

TENTH DAY

Tuesday, January 31, 1989

The Senate of the Fifteenth Legislature of the State of Hawaii, Regular Session of 1989, convened at 11:35 o'clock a.m. with the Vice President in the Chair.

The Divine Blessing was invoked by the Reverend Jerry Brown of the Christian Science Church in Kahului, Maui, after which the Roll was called showing all Senators present with the exception of Senators Chang, McMurdo and Wong who were excused.

The Chair announced that he had read and approved the Journal of the Ninth Day.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 66 and 67) were read by the Clerk and were placed on file:

Gov. Msg. No. 66, transmitting a report prepared by the Hawaii State Public Library System in response to H.R. No. 298 (1988), requesting a study of librarian classification.

Gov. Msg. No. 67, transmitting "The Hawaii State Plan 1988," prepared by the Office of State Planning, Office of the Governor, in response to Chapter 226, HRS.

DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 23 and 24) were read by the Clerk and were placed on file:

Dept. Com. No. 23 from the Office of the Auditor, transmitting "A Study of the Adequacy of Adult Residential Care Home Payments and Problems in Vacancy, Admission, and Demand," (Report No. 89-12), in response to Act 213, SLH 1988.

Dept. Com. No. 24 from the Department of Business and Economic Development, transmitting "The State of Hawaii Data Book 1988, A Statistical Abstract."

INTRODUCTION OF SENATE BILLS

On motion by Senator Blair, seconded by Senator Reed and carried, the following bills passed First Reading by title, and were placed on the calendar for further consideration on Wednesday, February 1, 1989:

Senate Bills

No. 441 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR VARIOUS MAUI COUNTY WATER SYSTEM IMPROVEMENTS."

Introduced by: Senators Yamasaki, by request, Solomon.

No. 442 "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS."

Introduced by: Senators Yamasaki, by request, Solomon.

No. 443 "A BILL FOR AN ACT RELATING TO COUNTY LIQUOR TAXES."

Introduced by: Senators Yamasaki, by request, Solomon.

No. 444 "A BILL FOR AN ACT RELATING TO SCHOOLS AND ATTENDANCE."

Introduced by: Senator Kobayashi, B.

No. 445 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DEVELOPMENTAL DISABILITIES."

Introduced by: Senators Levin, Kobayashi, B.

No. 446 "A BILL FOR AN ACT RELATING TO THE AQUARIUM AND MARINE LABORATORY."

Introduced by: Senators Kobayashi, B., Blair.

No. 447 "A BILL FOR AN ACT RELATING TO THE LEASEHOLD REDEMPTIONS."

Introduced by: Senator Kobayashi, B., by request.

No. 448 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Senators Aki, Holt, Ikeda, Kobayashi, A., Matsuura.

No. 449 "A BILL FOR AN ACT RELATING TO ENERGY."

Introduced by: Senators Matsuura, Levin, McCartney, Solomon.

No. 450 "A BILL FOR AN ACT RELATING TO PETROLEUM PRODUCTS MONITORING."

Introduced by: Senators Matsuura, Holt, Kobayashi, A.

No. 451 "A BILL FOR AN ACT RELATING TO DRIVERS."

Introduced by: Senators Matsuura, Kobayashi, A.

No. 452 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Senator Matsuura, by request.

No. 453 "A BILL FOR AN ACT RELATING TO MEDICAL CLAIMS."

Introduced by: Senator Matsuura.

No. 454 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A COMPUTERIZED LAND USE INFORMATION SYSTEM."

Introduced by: Senators Matsuura, Aki, Holt, Ikeda.

No. 455 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ESTABLISHMENT OF A FEDERAL REGIONAL TECHNOLOGY TRANSFER CENTER."

Introduced by: Senators Matsuura, Holt.

No. 456 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CONSTRUCTION AND OPERATION OF A COMMODITIES IRRADIATION FACILITY AND MARKETING PROGRAMS FOR

IRRADIATED AGRICULTURAL PRODUCTS FROM HAWAII."

Introduced by: Senators Matsuura, Ikeda.

No. 457 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE WAIANAE COMMUNITY COMPREHENSIVE MENTAL HEALTH FACILITY."

Introduced by: Senators Aki, Chang, Fernandes Salling, Hagino, Ikeda, Matsuura, Menor, Tungpalan.

No. 458 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE REPAIR OF THE POKAI BAY BEACH BREAKWATER."

Introduced by: Senators Aki, Chang, Fernandes Salling, Hagino, Ikeda, Matsuura, Menor, Tungpalan.

No. 459 "A BILL FOR AN ACT RELATING TO PURCHASE CREDITS FOR MILITARY SERVICE UNDER THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Hagino.

No. 460 "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES."

Introduced by: Senator Hagino.

