

## TWENTIETH DAY

Wednesday, February 17, 1988

The Senate of the Fourteenth Legislature of the State of Hawaii, Regular Session of 1988, convened at 11:36 o'clock a.m. with the Vice President in the Chair.

The Divine Blessing was invoked by the Reverend Dan Nebres of Cosmopolitan Community Church, after which the Roll was called showing all Senators present.

The Chair announced that she had read and approved the Journal of the Nineteenth Day.

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

Senator Holt introduced a group of fifth grade students from Kamehameha Schools who are observing the legislative process, accompanied by their teachers, Mrs. Seto, Mrs. Ohio, Mrs. Christianson, Mrs. Hemphill, Mrs. Fieldhouse, Mr. Sunli, and a parent, Mrs. Kimura.

Senator Ikeda introduced Deeann Izumi and Garett Ichimura, students at Niu Valley Intermediate School, who are participating in a social studies program called "A Day at the Legislature."

Senator Chang introduced a ten-member delegation of judges and legal officials from the Peoples Republic of China who are participating in the China Law Conference at the East-West Center in the first judicial exchange between China and Hawaii. Present on the Senate floor were: Mr. Liu Yunfeng, President, Beijing High People's Court; Mr. Xing Jian, Vice President, Beijing Intermediate People's Court; Mr. Yao Keming, Judicial Committee Member and Director of Research Department, Beijing High Court; Mr. Sun Bosheng, Chief Judge, Economic Division, Beijing High Court; Mr. Yang Yuguan, Ministry of Justice, Foreign Affairs, Deputy Official; Mr. Chen Zhenliang, Honorary President, Fujian Province Lawyers' Association; Mr. Zhang Binsheng, All China Lawyers Association Counsellor; Mr. Wang Shoumao, Vice Chairman of the China Council for the Promotion of International Trade; Mr. Zhao Junxiang, Secretary and Interpreter, Beijing High Court; and Mr. Chen Luming, Interpreter, China Council for the Promotion of International Trade.

The delegation was accompanied by Professor Liu Chu, visiting faculty member at the University of Hawaii School of Law, and Mrs. Chu, and Professor Ronald Brown from the University of Hawaii School of Law who were seated in the gallery.

Senator Chang also introduced the 39th Narcissus Festival Queen and her court, who were present on the Senate floor: Queen Lissa Ing; Second Princess, Pamela Tseu; and Third Princess, Colleen Pang. Mr. Edward Au, president of the Chinese Chamber of Commerce, Mr. Wally Ching, first vice president of the Chinese Chamber of Commerce, and Mr. Gerald Pang, deputy attorney general and member of the Chinese Chamber of Commerce accompanied the group.

At this time, all of the honorees rose to be recognized and were presented with leis, and the Narcissus Queen and her court were presented with the token "hung bao" (good luck) by various Senators.

At 11:47 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.

At this time, the Chair invited the 1988 Narcissus Queen Lissa Ing to the rostrum and she addressed the members of the Senate as follows:

"Good morning. We'd like to welcome you to the 'Year of the Dragon,' and on behalf of the Chinese Chamber of Commerce we are expecting this year to be filled with many events and excitement to be shared statewide.

"As a Narcissus Queen, I've been given the opportunity to draw focus on the community that has been involved in this state for 200 years.

"The Chinese Chamber of Commerce has made a personal dream a reality and I surely thank them. The weight of my crown only serves to remind me what potential we have and how influenced we are by the culture around us. We wish all of these good things Chinese and may the dragon leap into your heart. 'Kung Hee Fat Choy,' Happy New Year. Thank you."

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 133 and 134) were read by the Clerk and were placed on file:

Gov. Msg. No. 133, informing the Senate that on February 3, 1988, he signed into law Senate Bill No. 1 as Act 2, entitled: "MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE LEGISLATIVE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN."

Gov. Msg. No. 134, transmitting summaries regarding the convention center site assessments, submitted by the Department of Business and Economic Development.

## SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 22 to 25) were read by the Clerk and were referred to committee:

Senate  
Concurrent  
Resolution

No. 22 "SENATE CONCURRENT RESOLUTION REQUESTING CITY AND COUNTY OF HONOLULU TO INVESTIGATE METHODS TO LIMIT UNREASONABLE INCREASES IN REAL PROPERTY TAXES."

