

TWENTY-THIRD DAY

Friday, February 18, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Colin Correa, Pastor of St. Theresa's Church, after which the Roll was called showing all Senators present.

The Chair announced that he had read and approved the Journal of the Twenty-Second Day.

At this time, the following introductions were made to the members of the Senate:

Senator Fernandes Salling introduced a group of students from Kauai, Waimea and Kapaa High Schools, who are participating in the Kauai Student Legislative Experience program, and who were accompanied by a District Educational Specialist, Ms. Shirley Akita, and their teachers, Mrs. Awa and Mr. Allen Yamada.

Senator Kuroda then introduced a former Ewa Beach resident, currently residing in Ensenada, California, Mr. Phil Sweeney.

At 11:49 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:50 o'clock a.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 82 to 151) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 82) submitting for consideration and confirmation to the Advisory Committee on Pesticides, the nominations of Katsumi Higa, Barry Brennan, Ph.D., and Mark D. Merlin, Ph.D., terms to expire December 31, 1986, was referred to the Committee on Agriculture.

A message from the Governor (Gov. Msg. No. 83) submitting for consideration and confirmation to the Board of Public Accountancy, the nomination of Phyllis N. T. Shea, term to expire December 31, 1986, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 84) submitting for consideration and confirmation to the Board of Acupuncture, the nomination of Mabel C. S. Chang, term to expire December 31, 1986, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 85) submitting for consideration and confirmation to the Boxing Commission, the nomination of Robert M. Lee, term to expire December 31, 1986, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 86) submitting for consideration and confirmation to the Contractors License Board, the nominations of Harry M. Ushijima and Alan G. Meyers, Sr., terms to expire December 31, 1986, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 87) submitting for consideration and confirmation to the Board of Electricians and Plumbers, the nomination of George K. Hall, term to expire December 31, 1986, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 88) submitting for consideration and confirmation to the Board of Registration of Professional Engineers, Architects, Land Surveyors and Landscape Architects, the nomination of Walter K. Tagawa, term to expire December 31, 1986, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 89) submitting for consideration and confirmation to the Board of Hearing Aid Dealers and Fitters, the nomination of Robert H. McKay, term to expire December 31, 1986, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 90) submitting for consideration and confirmation to the Board of Massage, the nomination of Edson Hoo, term to expire December 31, 1985, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov.

Msg. No. 91) submitting for consideration and confirmation to the Board of Medical Examiners, the nomination of Samuel Haraguchi, M.D., term to expire December 31, 1986, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 92) submitting for consideration and confirmation to the State Board of Nursing, the nomination of Claire R. Alfiler, term to expire December 31, 1985, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 93) submitting for consideration and confirmation to the Board of Dispensing Opticians, the nomination of Virginia S. K. Kam, term to expire December 31, 1986, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 94) submitting for consideration and confirmation to the Board of Pharmacy, the nomination of James E. DeMello, term to expire December 31, 1986, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 95) submitting for consideration and confirmation to the Board of Certification for Practicing Psychologists, the nomination of Craig Robinson, term to expire December 31, 1986, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 96) submitting for consideration and confirmation to the Real Estate Commission, the nomination of George A. Morris, term to expire December 31, 1986, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 97) submitting for consideration and confirmation to the Board of Speech Pathology and Audiology, the nomination of Dennis T. Sekine, term to expire December 31, 1985, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 98) submitting for consideration and confirmation to the Board of Speech Pathology and Audiology, the nomination of Sandra Kay Harada, term to expire December 31, 1985, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 99) submitting for consideration and confirmation to the Board of Veterinary Examiners, the nomination of John B. Belfrage, D.V.M., term to expire December 31, 1985, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 100) submitting for consideration and confirmation to the King Kamehameha Celebration Commission, the nominations of Thelma Black, Edward Naihe, Sr., Elizabeth Flateau, and Candace K. Lee, terms to expire December 31, 1986, was referred to the Committee on Culture and Arts.

A message from the Governor (Gov. Msg. No. 101) submitting for consideration and confirmation to the Board of Public Broadcasting, the nomination of Ann B. Simpson, term to expire December 31, 1988, was referred to the Committee on Culture and Arts.

A message from the Governor (Gov. Msg. No. 102) submitting for consideration and confirmation to the 1984 Hawaii Statehood Silver Jubilee Committee, the nomination of Yukie Ueoka, term to expire June 30, 1986, was referred to the Committee on Culture and Arts.

