

FORTY-SECOND DAY

Thursday, April 2, 1998

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1998, convened at 11:41 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Bishop Hosen Fukuhara, Higashi Hongwanji Mission, after which the Roll was called showing all Senators present with the exception of Senator Bunda who was excused.

The President announced that he had read and approved the Journal of the Forty-First Day.

Senator Kawamoto welcomed General Richard B. Myers, United States Air Force, and his wife, Mary Jo, and congratulated him on achieving the rank of Four Star General and on being appointed Commander of Pacific Air Forces. Accompanying General and Mrs. Myers was Colonel Black, Public Affairs Officer.

At this time, the President appointed Senators Kawamoto, Sakamoto and Anderson to escort General Myers to the rostrum to address the members of the Senate.

General Myers addressed the Senate as follows:

"Senator Mizuguchi and Senator Kawamoto, thank you very much for that kind introduction. The President here says to keep these remarks brief. He said that several times to me so I'm going to do that. (Laughter.) I assume he says that to all of you as well, so I don't feel like I'm being picked on.

"This welcome shows the significance of the relationship between our military and the State of Hawaii -- and it is a significant one -- but it also shows the warmth and hospitality that you show all our military members as we come to Hawaii to serve our country.

"On our part, our military members try very hard to reciprocate that warmth and that hospitality. In fact, I looked up the facts for our Hickam Air Force Base personnel and they volunteer over 40,000 hours every year in the community in things such as local churches, the schools, the blood drives, in many other community causes, habitat for humanity as well.

"As you are well aware, Hawaii is a key strategic location for us. The military, of course, has served here honorably and one of the most important things we do from this location is try to promote the stability and security of the Asia/Pacific region. In fact, everywhere I go in the region, you hear the same thing over and over again. We just got back from Australia and not too long before that Thailand and Brunei, and they always say please stay engaged in the region; we want the U.S. presence here -- the military presence for stability and of course the business presence for prosperity.

"I should also point out that your military is very proud to provide assistance in times of need, whether it's a hurricane here in Hawaii (Iniki) or the typhoon in Guam (super typhoon Paka) or the Kobe earthquake, we stand ready to provide that kind of assistance as well.

"I might just mention briefly that we are also very proud of our Air Force relationship with the Hawaii Air National Guard -- a very important part of what we do in the Air Force day in and day out. In fact I fly with the Hawaii Air National Guard out at Hickam Airforce Base on a routine basis.

"So it's been with your support that America's Air Force has been able to accomplish all that we have in this region and our future is bright as long as we continue our friendship and partnership.

"So I accept this welcome. On behalf of my wife, Mary Jo, and my family, as well as the thousands of servicemen and women, and the 45,000 servicemen and women in the Pacific Air Forces, we all thank you very much for your tremendous support. God bless you all, God bless the U.S., aloha and mahalo."

Senator Taniguchi, on behalf of President Mizuguchi, then introduced Governor Yuzan Fujita of Hiroshima Prefecture, and Mr. Toshihiro Hiyama, Chairperson, Hiroshima Prefectural Assembly, and commended them for their efforts in establishing Japan Airlines' direct flights between Hiroshima and Hawaii and in strengthening the sister-state relationship between Hiroshima Prefecture and the State of Hawaii. Accompanying Governor Fujita and Chairperson Hiyama were Hiroshima Prefectural Assembly Members: Mr. Naomi Hirata, Mr. Toshifumi Kojima, Mr. Yasuo Yamaki and Mr. Osamu Okii; Mr. Tatsuro Ogihara, Deputy Mayor, City of Hiroshima; Mr. Satoshi Imada, Chairperson, Hiroshima City Council; Mr. Koichi Ikeuchi, Vice President, Hiroshima Chamber of Commerce & Industry; Mr. Katsushi Hayashi, Vice President, Fukuyama Chamber of Commerce & Industry; Mr. Hiroshi Ueda, Director General, Airport and Seaport Bureau Hiroshima Prefectural Government; Mr. Kagetomi Shimomi, Director, Airport Affairs Division, Airport and Seaport Bureau Hiroshima Prefectural Government; Mr. Wayne Miyao and Mr. Ben Fukumoto, Chairman and Vice Chairman, respectively, Hiroshima-Hawaii Sister-State Committee.

At 11:59 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:07 o'clock p.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 221 to 243) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 221, dated March 24, 1998, transmitting the 1998 Report to the Governor on Workforce Development, prepared by the Department of Labor and Industrial Relations, Hawaii Workforce Development Council, pursuant to Section 202-2, HRS, was placed on file.

Gov. Msg. No. 222, informing the Senate that on April 1, 1998, he signed into law House Bill No. 1488 as Act 5, entitled: "RELATING TO FAMILY CHILD CARE HOMES," was placed on file.