No. 461 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."

Introduced by: Senators Hagino, Chang.

No. 462 "A BILL FOR AN ACT RELATING TO PENSION AND RETIREMENT SYSTEM."

Introduced by: Senator Hagino.

No. 463 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Hagino.

No. 464 "A BILL FOR AN ACT RELATING TO EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Hagino.

No. 465 "A BILL FOR AN ACT RELATING TO BEFORE-SCHOOL CHILD CARE."

Introduced by: Senators McMurdo, Solomon.

No. 466 "A BILL FOR AN ACT RELATING TO RECYCLING."

Introduced by: Senators McMurdo, Blair.

No. 467 "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING."

Introduced by: Senators McMurdo, Blair.

No. 468 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ESTABLISHING AFTER-SCHOOL PROGRAMS FOR HANDICAPPED CHILDREN."

Introduced by: Senators McMurdo, Solomon.

No. 469 "A BILL FOR AN ACT RELATING HEALTH CARE."

Introduced by: Senators McMurdo, Solomon.

No. 470 "A BILL FOR AN ACT RELATING TO ADULT PROTECTIVE SERVICES."

Introduced by: Senators McMurdo, Solomon.

No. 471 "A BILL FOR AN ACT RELATING TO THE LEGISLATURE."

Introduced by: Senator McMurdo.

No. 472 "A BILL FOR AN ACT RELATING TO MENTAL RETARDATION."

Introduced by: Senators McMurdo, Blair.

No. 473 "A BILL FOR AN ACT RELATING TO A CHILDREN'S CRISIS INTERVENTION TEAM."

Introduced by: Senators McMurdo, Solomon.

No. 474 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HOME AND COMMUNITY-BASED SERVICES PROGRAMS FOR PERSONS WITH DEVELOPMENTAL DISABILITIES."

Introduced by: Senators Levin, Kobayashi, B.

No. 475 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR OCEAN THERMAL ENERGY CONVERSION COMMERCIALIZATION."

Introduced by: Senators Kobayashi, A., Matsuura.

No. 476 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Kobayashi, A., Matsuura.

No. 477 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE ACQUISITION OF PALMYRA."

Introduced by: Senators Kobayashi, A., Matsuura, Holt.

No. 478 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A WATER SAFETY AND LEARN-TO-SWIM PROGRAM FOR FOURTH GRADE STUDENTS."

Introduced by: Senators Kobayashi, A., Holt, Matsuura.

No. 479 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE I, SECTION 13, OF THE CONSTITUTION OF THE STATE OF HAWAII TO PROVIDE THAT IN CIVIL CASES THE DEFENDANT MAY HAVE A TRIAL BY JUDGE."

Introduced by: Senators Kobayashi, A., Fernandes Salling, George, Hagino, Ikeda, McCartney, Yamasaki.

No. 480 "A BILL FOR AN ACT RELATING TO HIGHWAY NOISE."

Introduced by: Senators Kobayashi, A., Blair, Fernandes Salling, George, Hagino, Ikeda, McCartney, Reed, Yamasaki.

No. 481 "A BILL FOR AN ACT RELATING TO LIABILITY FOR BRAIN-DAMAGED INFANTS."

Introduced by: Senators Kobayashi, A., Matsuura.

No. 482 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senators Reed, Aki, George, Koki.

No. 483 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senators Reed, George, Koki.

No. 484 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senators Reed, Aki, George, Koki.

No. 485 "A BILL FOR AN ACT RELATING TO WORKERS COMPENSATION."

Introduced by: Senators Reed, Aki, George, Koki.

No. 486 "A BILL FOR AN ACT RELATING TO TORT ACTIONS."

Introduced by: Senators Reed, Aki, George, Koki.

No. 487 "A BILL FOR AN ACT RELATING TO DRUG AND ALCOHOL TESTING."

Introduced by: Senators Reed, Aki, Koki.

No. 488 "A BILL FOR AN ACT RELATING TO JOINT AND SEVERAL LIABILITY."

Introduced by: Senators Reed, Aki, George, Koki.

No. 489 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE SPECIAL EDUCATION CENTER OF OAHU."

Introduced by: Senator Kobayashi, B.

No. 490 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."

Introduced by: Senator Kobayashi, B.

No. 491 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A COURTHOUSE IN KAPAA, KAUAI."

Introduced by: Senators Fernandes Salling, Aki.

No. 492 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR KAPAA HIGH SCHOOL, KAPAA, KAUAI."

Introduced by: Senators Fernandes Salling, Aki.

No. 493 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A CAFETERIA FOR HANALEI SCHOOL ON KAUAI."

Introduced by: Senators Fernandes Salling, Aki.

No. 494 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AN ADMINISTRATION-LIBRARY BUILDING FOR KALAHEO SCHOOL ON KAUAI."

