

## FORTY-FIRST DAY

Thursday, March 20, 1986

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1986, convened at 11:37 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Chaplain Walter M. Harris, Captain, United States Air Force, after which the Roll was called showing all Senators present with the exception of Senators Holt, Kuroda and Machida who were excused.

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

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

Senator Hagino, on behalf of Senator Toguchi and himself, introduced a group of 65 students from Kahuku High and Elementary School, participants of the Student Legislative Experience Program, and their teachers: Mrs. Vanisi, Mrs. Finia, Mrs. Galeai, Mrs. Makaiau, Mrs. Ongoongotau and Mrs. Bueno, and parent: Mrs. Anelua.

Senator Toguchi then introduced and recognized, in honor of National Volunteer Week, April 21-27, 1986, the following volunteers of the Library for the Blind and Physically Handicapped: Ms. Ethel Alexander, Ms. Carol Phelps, Ms. Kanoe Souza, Ms. Lydia Ranger and Ms. Georgia Morikawa who was represented by Ms. Lydia Lambert, accompanied by Mr. Bart Kane, State Librarian. The Clerk of the Senate read the congratulatory Senate Certificate to the members of the Senate.

The honorees rose to be recognized and were presented the Senate Certificates and leis by Senators Toguchi and members of the Senate Education Committee.

At 11:46 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. 246 to 264) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 246, informing the Senate that on March 18, 1986, he signed the following bills into law:

House Bill No. 107 as Act 3, entitled: "RELATING TO STATE WARRANTS,"

House Bill No. 2022-86 as Act 4, entitled: "RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY,"

was placed on file.

Gov. Msg. No. 247, submitting for consideration and confirmation to the Board of Barbers, the nominations of:

Harold M. Nakamoto, term to expire June 30, 1988; and

Richard H. Kawano, term to expire June 30, 1990,

was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 248, submitting for consideration and confirmation to the Board of Examiners of Nursing Home Administrators, the nomination of Verna Hanashiro, term to expire June 30, 1989, was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 249, submitting for consideration and confirmation to the Board of Pharmacy, the nominations of Kalli S. Malley and Todd Kiyoshi Inafuku, terms to expire June 30, 1990, was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 250, submitting for consideration and confirmation to the Board of Speech Pathology and Audiology, the nomination of Stella Satake, term to expire June 30, 1989, was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 251, submitting for consideration and confirmation to the Board of Veterinary Examiners, the nomination of Albert H. Ornellas, term to expire June 30, 1990, was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 252, submitting for consideration and confirmation to the Hawaii Fisheries Coordinating Council, the nomination of Ralph H. Takafuji, term to expire June 30, 1988, was referred to the Committee on Economic Development.

Gov. Msg. No. 253, submitting for consideration and confirmation to the King Kamehameha Celebration Commission, the nominations of Aloha D. Gellert, Samuel Spencer and Ronald Kimball, terms to expire June 30, 1990, was referred to the Committee on Education.

Gov. Msg. No. 254, submitting for consideration and confirmation to the

Library Advisory Commission, County of Hawaii, the nominations of Frank N. Kaneda and Martha S. Nagakura, terms to expire June 30, 1990, was referred to the Committee on Education.

Gov. Msg. No. 255, submitting for consideration and confirmation to the Board of Health, the nomination of Ernest L. Bade, M.D., term to expire June 30, 1990, was referred to the Committee on Health.

Gov. Msg. No. 256, submitting for consideration and confirmation to the Advisory Commission on Drug Abuse and Controlled Substances, the nominations of Edward Stanley and Robert C. Palmer, M.D., terms to expire June 30, 1990, was referred to the Committee on Health.

Gov. Msg. No. 257, submitting for consideration and confirmation to the Environmental Council, the nomination of Walter H. Muraoka, term to expire June 30, 1988, was referred to the Committee on Health.

Gov. Msg. No. 258, submitting for consideration and confirmation to the Board of Directors, Research Corporation, University of Hawaii, the nominations of Robert M. Ota, Simon Schneiderman, Ph.D., and Brian K. Minaai, terms to expire June 30, 1990, was referred to the Committee on Higher Education.

Gov. Msg. No. 259, submitting for consideration and confirmation to the Hawaii Housing Authority, the nominations of Wilbert K. Eguchi and Calvin S. Nemoto, terms to expire June 30, 1990, was referred to the Committee on Housing and Community Development.

Gov. Msg. No. 260, submitting for consideration and confirmation to the Hawaii Community Development Authority, the nominations of Stanley K. Kawaguchi and Gary Caulfield, terms to expire June 30, 1990, was referred to the Committee on Housing and Community Development.

Gov. Msg. No. 261, submitting for consideration and confirmation to the Policy Advisory Board for Elderly Affairs, the nomination of Kenneth Okuma, term to expire June 30, 1988, was referred to the Committee on Human Services.

Gov. Msg. No. 262, submitting for consideration and confirmation to the Board of Registration, Island of Hawaii, the nomination of Mabel Ishii, term to expire June 30, 1990, was referred to the Committee on Judiciary.