Gov. Msg. No. 223, submitting for consideration and confirmation to the State Board of Public Accountancy, the nominations of GARY T. NISHIKAWA and BRIAN M. IWATA, terms to expire June 30, 2002, was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 224, submitting for consideration and confirmation to the State Board of Barbering and Cosmetology, the nominations of: BARBARA M. KOKUBUN and MILTON Y. MIGITA, terms to expire June 30, 1999; KENNETH R. JOYNER, LANCE M. MARUGAME and RICHARD Y. MITSUMORI, terms to expire June 30, 2000; and EDNA H. KANO and ELAINE K. KIMURA, terms to expire June 30, 2001, was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 225, submitting for consideration and confirmation to the Civil Service Commission, the nominations of: KENNETH I. CRAW, term to expire June 30, 2000; NORMITA F. FENN, term to expire June 30, 2001; and

JAMES T. SATO, term to expire June 30, 2002, was referred to the Committee on Human Resources.

Gov. Msg. No. 226, submitting for consideration and confirmation to the Contractors License Board, the nominations of LESLIE ISEMOTO and ALVIN T. KOBAYASHI, terms to expire June 30, 2002, was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 227, submitting for consideration and confirmation to the Correctional Industries Advisory Committee, the nominations of CARL R. ANDERSON and LYNETTE R. CRUZ, terms to expire June 30, 2002, was referred to the Committee on Judiciary.

Gov. Msg. No. 228, submitting for consideration and confirmation to the Defender Council, the nominations of CALVIN K. MURASHIGE and JACQUELINE K. MURAI, terms to expire June 30, 1999; and PAMELA E. TAMASHIRO, term to expire June 30, 2002, was referred to the Committee on Judiciary.

Gov. Msg. No. 229, submitting for consideration and confirmation to the Drug Product Selection Board, the nomination of TODD K. INAFUKU, term to expire June 30, 2002, was referred to the Committee on Health and Environment.

Gov. Msg. No. 230, submitting for consideration and confirmation to the Elevator Mechanics Licensing Board, the nominations of LELAND M. GLASER and DAVID BOBACK, terms to expire June 30, 2002, was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 231, submitting for consideration and confirmation to the Hawai'i Community Development Authority, the nomination of WALTER H. KUPAU, term to expire June 30, 2002, was referred to the Committee on Water, Land, and Hawaiian Affairs.

Gov. Msg. No. 232, submitting for consideration and confirmation to the Labor and Industrial Relations Appeals Board, the nomination of CAROL K. YAMAMOTO, term to expire June 30, 2008, was referred to the Committee on Human Resources.

Gov. Msg. No. 233, submitting for consideration and confirmation to the Medical Advisory Board, the nominations of CHRISTOPHER H. MAI, M.D., NEAL JUN SHIKUMA, M.D., and KEVIN K. LUI, O.D., terms to expire June 30, 2002, was referred to the Committee on Transportation and Intergovernmental Affairs.

Gov. Msg. No. 234, submitting for consideration and confirmation to the Motor Vehicle Repair Industry Board, the nominations of ROY T. OZAKI and STUART C. LAU, terms to expire June 30, 2002, was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 235, submitting for consideration and confirmation to the Board of Examiners in Optometry, the nominations of MILTON N. HIGA and DENNIS KUWABARA, O.D., terms to expire June 30, 2002, was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 236, submitting for consideration and confirmation to the Board of Osteopathic Examiners, the nomination of HERBERT K. ENDO, term to expire June 30, 2002, was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 237, submitting for consideration and confirmation to the Board of Pharmacy, the nominations of ANGELINA E. RAMOS and JOHN WILLIAM SZABO, terms

to expire June 30, 2002, was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 238, submitting for consideration and confirmation to the Board of Physical Therapy, the nomination of TIMOTHY F. OLDERR, M.D., term to expire June 30, 2002, was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 239, submitting for consideration and confirmation to the Board of Private Detectives and Guards, the nominations of GEORGE FREITAS and GUY H. KAULUKUKUI, Ph.D., terms to expire June 30, 2002, was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 240, submitting for consideration and confirmation to the Board of Psychology, the nominations of ROGER S. HAMADA, Ph.D., and LESTER K. M. LEU, terms to expire June 30, 2002, was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 241, submitting for consideration and confirmation to the Board of Veterinary Examiners, the nominations of AIMEE ANDERSON and HERBERT M. RICHARDS III, terms to expire June 30, 2002, was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 242, submitting for consideration and confirmation as Chairperson, Hawai'i Paroling Authority, the nomination of ALFRED K. BEAVER, Sr., term to expire June 30, 2001, was referred to the Committee on Judiciary.

Gov. Msg. No. 243, submitting for consideration and confirmation to the Board of Regents, University of Hawai'i, the nomination of CHARLES NAINOA THOMPSON, term to expire June 30, 1999, was referred to the Committee on Education.