Introduced by: Senators Fernandes Salling, Aki.

No. 495 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR WAIMEA HIGH SCHOOL ON KAUAI."

Introduced by: Senators Fernandes Salling, Aki.

No. 496 "A BILL FOR AN ACT RELATING TO THE LANDLORD-TENANT CODE."

Introduced by: Senator Cobb, by request.

No. 497 "A BILL FOR AN ACT RELATING TO THE LANDLORD-TENANT CODE."

Introduced by: Senator Cobb, by request.

No. 498 "A BILL FOR AN ACT RELATING TO THE LANDLORD-TENANT CODE."

Introduced by: Senator Cobb, by request.

No. 499 "A BILL FOR AN ACT RELATING TO OPEN MEETINGS BY BOARD OF DIRECTORS."

Introduced by: Senator Cobb.

No. 500 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."

Introduced by: Senator Cobb.

No. 501 "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES."

Introduced by: Senator Cobb, by request.

No. 502 "A BILL FOR AN ACT RELATING TO COUNSELING."

Introduced by: Senator Cobb, by request.

No. 503 "A BILL FOR AN ACT RELATING TO INVESTMENTS BY FOREIGNERS."

Introduced by: Senators Cobb, Chang, Koki, McCartney, Solomon.

No. 504 "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES."

Introduced by: Senators Cobb, Aki, Koki, Matsuura, McCartney, Solomon.

No. 505 "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES."

Introduced by: Senators Cobb, Aki, Matsuura, McCartney, Solomon.

No. 506 "A BILL FOR AN ACT RELATING TO COLLISION INSURANCE FOR RENTED MOTOR VEHICLES."

Introduced by: Senators Cobb, Aki, Chang, McCartney, Solomon.

No. 507 "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES."

Introduced by: Senators Cobb, Aki, McCartney, Solomon.

No. 508 "A BILL FOR AN ACT RELATING TO LEASEHOLD PROPERTY."

Introduced by: Senators Cobb, Aki, McCartney, Solomon.

No. 509 "A BILL FOR AN ACT RELATING TO NURSING HOME ADMINISTRATORS."

Introduced by: Senator Cobb, by request.

No. 510 "A BILL FOR AN ACT RELATING TO THE CONDOMINIUM PROPERTY REGIME."

Introduced by: Senators George, Cobb.

No. 511 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."

Introduced by: Senator Cobb.

No. 512 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Senator Cobb.

No. 513 "A BILL FOR AN ACT RELATING TO FISHING."

Introduced by: Senators Cobb, Levin, Matsuura, McCartney, Tungpalan.

No. 514 "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES."

Introduced by: Senator Cobb, by request.

No. 515 "A BILL FOR AN ACT RELATING TO COUNTY SERVICES."

Introduced by: Senators Tungpalan, George, McMurdo.

No. 516 "A BILL FOR AN ACT RELATING TO DAY CARE FOR CHILDREN."

Introduced by: Senators Tungpalan, Koki, Levin, Solomon.

No. 517 "A BILL FOR AN ACT RELATING TO THE EXEMPTION OF SALES AND GROSS PROCEEDS OF SALES TO THE COUNTIES."

Introduced by: Senators Reed, George, Koki.

No. 518 "A BILL FOR AN ACT RELATING TO PROSECUTORIAL OFFICERS AND EMPLOYERS."

Introduced by: Senators Reed, George, Koki.

No. 519 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senators Reed, George, Koki.

No. 520 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senators Reed, Koki.

No. 521 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLES III AND V, OF THE HAWAII CONSTITUTION TO PROVIDE FOR AN ELECTIVE OFFICE OF ATTORNEY GENERAL."

Introduced by: Senators Reed, George, Koki.

No. 522 "A BILL FOR AN ACT RELATING TO USE OF STATE FACILITIES."

Introduced by: Senators Kobayashi, B., McCartney.

No. 523 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF EDUCATION TO MAINTAIN CLASS SIZE REDUCTIONS."

Introduced by: Senators Kobayashi, B., McCartney.

No. 524 "A BILL FOR AN ACT RELATING TO SCHOOL REPAIR AND MAINTENANCE."

Introduced by: Senator Kobayashi, B.

No. 525 "A BILL FOR AN ACT RELATING TO THE LIBRARY REVOLVING FUND."

Introduced by: Senators Kobayashi, B., McCartney.

No. 526 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR FOREIGN AREA STUDIES."

Introduced by: Senators Kobayashi, B., McCartney.