A message from the Governor (Gov. Msg. No. 103) submitting for consideration and confirmation as the Director of Environmental Quality Control, the nomination of Jacqueline Parnell, term to expire December 1, 1986, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 104) submitting for consideration and confirmation to the Aquatic Life and Wildlife Advisory Committee, City and County of Honolulu, the nominations of Bert Akio Kobayashi and Irwin K. Kawano, terms to expire December 31, 1986, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 105) submitting for consideration and confirmation to the Aquatic Life and Wildlife Advisory Committee, County of Hawaii, the nomination of James B. Watt, term to expire December 31, 1986, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 106) submitting for consideration and confirmation to the Aquatic Life and Wildlife Advisory Committee, County of Maui, the nomination

of John Brooks, II, term to expire December 31, 1986, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 107) submitting for consideration and confirmation to the Aquatic Life and Wildlife Advisory Committee, County of Kauai, the nominations of Bob A. Hee and Michael V. Layosa, Sr., terms to expire December 31, 1986, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 108) submitting for consideration and confirmation to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, the nominations of Charles M. Saiki, Frank G. Stone, Jr., Reginald Young, D.Sc., and Dennis Tulang, terms to expire December 31, 1986, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 109) submitting for consideration and confirmation to the Board of Planning and Economic Development, the nomination of Carl H. Okuyama, term to expire December 31, 1984, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 110) submitting for consideration and confirmation to the Board of Directors, Aloha Tower Development Corporation, the nomination of Donald M. Kuyper, term to expire December 31, 1986, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 111) submitting for consideration and confirmation to the Hawaii Fisheries Coordinating Council, the nominations of Asahi Okamoto and Frank Goto, terms to expire December 31, 1986, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 112) submitting for consideration and confirmation to the Land Use Commission, the nomination of William W. L. Yuen, term to expire December 31, 1986, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 113) submitting for consideration and confirmation to the Hawaii Education Council, the nomination of Ramona H. Hao, term to expire December 31, 1986, was referred to

the Committee on Education.

A message from the Governor (Gov. Msg. No. 114) submitting for consideration and confirmation to the Library Advisory Commission, County of Hawaii, the nominations of Grace Kekaulike Basque and Katherine S. Hanley, terms to expire December 31, 1986, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 115) submitting for consideration and confirmation to the Civil Defense Advisory Council, the nomination of Robert H. Ishimoto, term to expire December 31, 1986, was referred to the Committee on Federal Relations.

A message from the Governor (Gov. Msg. No. 116) submitting for consideration and confirmation as the Administrator, State Health Planning and Development Agency, the nomination of Henry N. Thompson, term to expire December 1, 1986, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 117) submitting for consideration and confirmation to the State Planning Council on Developmental Disabilities, the nomination of Joyce Kimi Horikawa, term to expire December 31, 1985, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 118) submitting for consideration and confirmation to the Commission on the Handicapped, the nominations of Georgia E. Morikawa, Jeffrey David Nunn and Judith Doktor, terms to expire December 31, 1986, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 119) submitting for consideration and confirmation to the State Emergency Medical Services Advisory Committee, the nominations of William Blanchard and Barbara K. Ideta, terms to expire December 31, 1986, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 120) submitting for consideration and confirmation to the Advisory Commission on Drug Abuse and Controlled Substances, the nominations of James Miyahara, Ph.D. and Junedale U. Hashimoto, terms to expire December 31, 1986, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 121) submitting for