HOUSE COMMUNICATION

Hse. Com. No. 94, transmitting H.C.R. No. 59, H.D. 2, which was adopted by the House of Representatives on March 31, 1998, was read by the Clerk and was placed on file.

By unanimous consent, H.C.R. No. 59, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF HEALTH RECOMMEND TO THE LEGISLATURE SPECIFIC TREATMENT PROGRAMS TO ADDRESS THE INCREASING PROBLEMS OF ADOLESCENT ALCOHOL AND DRUG ABUSE THROUGHOUT THE STATE," was referred jointly to the Committee on Health and Environment and the Committee on Human Resources, then to the Committee on Ways and Means.

STANDING COMMITTEE REPORTS

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 2985) recommending that S.C.R. No. 215 be adopted.

On motion by Senator Aki, seconded by Senator Tam and carried, the report of the Committee was adopted and S.C.R. No. 215, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO CHANGE THE NAME OF THE HAWAII YOUTH SPORT AND FITNESS PROGRAM TO THE HAWAII YOUTH SPORTS AND FITNESS INSTITUTE," was adopted.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2986) recommending that S.C.R. No. 54, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 54, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CREATION OF AN ACTION PLAN TO DEVELOP A CENTRAL REFERRAL SYSTEM IN HAWAII TO COORDINATE SELLING HAWAII AGRICULTURAL PRODUCTS TO JAPAN," was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand Com. Rep. No. 2987) recommending that S.R. No. 20, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 20, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE CREATION OF AN ACTION PLAN TO DEVELOP A CENTRAL REFERRAL SYSTEM IN HAWAII TO COORDINATE SELLING HAWAII AGRICULTURAL PRODUCTS TO JAPAN," was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, jointly with Senators Aki and Tam, for the Committee on Economic Development and the Committee on Education, presented a joint report (Stand Com. Rep. No. 2988) recommending that S.C.R. No. 105, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 105, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO DEVELOPMENT OF A BIOTECHNOLOGY INDUSTRY IN HAWAII," was referred to the Committee on Ways and Means.

ORDER OF THE DAY

THIRD READING

H.B. No. 611, H.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 611, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OCEAN RESOURCES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 2851:

Senator Chumbley moved that H.B. No. 2851, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Solomon rose in support of the measure and said:

"Mr. President, I'm speaking in support of H.B. No. 2851.

"I would like especially to note and speak in support of the committee report, paragraph two, where the committee report states that the 'Committee finds that according to Hawaiian tradition, it was the grandparents who imparted the family history and genealogies, and identified special talent and skills in their grandchildren. The grandparent generation cared for, raised, and nurtured the welfare and well-being of the child in the parents' absence.'

"And just for the record, Mr. President, I don't think that this is just a Hawaiian tradition. I think that this is appropriate for all of Hawaii. I feel that all of our kupuna, no matter what race or nationality, feel that this is their responsibility and this is very much a part of our local culture.

"Thank you, Mr. President."

The Motion was put by the Chair and carried, H.B. No. 2851, entitled: "A BILL FOR AN ACT RELATING TO GRANDPARENTS' VISITATION RIGHTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 2768:

On motion by Senator Tanaka, seconded by Senator Taniguchi and carried, H.B. No. 2768, entitled: "A BILL FOR AN ACT RELATING TO MILK," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

RE-REFERRAL OF HOUSE BILL

The Chair re-referred the following House bill that was received:

House Bill Referred to:

No. 3531, H.D. 3 Jointly to the Committee on Health and Environment and the Committee on Ways and Means

RE-REFERRAL OF SENATE CONCURRENT RESOLUTION

The Chair re-referred the following Senate concurrent resolution that was offered:

Senate
Concurrent
Resolution Referred to:

No. 101 Jointly to the Committee on Health and Environment and the Committee on Transportation and Intergovernmental Affairs

RE-REFERRAL OF SENATE RESOLUTION

The Chair re-referred the following Senate resolution that was offered:

Senate
Resolution Referred to:

No. 46 Jointly to the Committee on Health and Environment and the Committee on Transportation and Intergovernmental Affairs

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

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

At this time, a late introduction was made to the members of the Senate:

Senator Tam introduced Dr. Herman Aizawa, Superintendent of Education; Stanley Seki, Deputy Superintendent; Donald Nugent, Assistant Superintendent, Office of Personnel Services; Francine Fernandez, Deputy District Superintendent, Leeward District; and Amy Maeda, District Superintendent, Kauai District, and commended them for their able leadership of the Department of Education and their commitment to the students of Hawaii.

At 12:49 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:53 o'clock p.m.

ADJOURNMENT

At 12:54 o'clock p.m., on motion by Senator Ihara, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, April 3, 1998.