Gov. Msg. No. 263, submitting for consideration and confirmation to the Hawaii Historic Places Review Board, the nominations of Lynette K. Paglinawan,

Edith K. McKinzie, Gerald T. Takano, Yoshiko Sinoto, D.Sc., and Kiyoshi Ikeda, Ph.D., terms to expire June 30, 1990, was referred to the Committee on Tourism and Recreation.

Gov. Msg. No. 264, submitting for consideration and confirmation to the Board of Taxation Review, Third Taxation District (Hawaii), the nomination of Albert "Benny" Rodero, term to expire June 30, 1990, was referred to the Committee on Ways and Means.

#### HOUSE COMMUNICATION

Hse. Com. No. 367, transmitting House Concurrent Resolution No. 2, H.D. 1, which was adopted by the House of Representatives on March 19, 1986, was placed on file.

By unanimous consent, H.C.R. No. 2, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE DEPARTMENT OF EDUCATION TO PROVIDE FOR FOREIGN LANGUAGE STUDY IN THE SCHOOLS," was referred to the Committee on Education.

#### SENATE RESOLUTION

S.R. No. 80, entitled: "SENATE RESOLUTION REQUESTING CONTINUED OVERSIGHT AND ENFORCEMENT OF THE FEDERAL PACKERS AND STOCKYARDS ACT," was offered by Senators Solomon, Kuroda, Yamasaki, Fernandes Salling, A. Kobayashi, Young, Mizuguchi, Toguchi, Hee, Matsuura, Soares, Henderson, McMurdo, B. Kobayashi, Holt, Cayetano, Cobb, Kawasaki, Hagino, George, Chang and Abercrombie, and was read by the Clerk.

By unanimous consent, S.R. No. 80 was referred to the Committee on Agriculture.

#### ORDER OF THE DAY

##### MATTER DEFERRED FROM WEDNESDAY, MARCH 19, 1986

Senate Bill No. 1647-86, H.D. 1 (Hse. Com. No. 366):

On motion by Senator Solomon, seconded by Senator Hagino and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1647-86, and S.B. No. 1647-86, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORING MONGOOSE," was placed on the calendar for Final Reading on Friday, March 21, 1986.

#### THIRD READING

##### MATTERS DEFERRED FROM WEDNESDAY, MARCH 19, 1986

House Bill No. 1954-86, S.D. 1:

On motion by Senator Chang, seconded by Senator Cayetano and carried, H.B. No. 1954-86, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 10, OF THE HAWAII CONSTITUTION TO CHANGE THE LEGISLATIVE SESSION RECESS REQUIREMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, none. Excused, 5 (Abercrombie, Hee, Holt, Kuroda and Machida).

House Bill No. 317, H.D. 1:

On motion by Senator Chang, seconded by Senator Cayetano and carried, H.B. No. 317, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LIMITATIONS PERIOD FOR FEDERAL ACTIONS BROUGHT IN STATE COURT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, none. Excused, 5 (Abercrombie, Hee, Holt, Kuroda and Machida).

House Bill No. 1995-86, H.D.1, S.D. 1:

On motion by Senator B. Kobayashi, seconded by Senator Kawasaki and carried, H.B. No. 1995-86, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRUG PRODUCT SELECTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, none. Excused, 5 (Abercrombie, Hee, Holt, Kuroda and Machida).

House Bill No. 2004-86, S.D. 1:

By unanimous consent, action on H.B. No. 2004-86, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGENT ORANGE," was deferred until Friday, March 21, 1986.

House Bill No. 2104-86:

On motion by Senator B. Kobayashi, seconded by Senator Kawasaki and carried, H.B. No. 2104-86, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Abercrombie, Holt, Kuroda and Machida).

House Bill No. 2003-86, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 2003-86, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POISON," was deferred until Friday, March 21, 1986.

House Bill No. 2046-86:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, H.B. No. 2046-86, entitled: "A BILL FOR AN ACT RELATING TO CIVIL PENALTIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Abercrombie, Holt, Kuroda and Machida).

House Bill No. 2119-86, H.D. 1, S.D. 1:

On motion by Senator Young, seconded by Senator Hee and carried, H.B. No. 2119-86, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASEHOLDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Abercrombie, Holt, Kuroda and Machida).

#### RE-REFERRAL OF HOUSE BILLS

The President made the following re-referral of House bills:

House Bill	Referred to:
No. 2482-86, H.D. 1	Committee on Judiciary
No. 2532-86, H.D. 2	Committee on Ways and Means
No. 2608-86, H.D. 2	Committee on Ways and Means

At this time, Senator Yamasaki, chairman of the Committee on Ways and Means requested a waiver of the 48-hour Notice of a Public Hearing for the subjects listed on the agenda of the Senate Ways and Means Committee's hearing notice for Friday, March 21, 1986, and the President granted the waiver.

#### ADJOURNMENT

At 11:57 o'clock a.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, March 21, 1986.