

THIRTY-SEVENTH DAY

Friday, March 14, 1986

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1986, convened at 11:35 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Clarence Liu, Chancery Office, Catholic Diocese, after which the Roll was called showing all Senators present with the exception of Senators Abercrombie and Cayetano who were excused.

The President announced that he had read and approved the Journal of the Thirty-Sixth Day.

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

Senator Fernandes Salling introduced a group of 15 students who are participants of the Kauai Student Legislative Experience Program, representing Waimea, Kauai and Kapaa High Schools, accompanied by chaperones: Allan Yamada, Janice Nitta, Shirley Akita and James Kawamura.

Senator Fernandes Salling also introduced a group of 30 students from Kaumakani School, Kauai, accompanied by their teachers: Emily Minei, April Dela Cruz, Gay Marchino and Myrtle Shinagawa; parents: Sandy Solinen, Rose Largo, Kathy Broyles and Evelyn Bonachita; and Lauae Arashiro, a kupuna. Senator Fernandes Salling added that Kaumakani School is scheduled to close at the end of this school year and the students will be incorporated with Eleele School.

Senator Toguchi introduced seven 7th grade students from King Intermediate School in Kaneohe, accompanied by Mrs. Charlene Tarr, their teacher, and Mrs. Ann Kawai, chaperone.

Senator Young introduced a group of 4th grade students from Waipahu Elementary School and their teacher, Mrs. Saito.

Senator Kawasaki introduced former State Senator Dennis O'Connor who was also sitting in the gallery.

Senator McMurdo introduced two relatives, Helen McMurdo from Charlottesville, Virginia, and Carol Cheape who resides in Mililani Town.

Senator Chang introduced a group of 15 students from the ecology class of Windward Community College and their instructor, Margo Stahl.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 221 to 224) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 221, transmitting a report, "School Hour Change Study," prepared by Kaku Associates and Barbara Sunderland & Associates for the Oahu Metropolitan Planning Organization, in response to S.R. No. 109 (1985), was referred jointly to the Committee on Transportation and the Committee on Education.

Gov. Msg. No. 222, transmitting the "Report on State Positions Assigned to Ranges SC-1, SC-2 and SC-3," prepared by the Department of Personnel Services, pursuant to Sec. 77-13, Sub-sec. (d), as amended, HRS, was referred to the Committee on Labor and Employment.

Gov. Msg. No. 223, transmitting a draft to amend S.B. No. 1743-86, Relating to Capital Authorizations, pursuant to Article VII, Sec. 9, of the State Constitution, was placed on file.

Gov. Msg. No. 224, informing the Senate that on March 13, 1986, he signed into law Senate Bill No. 92 as Act 2, entitled: "RELATING TO COMMERCIAL MARINE DEALERS," was placed on file.

HOUSE COMMUNICATION

Hse. Com. No. 359, transmitting House Concurrent Resolution No. 12 which was adopted by the House of Representatives on March 13, 1986, was read by the Clerk and was placed on file.

By unanimous consent, H.C.R. No. 12, entitled: "HOUSE CONCURRENT RESOLUTION URGING WHOLESAL PRODUCE DEALERS TO MAINTAIN ACCURATE RECORDS CONCERNING THE DISTRIBUTION OF FRESH AGRICULTURAL PRODUCE DISTRIBUTED TO RETAILERS," was referred to the Committee on Agriculture.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 34 to 48) were read by the Clerk and were disposed of as follows:

S.C.R. No. 34, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING ACTION TO BEGIN IMPLEMENTATION OF THE HAPUNA BEACH STATE PARK MASTER PLAN OR APPROPRIATE ALTERNATIVE ACTION," was offered by Senators Henderson,

Matsuura, Solomon, George, A. Kobayashi and Soares.

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

S.C.R. No. 35, entitled: "SENATE CONCURRENT RESOLUTION URGING SUPPORT OF THE PEOPLE OF NEGROS, PHILIPPINES," was offered by Senators Abercrombie and Cayetano.