consideration and confirmation to the East Honolulu Subarea Health Planning Council, the nominations of Vernon Y. N. Chock and Yoshi T. Koga, terms to expire December 31, 1986, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 122) submitting for consideration and confirmation to the East Honolulu Subarea Health Planning Council, the nomination of William R. Flanders, term to expire December 31, 1986, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 123) submitting for consideration and confirmation to the West Honolulu Subarea Health Planning Council, the nomination of Donna C. Kekumu, term to expire December 31, 1986, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 124) submitting for consideration and confirmation to the Central Oahu Subarea Health Planning Council, the nomination of Wallace T. Hirai, term to expire December 31, 1986, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 125) submitting for consideration and confirmation to the Windward Oahu Subarea Health Planning Council, the nomination of June I. Takenaka, term to expire December 31, 1986, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 126) submitting for consideration and confirmation to the Hawaii County Subarea Health Planning Council, the nominations of Reynold Mishina and Beverly Jean Withington, terms to expire December 31, 1986, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 127) submitting for consideration and confirmation to the Maui County Subarea Health Planning Council, the nomination of Corazon E. Masicampo, term to expire December 31, 1986, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 128) submitting for consideration and confirmation to the Kauai County Subarea Health Planning Council, the nominations of Hilda H. Inouye and John English, terms to expire December 31, 1986, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 129) submitting for consideration and confirmation to the County Hospital Management Advisory Committee, City and County of Honolulu Hospital System, the nomination of Rachael S. Chang, term to expire December 31, 1986, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 130) submitting for consideration and confirmation to the County Hospital Management Advisory Committee, Hawaii County Hospital System, the nomination of Charles H. Hustace, Jr., term to expire December 31, 1986, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 131) submitting for consideration and confirmation to the County Hospital Management Advisory Committee, Maui County Hospital System, the nomination of Lyman M. Morikawa, term to expire December 31, 1986, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 132) submitting for consideration and confirmation to the Board of Regents, University of Hawaii, the nominations of the following:

Walter R. Steiger, term to expire December 31, 1984;

Stanley Mukai, term to expire December 31, 1986; and

Stephen Bess, term to expire December 31, 1986,

was referred to the Committee on Higher Education.

A message from the Governor (Gov. Msg. No. 133) submitting for consideration and confirmation to the Board of Directors, Research Corporation, University of Hawaii, the nomination of J. W. A. Buyers, term to expire December 31, 1986, was referred to the Committee on Higher Education.

A message from the Governor (Gov. Msg. No. 134) submitting for consideration and confirmation to the Hawaii Housing Authority, the nominations of the following:

John P. Spierling, term to expire December 31, 1983; and

George G. Costa, Jr., term to expire December 31, 1984,

was referred to the Committee on Housing and Urban Development.

A message from the Governor (Gov. Msg. No. 135) submitting for consideration and confirmation to the Hawaii Community Development Authority, the nomination of Thomas M. Itagaki, term to expire December 31, 1986, was referred to the Committee on Housing and Urban Development.

A message from the Governor (Gov. Msg. No. 136) submitting for consideration and confirmation to the Board of Social Services and Housing, the nomination of William K. Pacatang, term to expire December 31, 1986, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 137) submitting for consideration and confirmation to the Civil Service Commission, the nomination of Richard S. Dumancas, term to expire December 31, 1986, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 138) submitting for consideration and confirmation to the Hawaii Employment Relations Board, the nomination of Odetta Fujimori, term to expire December 31, 1986, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 139) submitting for consideration and confirmation to the Board of Trustees, Hawaii Public Employees Health Fund, the nomination of James Brown, term to expire December 31, 1986, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 140) submitting for consideration and confirmation to the Advisory Commission on Manpower and Full Employment, the nominations of Iris T. Fukui and Michael C. K. Wong, terms to expire June 30, 1986, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 141) submitting for consideration and confirmation to the Hawaii Paroling Authority, the nomination of Kayo R. Chung, term to expire December 31, 1986, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 142) submitting for consideration and confirmation to the Juvenile Justice Interagency Board, the nomination of Boyd Mossman, term to expire December 31, 1986, was referred to the Committee on Judiciary.

A message from the Governor (Gov.

Msg. No. 143) submitting for consideration and confirmation to the Commission on the Status of Women, the nominations of Judy T. Makinodan and Ruth Fujimoto, terms to expire December 31, 1986, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 144) submitting for consideration and confirmation to the Board of Registration, Island of Oahu, the nomination of Shota Sakai, term to expire December 31, 1986, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 145) submitting for consideration and confirmation to the Board of Registration, Kauai and Niihau, the nomination of Yuriko N. Tasaka, term to expire December 31, 1986, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 146) submitting for consideration and confirmation to the Commission to Promote Uniform Legislation, the nomination of James A. King, term to expire December 31, 1986, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 147) submitting for consideration and confirmation to the Commission on Transportation, the nomination of Kenneth I. Craw, term to expire December 31, 1986, was referred to the Committee on Transportation.

A message from the Governor (Gov. Msg. No. 148) submitting for consideration and confirmation to the Advisory Council for Children and Youth, the nominations of the following:

Bruce Fujimoto, term to expire December 31, 1983; and

Vince G. Bagoyo, Jr., term to expire December 31, 1986,

was referred to the Committee on Youth and Elderly Affairs.