Offered by: Senators Cobb, Blair, Hagino, Holt, Ikeda, Kobayashi, A., Kobayashi, B., Matsuura, Mizuguchi.

Referred to: Committee on Government Operations.

No. 23 "SENATE CONCURRENT RESOLUTION CLARIFYING THE INTENT OF THE LEGISLATURE WITH RESPECT TO THE DIAMOND HEAD STATE MONUMENT."

Offered by: Senator Kobayashi, B.

Referred to: Committee on Culture, Arts and Historic Preservation.

No. 24 "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE UNIVERSITY OF HAWAII DESIGN A PROGRAM TO TRAIN POLICE AND EMERGENCY MEDICAL PERSONNEL IN BASIC JAPANESE."

Offered by: Senator Blair.

Referred to: Jointly to the Committee on Higher Education and the Committee on Government Operations.

No. 25 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF IMPLEMENTING A PHARMACEUTICAL ASSISTANCE PROGRAM FOR THE ELDERLY."

Offered by: Senators Kobayashi, A., Aki, Cobb, Holt, Ikeda, Kobayashi, B., Matsuura, McMurdo, Reed.

Referred to: Committee on Human Services.

#### SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 28 to 31) were read by the Clerk and were referred to committee:

Senate  
Resolution

No. 28 "SENATE RESOLUTION REQUESTING CITY AND COUNTY OF HONOLULU TO INVESTIGATE METHODS TO LIMIT UNREASONABLE INCREASES IN REAL PROPERTY TAXES."

Offered by: Senators Cobb, Blair, Hagino, Holt, Ikeda, Kobayashi, A., Kobayashi, B., Matsuura, Mizuguchi.

Referred to: Committee on Government Operations.

No. 29 "SENATE RESOLUTION CLARIFYING THE INTENT OF THE LEGISLATURE WITH RESPECT TO THE DIAMOND HEAD STATE MONUMENT."

Offered by: Senator Kobayashi, B.

Referred to: Committee on Culture, Arts and Historic Preservation.

No. 30 "SENATE RESOLUTION REQUESTING THAT THE UNIVERSITY OF HAWAII DESIGN A PROGRAM TO TRAIN POLICE AND EMERGENCY MEDICAL PERSONNEL IN BASIC JAPANESE."

Offered by: Senator Blair.

Referred to: Jointly to the Committee on Higher Education and the Committee on Government Operations.

No. 31 "SENATE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF IMPLEMENTING A PHARMACEUTICAL ASSISTANCE PROGRAM FOR THE ELDERLY."

Offered by: Senators Kobayashi, A., Cobb, Holt, Ikeda, Kobayashi, B., Matsuura, McMurdo, Reed.

Referred to: Committee on Health, then to the Committee on Legislative Management.

#### STANDING COMMITTEE REPORTS

Senator Tungpalan, for the Committee on Culture, Arts and Historic Preservation, presented a report (Stand. Com. Rep. No. 1527) recommending that Senate Bill No. 2299 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 2299, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MOVING IMAGE STORAGE FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tungpalan, for the Committee on Culture, Arts and Historic Preservation, presented a report (Stand. Com. Rep. No. 1528) recommending that Senate Bill No. 2209, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 2209, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE WAIKIKI AQUARIUM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tungpalan, for the majority of the Committee on Culture, Arts and Historic Preservation, presented a report (Stand. Com. Rep. No. 1529) recommending that Senate Bill No. 2221 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the report of the majority of the Committee was adopted and S.B. No. 2221, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PRODUCTION OF THE FILM 'KUMU HULA'," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tungpalan, for the Committee on Culture, Arts and Historic Preservation, presented a report (Stand. Com. Rep. No. 1530) recommending that Senate Bill No. 2368 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 2368, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ESTABLISHING A COMMUNITY CULTURAL CENTER IN PEARL CITY, OAHU," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tungpalan, for the Committee on Culture, Arts and Historic Preservation, presented a report (Stand. Com. Rep. No. 1531) recommending that Senate Bill No. 2222 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 2222, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CHILDREN'S MUSEUM OF HAWAII, INC.," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tungpalan, for the Committee on Culture, Arts and Historic Preservation, presented a report (Stand.