No. 527 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Kobayashi, B., McCartney.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills introduced on Monday, January 30, 1989:

Senate Bills	Referred to:
No. 372	Committee on Agriculture
No. 373	Committee on Agriculture
No. 374	Committee on Government Operations, then to the Committee on Ways and Means
No. 375	Committee on Higher Education, then to the Committee on Ways and Means
No. 376	Committee on Higher Education, then to the Committee on Ways and Means
No. 377	Committee on Energy and Natural Resources, then to the Committee on Ways and Means
No. 378	Committee on Transportation
No. 379	Committee on Transportation
No. 380	Committee on Judiciary
No. 381	Committee on Health, then to the Committee on Judiciary
No. 382	Committee on Judiciary
No. 383	Committee on Judiciary
No. 384	Committee on Labor and Employment
No. 385	Committee on Health, then to the Committee on Ways and Means
No. 386	Committee on Government Operations, then to the Committee on Ways and Means
No. 387	Committee on Government Operations, then to the Committee on Ways and Means

No. 388	Committee on Agriculture, then to the Committee on Ways and Means	No. 414	Committee on Housing and Hawaiian Programs
No. 389	Committee on Higher Education, then to the Committee on Ways and Means	No. 415	Committee on Housing and Hawaiian Programs
No. 390	Committee on Business Development and Pacific Relations, then to the Committee on Ways and Means	No. 416	Committee on Housing and Hawaiian Programs
No. 391	Committee on Energy and Natural Resources, then to the Committee on Ways and Means	No. 417	Committee on Housing and Hawaiian Programs
No. 392	Committee on Government Operations, then to the Committee on Ways and Means	No. 418	Committee on Consumer Protection and Commerce
No. 393	Committee on Agriculture, then to the Committee on Ways and Means	No. 419	Committee on Consumer Protection and Commerce
No. 394	Committee on Transportation, then to the Committee on Ways and Means	No. 420	Committee on Judiciary
No. 395	Committee on Tourism, Recreation and Planning, then to the Committee on Ways and Means	No. 421	Committee on Consumer Protection and Commerce
No. 396	Committee on Agriculture	No. 422	Committee on Consumer Protection and Commerce
No. 397	Committee on Health, then to the Committee on Ways and Means	No. 423	Committee on Consumer Protection and Commerce
No. 398	Committee on Energy and Natural Resources, then to the Committee on Ways and Means	No. 424	Committee on Consumer Protection and Commerce
No. 399	Committee on Energy and Natural Resources, then to the Committee on Ways and Means	No. 425	Committee on Housing and Hawaiian Programs
No. 400	Committee on Health, then to the Committee on Ways and Means	No. 426	Committee on Consumer Protection and Commerce
No. 401	Committee on Corrections, then to the Committee on Ways and Means	No. 427	Committee on Housing and Hawaiian Programs, then to the Committee on Ways and Means
No. 402	Committee on Education, then to the Committee on Ways and Means	No. 428	Committee on Human Services, then to the Committee on Ways and Means
No. 403	Committee on Agriculture	No. 429	Committee on Culture, Arts and Historic Preservation, then to the Committee on Ways and Means
No. 404	Committee on Health, then to the Committee on Ways and Means	No. 430	Committee on Energy and Natural Resources
No. 405	Committee on Tourism, Recreation and Planning, then to the Committee on Ways and Means	No. 431	Committee on Energy and Natural Resources
No. 406	Committee on Government Operations, then to the Committee on Ways and Means	No. 432	Committee on Higher Education, then to the Committee on Ways and Means
No. 407	Committee on Agriculture, then to the Committee on Ways and Means	No. 433	Committee on Energy and Natural Resources, then to the Committee on Ways and Means
No. 408	Committee on Ways and Means	No. 434	Committee on Energy and Natural Resources, then to the Committee on Ways and Means
No. 409	Committee on Agriculture, then to the Committee on Ways and Means	No. 435	Committee on Government Operations, then to the Committee on Ways and Means
No. 410	Committee on Corrections, then to the Committee on Ways and Means	No. 436	Committee on Education, then to the Committee on Ways and Means
No. 411	Committee on Agriculture, then to the Committee on Ways and Means	No. 437	Committee on Education, then to the Committee on Ways and Means
No. 412	Committee on Consumer Protection and Commerce	No. 438	Committee on Education, then to the Committee on Ways and Means
No. 413	Committee on Housing and Hawaiian Programs		

No. 439 Committee on Transportation, then to
the Committee on Ways and Means

No. 440 Committee on Transportation, then to
the Committee on Ways and Means

At 11:38 o'clock a.m., the Senate stood in recess
subject to the call of the Chair.

The Senate reconvened at 11:40 o'clock a.m.

ADJOURNMENT

At 11:43 o'clock a.m., on motion by Senator Blair,
seconded by Senator Reed and carried, the Senate
adjourned until 11:30 o'clock a.m., Wednesday, February
1, 1989.