A message from the Governor (Gov. Msg. No. 149) submitting for consideration and confirmation to the Advisory Council for Children and Youth, the nomination of Conrad Hokama, term to expire December 31, 1986, was referred to the Committee on Youth and Elderly Affairs.

A message from the Governor (Gov. Msg. No. 150) submitting for consideration and confirmation to the Progressive Neighborhoods Task Force,

the nominations of Isadora Tai and Erasmus Patacsil, terms to expire December 31, 1986, was referred to the Committee on Youth and Elderly Affairs.

A message from the Governor (Gov. Msg. No. 151) transmitting a report prepared by the Energy Division of the Department of Planning and Economic Development (February 1983), in response to House Resolution No. 143, requesting the Department of Planning and Economic Development to devise a strategy for overseeing the effects of geothermal development on the residents of Puna District, was referred to the Committee on Economic Development.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 18 to 20), were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 18) transmitting House Bill No. 272, H.D. 1, which passed Third Reading in the House of Representatives on February 17, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 272, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT," passed First Reading by title and was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 19) transmitting House Bill No. 278, H.D. 1, which passed Third Reading in the House of Representatives on February 17, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 278, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 20) returning Senate Concurrent Resolution No. 22, which was adopted by the House of Representatives on February 17, 1983, was placed on file.

SENATE RESOLUTION

A resolution (S.R. No. 34),

entitled: "SENATE RESOLUTION REQUESTING THE SAND ISLAND STATE PARK BE RENAMED 'HAWAII VETERANS MEMORIAL STATE PARK'," was offered by Senators Cobb, Hagino, Kuroda, Chang, Young, Yamasaki, Henderson, Soares, Uwaine and B. Kobayashi, and was read by the Clerk.

By unanimous consent, S.R. No. 34 was referred to the Committee on Ecology, Environment and Recreation.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 20) informing the Senate that Governor's Message Nos. 82 to 151, Senate Resolution No. 34 and Standing Committee Report No. 21 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 21) recommending that Senate Bill No. 48, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cobb, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 48, entitled: "A BILL FOR AN ACT RELATING TO THEFT," passed Second Reading and was referred to the Committee on Judiciary.

ORDER OF THE DAY

RE-REFERRAL OF SENATE RESOLUTION

The President made the following re-referral of a resolution offered on Tuesday, February 15, 1983:

Senate Resolution Referred to:

No. 28 Committee on Government Operations and County Relations, then to the Committee on Human Resources

RE-REFERRAL OF SENATE BILLS

The President then made the following re-referral of bills that were

introduced on the respective dates:

Tuesday, February 8, 1983

Senate Bill Referred to:

No. 468 Committee on Housing and Urban Development, then to the Committee on Ways and Means

Wednesday, February 9, 1983

Senate Bill Referred to:

No. 500 Committee on Economic Development, then to the Committee on Ways and Means

Friday, February 11, 1983

Senate Bill Referred to:

No. 609 Committee on Government Operations and County Relations

Tuesday, February 15, 1983

Senate Bill Referred to:

No. 837 Committee on Transportation, then to the Committee on Ways and Means

No. 847 Jointly to the Committee on Ecology, Environment and Recreation and the Committee on Hawaiian Programs, then to the Committee on Ways and Means

No. 973 Committee on Government Operations and County Relations

No. 1369 Committee on Education

No. 1419 Committee on Consumer

Protection and Commerce

MISCELLANEOUS COMMUNICATION

A communication from the Department of Civil Service, City and County of Honolulu (Misc. Com. No. 5), regarding the Report of Positions Assigned to SC Salary Ranges, City and County of Honolulu, submitted in accordance with the provisions of Section 77-13 (d), HRS, was read by the Clerk and was placed on file.

At 11:56 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:00 o'clock noon.

At this time the President stated:

"Before we adjourn to go into the recess, I want to make a reminder to all Senators. I know there will be several Senators travelling back to the neighbor islands to discuss various matters with their constituencies, and be having public hearings there.

"I would like to make sure that all of you can come back into the capitol building at least one or two days during the recess so that you will be available to answer any questions the general public might have with reference to the various bills which have been introduced."

ADJOURNMENT

At 12:10 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., on Tuesday, March 1, 1983.