By unanimous consent, S.C.R. No. 35 was referred to the Committee on Government Operations.

S.C.R. No. 36, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REPORT ON POSSIBLE STATE AND FEDERAL GOVERNMENTAL ACTIONS TO ACHIEVE AN EFFECTIVE MANAGEMENT ROLE FOR THE STATE OF HAWAII IN THE EXCLUSIVE ECONOMIC ZONE," was offered by Senators Matsuura, Soares, Hagino, B. Kobayashi, McMurdo, Kawasaki, Yamasaki, Henderson, Mizuguchi, Machida, George, Chang, Young, Holt, A. Kobayashi, Fernandes Salling, Kuroda, Solomon, Cayetano, Hee, Aki and Toguchi.

By unanimous consent, S.C.R. No. 36 was referred to the Committee on Economic Development.

S.C.R. No. 37, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING AND SUPPORTING THE DEVELOPMENT OF A PROGRAM TO AID THE LARGE FRESH TUNA INDUSTRY," was offered by Senators Matsuura, Soares, Hagino, B. Kobayashi, McMurdo, Kawasaki, Yamasaki, Mizuguchi, Cayetano, Machida, Chang, Hee, Young, Holt, A. Kobayashi, Henderson, George, Fernandes Salling, Kuroda, Solomon, Aki and Toguchi.

By unanimous consent, S.C.R. No. 37 was referred to the Committee on Economic Development.

S.C.R. No. 38, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT ALL AIRCRAFT CEASE LOW-FLYING PATTERNS OVER POPULATED AREAS," was offered by Senator Abercrombie.

By unanimous consent, S.C.R. No. 38 was referred to the Committee on Transportation.

S.C.R. No. 39, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF AN EMPLOYEE ASSISTANCE PROGRAM FOR STATE EMPLOYEES," was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 39 was

referred to the Committee on Health.

S.C.R. No. 40, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF INSURANCE COVERAGE FOR ALCOHOL DEPENDENCY, DRUG ABUSE AND MENTAL ILLNESS," was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 40 was referred to the Committee on Health.

S.C.R. No. 41, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CREATION OF A BLUE RIBBON COMMITTEE TO DETERMINE THE MOST APPROPRIATE SITE FOR THE KING KALAKAUA STATUE," was offered by Senator Yamasaki, Wong, Machida and Mizuguchi.

By unanimous consent, S.C.R. No. 41 was referred to the Committee on Tourism and Recreation.

S.C.R. No. 42, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE CALIFORNIA EMERGENCY ACT AS MODEL LEGISLATION FOR REVISING HAWAII'S CIVIL DEFENSE AND EMERGENCY ACT," was offered by Senators Yamasaki, Machida, Hagino, McMurdo, Matsuura, Holt, Solomon, Soares, Hee and Mizuguchi.

By unanimous consent, S.C.R. No. 42 was referred to the Committee on Government Operations.

S.C.R. No. 43, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A LAND EXCHANGE BETWEEN THE STATE AND ALEXANDER AND BALWIN, INC., FOR THE PRESENT TWENTY-FOUR ACRE SITE OF THE MAUI COUNTY FAIRGROUNDS IN KAHULUI," was offered by Senators Yamasaki, Machida, Solomon and Aki.

By unanimous consent, S.C.R. No. 43 was referred to the Committee on Economic Development.

S.C.R. No. 44, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DISPOSE BY WAY OF AN EASEMENT CERTAIN GOVERNMENT SUBMERGED LANDS AND LANDS BENEATH TIDAL WATERS FOR PURPOSES OF CONSTRUCTING CERTAIN OFFSHORE IMPROVEMENTS," was offered by Senators Yamasaki, Machida, Solomon, Aki and Mizuguchi.

By unanimous consent, S.C.R. No. 44 was

referred to the Committee on Economic Development.

S.C.R. No. 45, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE ACQUIRE ADDITIONAL ONELOA BEACH BIG (BIG BEACH) LANDS AT MAKENA, MAUI FOR STATE PARK PURPOSES," was offered by Senators Yamasaki, Machida and Mizuguchi.

