikeda, seconded by Senator Reed and carried, the report of the Committee was adopted and S.B. No. 275, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING FINANCE AND DEVELOPMENT CORPORATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator George, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 31) recommending that S.B. No. 1476 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ikeda, seconded by Senator Reed and carried, the report of the Committee was adopted and S.B. No. 1476, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator George, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 32) recommending that S.B. No. 1683 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ikeda, seconded by Senator Reed and carried, the report of the Committee was adopted and S.B. No. 1683, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator George, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 33) recommending that S.B. No. 1737, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ikeda, seconded by Senator Reed and carried, the report of the Committee was adopted and S.B. No. 1737, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RENTAL HOUSING TRUST FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakasato, for the Committee on Tourism, Recreation and Transportation, presented a report (Stand. Com. Rep. No. 34) recommending that S.B. No. 530, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ikeda, seconded by Senator Reed and carried, the report of the Committee was adopted and S.B. No. 530, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REGISTRATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakasato, for the Committee on Tourism, Recreation and Transportation, presented a report (Stand. Com. Rep. No. 35) recommending that S.B. No. 535, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ikeda, seconded by Senator Reed and carried, the report of the Committee was adopted and S.B. No. 535, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second

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

Senator Nakasato, for the Committee on Tourism, Recreation and Transportation, presented a report (Stand. Com. Rep. No. 36) recommending that S.B. No. 537 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ikeda, seconded by Senator Reed and carried, the report of the Committee was adopted and S.B. No. 537, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REGISTRATION," passed Second Reading and was referred to the Committee on Ways and Means.

ORDER OF THE DAY

THIRD READING

At 11:57 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:31 o'clock p.m.

S.B. No. 472, S.D. 1:

On motion by Senator Ikeda, seconded by Senator Reed and carried, S.B. No. 472, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNING FOR THE SECONDARY URBAN CENTER IN KAPOLEI, OAHU," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Fernandes Salling). Excused, 1 (Koki).

RE-REFERRAL OF SENATE BILLS

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

Senate Bill	Referred to:
No. 271	Committee on Ways and Means
No. 559	Jointly to the Committee on Consumer Protection and the Committee on Science, Technology and Economic Development
No. 1040	Committee on Human Services, then to the Committee on Ways and Means
No. 1744	Jointly to the Committee on Higher Education, Culture, Arts and Historic Preservation and the Committee on Planning, Land and Water Use Management, then to the Committee on Ways and Means

ADJOURNMENT

At 12:40 o'clock p.m., on motion by Senator Ikeda, seconded by Senator Reed and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, February 17, 1993.