Com. Rep. No. 1532) recommending that Senate Bill No. 2239, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 2239, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE A GRANT-IN-AID TO THE KIHEI YOUTH CENTER, MAUI," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tungpalan, for the Committee on Culture, Arts and Historic Preservation, presented a report (Stand. Com. Rep. No. 1533) recommending that Senate Bill No. 2249 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 2249, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ACADEMY OF PERFORMING ARTS FACILITY OF THE MAUI YOUTH THEATER," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Tungpalan, for the Committee on Culture, Arts and Historic Preservation, presented a report (Stand. Com. Rep. No. 1534) recommending that Senate Bill No. 2210, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 2210, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE WAIKIKI AQUARIUM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1535) recommending that Senate Bill No. 2020, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 2020, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAXES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1536) recommending that Senate Bill No. 3360, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 3360, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A SUBSIDY FOR LIABILITY INSURANCE PREMIUMS OF CERTAIN OBSTETRICIANS AND GYNECOLOGISTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1537) recommending that Senate Bill No. 2052 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 2052, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was placed on the calendar for Third Reading on Friday, February 19, 1988.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1538) recommending that Senate Bill No. 2050 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 2050, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was placed on the calendar for Third Reading on Friday, February 19, 1988.

Senator McMurdo, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1539) recommending that Senate Bill No. 2205 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 2205, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE EXECUTIVE OFFICE ON AGING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator McMurdo, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1540) recommending that Senate Bill No. 3068 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 3068, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE LANAKILA MULTI-PURPOSE SENIOR CENTER," passed Second Reading and was referred to the Committee on Ways and Means.

Senator McMurdo, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1541) recommending that Senate Bill No. 3106 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 3106, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A CHILD CARE FACILITY IN WEST HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator McMurdo, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1542) recommending that Senate Bill No. 2246 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 2246, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR CONSTRUCTION OF THE

UPCOUNTRY COMMUNITY CENTER, PUKALANI, MAUI," passed Second Reading and was referred to the Committee on Ways and Means.

Senator McMurdo, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1543) recommending that Senate Bill No. 2618, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 2618, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR INCREASED FUNDING FOR SENIOR CITIZEN PROGRAMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator McMurdo, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1544) recommending that Senate Bill No. 2901 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 2901, entitled: "A BILL FOR AN ACT RELATING TO A CASE MANAGEMENT COORDINATION PROGRAM FOR THE FRAIL ELDERLY IN MAUI COUNTY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1545) recommending that Senate Bill No. 2418, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 2418, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELEASE OF MORTGAGES OF REAL PROPERTY OR FIXTURES," passed Second Reading and was referred to the Committee on Judiciary.

#### ORDER OF THE DAY

##### RE-REFERRAL OF SENATE BILLS

The Chair made the following re-referral of bills:

Senate Bills      Referred to:

No. 2506      Jointly to the Committee on Agriculture, Energy and Ocean Resources and the Committee on Planning and Environment, then to the Committee on Ways and Means

No. 2507      Jointly to the Committee on Agriculture, Energy and Ocean Resources and the Committee on Planning and Environment, then to the Committee on Ways and Means

No. 2688      Committee on Ways and Means

No. 2729      Committee on Consumer Protection and Commerce, then to the Committee on Judiciary

No. 2779      Committee on Consumer Protection and Commerce, then to the Committee on Judiciary

No. 2814      Jointly to the Committee on Education and the Committee on Government Operations, then to the Committee on Judiciary

No. 3048      Committee on Consumer Protection and Commerce, then to the Committee on Judiciary

No. 3425      Committee on Housing, Hawaiian Programs and Natural Resources, then to the Committee on Planning and Environment

At this time, Senator Cobb, chairman of the Committee on Consumer Protection and Commerce, requested a waiver of the 48-hour Notice of a Public Hearing on S.B. No. 18, and the Chair granted the waiver.

#### ADJOURNMENT

At 11:59 o'clock a.m., on motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, February 18, 1988.