By unanimous consent, S.C.R. No. 45 was referred to the Committee on Tourism and Recreation.

S.C.R. No. 46, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CONGRESS OF THE UNITED STATES OF AMERICA TO ENACT LEGISLATION REQUIRING THE FEDERAL AVIATION ADMINISTRATION TO REGULATE HELICOPTER FLIGHT PATTERNS AND TO CLARIFY EXISTING FEDERAL LAWS RELATING TO NOISE," was offered by Senators Solomon, Hagino, Soares, Matsuura, Yamasaki, A. Kobayashi, Henderson, McMurdo, Cobb, Fernandes Salling, Holt, B. Kobayashi, Abercrombie, Mizuguchi, Hee, Aki, Toguchi, Kawasaki, Machida, Young, Cayetano, Chang and George.

By unanimous consent, S.C.R. No. 46 was referred to the Committee on Transportation.

S.C.R. No. 47, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A FINANCIAL, MANAGEMENT, AND PROGRAM AUDIT OF THE HAWAII VISITORS BUREAU," was offered by Senators McMurdo, Abercrombie, Cayetano, B. Kobayashi, Aki, Toguchi, Holt, Mizuguchi, Yamasaki, Chang, Solomon, Kawasaki, Hee, Machida, Young, Fernandes Salling, Hagino, Henderson, George and Cobb.

By unanimous consent, S.C.R. No. 47 was referred to the Committee on Tourism and Recreation.

S.C.R. No. 48, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DESIGNATE FORT DERUSSY AS AN HISTORICAL LANDMARK TO SERVE EXCLUSIVELY AS A RECREATIONAL AREA FOR THE STATE OF HAWAII," was offered by Senators McMurdo, Abercrombie, Cayetano, Toguchi, Fernandes Salling, Chang, Holt, Mizuguchi, A. Kobayashi, Hee, Machida, Young, Cobb and Hagino.

By unanimous consent, S.C.R. No. 48 was referred to the Committee on Tourism and Recreation.

The following resolutions (S.R. Nos. 63 to 71) were read by the Clerk and were disposed of as follows:

S.R. No. 63, entitled: "SENATE RESOLUTION REQUESTING ACTION TO BEGIN IMPLEMENTATION OF THE HAPUNA BEACH STATE PARK MASTER PLAN OR APPROPRIATE ALTERNATIVE ACTION," was offered by Senators Henderson, Matsuura, Solomon, George, A. Kobayashi and Soares.

By unanimous consent, S.R. No. 63 was referred to the Committee on Tourism and Recreation.

S.R. No. 64, entitled: "SENATE RESOLUTION URGING SUPPORT OF THE PEOPLE OF NEGROS, PHILIPPINES," was offered by Senators Abercrombie and Cayetano.

By unanimous consent, S.R. No. 64 was referred to the Committee on Government Operations.

S.R. No. 65, entitled: "SENATE RESOLUTION REQUESTING A REPORT ON POSSIBLE STATE AND FEDERAL GOVERNMENTAL ACTIONS TO ACHIEVE AN EFFECTIVE MANAGEMENT ROLE FOR THE STATE OF HAWAII IN THE EXCLUSIVE ECONOMIC ZONE," was offered by Senators Matsuura, Soares Hagino, B. Kobayashi, McMurdo, Kawasaki, Yamasaki, Machida, Toguchi, Mizuguchi, Chang, George, Young, Holt, A. Kobayashi, Henderson, Fernandes Salling, Kuroda, Solomon, Cayetano, Hee and Aki.

By unanimous consent, S.R. No. 65 was referred to the Committee on Economic Development.

S.R. No. 66, entitled: "SENATE RESOLUTION ENCOURAGING AND SUPPORTING THE DEVELOPMENT OF A PROGRAM TO AID THE LARGE FRESH TUNA INDUSTRY," was offered by Senators Matsuura, Soares, Hagino, B. Kobayashi, McMurdo, Kawasaki, Yamasaki, Mizuguchi, Cayetano, Machida, Chang, Holt, Young, A. Kobayashi, Henderson, George, Fernandes Salling, Kuroda, Solomon, Hee, Aki and Toguchi.

By unanimous consent, S.R. No. 66 was referred to the Committee on Economic Development.

S.R. No. 67, entitled: "SENATE RESOLUTION REQUESTING THE CREATION OF A BLUE RIBBON COMMITTEE TO DETERMINE THE MOST APPROPRIATE SITE FOR THE KING KALAKAUA STATUE," was offered by Senators Yamasaki, Wong, Machida and Mizuguchi.

By unanimous consent, S.R. No. 67 was referred to the Committee on Tourism and Recreation.

S.R. No. 68, entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE CALIFORNIA EMERGENCY ACT AS MODEL LEGISLATION FOR REVISING HAWAII'S CIVIL DEFENSE AND EMERGENCY ACT," was offered by Senators Yamasaki, Machida, Hagino, McMurdo, Matsuura, Holt, Solomon, Soares, Hee, Aki and Mizuguchi.

By unanimous consent, S.R. No. 68 was referred to the Committee on Government Operations, then to the Committee on Legislative Management.

S.R. No. 69, entitled: "SENATE RESOLUTION AUTHORIZING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DISPOSE BY WAY OF AN EASEMENT CERTAIN GOVERNMENT SUBMERGED LANDS AND LANDS BENEATH TIDAL WATERS FOR PURPOSES OF CONSTRUCTING CERTAIN OFFSHORE IMPROVEMENTS," was offered by Senators Yamasaki, Machida, Solomon, Aki and Mizuguchi.

By unanimous consent, S.R. No. 69 was referred to the Committee on Economic Development.

S.R. No. 70, entitled: "SENATE RESOLUTION REQUESTING THE CONGRESS OF THE UNITED STATES OF AMERICA TO ENACT LEGISLATION REQUIRING THE FEDERAL AVIATION ADMINISTRATION TO REGULATE HELICOPTER FLIGHT PATTERNS AND TO CLARIFY EXISTING FEDERAL LAWS RELATING TO NOISE," was offered by Senators Solomon, Fernandes Salling, Hagino, Holt, Soares, McMurdo, Kawasaki, Toguchi, Yamasaki, A. Kobayashi, Henderson, Matsuura, Cobb, B. Kobayashi, Young, Abercrombie, Cayetano, Mizuguchi, Hee, Aki, Machida, Chang and George.

By unanimous consent, S.R. No. 70 was referred to the Committee on Transportation.

S.R. No. 71, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DESIGNATE FORT DERUSSY AS AN HISTORICAL LANDMARK TO SERVE EXCLUSIVELY AS A RECREATIONAL AREA FOR THE STATE OF HAWAII," was offered by Senators McMurdo, Abercrombie, Cayetano, Toguchi, Fernandes Salling, Hagino, Chang, Holt, Mizuguchi, A. Kobayashi, Hee, Machida, Young and Cobb.

By unanimous consent, S.R. No. 71 was referred to the Committee on Tourism and Recreation.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Housing and Community Development, presented a report (Stand. Com. Rep. No. 513-86) recommending that House Bill No. 2123-86, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Young, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2123-86, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 17, 1986.

Senator Young, for the Committee on Housing and Community Development, presented a report (Stand. Com. Rep. No. 514-86) recommending that House Bill No. 2024-86, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2024-86, H.D. 1, 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 Young, for the Committee on Housing and Community Development, presented a report (Stand. Com. Rep. No. 515-86) recommending that the Senate advise and consent to the nomination of Don J. Daley to the Board of Directors of the Aloha Tower Development Corporation, in accordance with Gov. Msg. No. 107.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 515-86 and Gov. Msg. No. 107 was deferred until Monday, March 17, 1986.

At 11:45 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

At this time, Senator Fernandes Salling rose to wish Senator Hee a Happy Birthday and presented him with a lei.

ADJOURNMENT

At 11:50 o'clock a.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock, Monday, March 17, 1986.