

TWENTY-FOURTH DAY

Tuesday, February 21, 1989

The Senate of the Fifteenth Legislature of the State of Hawaii, Regular Session of 1989, convened at 11:49 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend William Terbeek of First Christian Church, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Twenty-Third Day.

Senator Crozier introduced to the members of the Senate Ms. Denby Fawcett, "one of the star newscasters in Hawaii," who was seated in the gallery.

MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 133, transmitting a report, Summary of Space-Related Activities, prepared by the Office of Space Industry, Department of Business and Economic Development, in response to Sec. 13C, Act 390, SLH 1988, was read by the Clerk and was placed on file.

At 11:53 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:01 o'clock p.m.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 8 to 23) were read by the Clerk and were referred to committee:

Senate
Concurrent
Resolution

No. 8 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ALLOW A LONGER PERIOD FOR THE CONSTRUCTION OF PORTABLE CLASSROOMS."

Offered by: Senator Levin.

Referred to: Committee on Education

No. 9 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT TO RECOMMEND METHODS FOR PREPARING THE YOUTH OF THE ISLAND OF HAWAII TO PARTICIPATE IN THE SPACE INDUSTRY."

Offered by: Senator Levin.

Referred to: Committee on Business Development and Pacific Relations

No. 10 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO REPORT ON PLANS TO IMPLEMENT THE NATIVE HAWAIIAN HEALTH CARE ACT OF 1988."

Offered by: Senator Levin.

Referred to: Committee on Health

No. 11 "SENATE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF LITTER CONTROL TO

STUDY CERTAIN ISSUES RELATING TO RECYCLING."

Offered by: Senator Levin.

Referred to: Committee on Agriculture

No. 12 "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE AND THE COUNTIES TO REPORT ON HOW THE RIGHTS OF THE PHYSICALLY HANDICAPPED ARE ENFORCED."

Offered by: Senator Levin.

Referred to: Committee on Government Operations

No. 13 "SENATE CONCURRENT RESOLUTION REQUESTING THE PREPARATION OF ACTION PLANS FOR HAWAII TO PROMOTE AN EXPANDING HEALTH CARE INDUSTRY AND TO MEET THE NEEDS OF THE ASIA-PACIFIC REGION."

Offered by: Senator Levin.

Referred to: Committee on Health

No. 14 "SENATE CONCURRENT RESOLUTION ENCOURAGING HEALTH INSURANCE COVERAGE OF PRESCRIPTION DRUGS FOR HIV-POSITIVE INDIVIDUALS."

Offered by: Senator Levin.

Referred to: Committee on Health

No. 15 "SENATE CONCURRENT RESOLUTION REQUESTING AN AUTOMATIC EXEMPTION FOR PROSPECTIVE JURORS WHO MUST TRAVEL MORE THAN FIFTY MILES ONE WAY TO COURT FROM THEIR RESIDENCES."

Offered by: Senator Levin.

Referred to: Committee on Judiciary

No. 16 "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION, PLAN AND CONSTRUCT A BYPASS ROUTE FOR PALANI ROAD."

Offered by: Senator Levin.

Referred to: Committee on Transportation

No. 17 "SENATE CONCURRENT RESOLUTION REQUESTING A REPORT ON WATERSHED AND HYDROGRAPHIC STUDIES CONDUCTED."

Offered by: Senator Levin.

Referred to: Committee on Energy and Natural Resources

No. 18 "SENATE CONCURRENT RESOLUTION REQUESTING AN INVESTIGATION ON THE COST OF ACQUISITION OF PRIVATE FOREST LANDS BY THE STATE."

Offered by: Senator Levin.

Referred to: Committee on Energy and Natural Resources

No. 19 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REPORT WHAT STEPS IT HAS TAKEN TO REDUCE THE COST OF CONSTRUCTION OF PORTABLE CLASSROOMS."

Offered by: Senator Levin.

Referred to: Committee on Education

No. 20 "SENATE CONCURRENT RESOLUTION REQUESTING THE DESIGNATION OF A STAFF PERSON AS A VOTER REGISTRAR AT EACH HIGH SCHOOL FOR THE PURPOSE OF REGISTERING YOUNG VOTERS."

Offered by: Senator Levin.

Referred to: Jointly to the Committee on Education and the Committee on Judiciary

No. 21 "SENATE CONCURRENT RESOLUTION REQUESTING A RECOMMENDED COURSE OF ACTION IN THE DEVELOPMENT OF OUTDOOR RECREATIONAL OPPORTUNITIES ALONG THE COASTAL REGION OF WEST HAWAII."

Offered by: Senator Levin.

Referred to: Committee on Tourism, Recreation and Planning

No. 22 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF REQUIRING PROGRESS PHOTOGRAPHS OF ALL STATE-FUNDED CAPITAL IMPROVEMENT PROJECTS."

Offered by: Senator Levin.

Referred to: Committee on Government Operations

No. 23 "SENATE CONCURRENT RESOLUTION REQUESTING A CHANGE IN LAND USE DESIGNATION OF LANDS INUNDATED BY LAVA."

Offered by: Senator Levin.

Referred to: Committee on Energy and Natural Resources

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 12 to 27) were read by the Clerk and were referred to committee:

Senate Resolution

No. 12 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ALLOW A LONGER PERIOD FOR THE CONSTRUCTION OF PORTABLE CLASSROOMS."

Offered by: Senator Levin.

Referred to: Committee on Education

No. 13 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT TO RECOMMEND METHODS FOR PREPARING THE YOUTH OF THE ISLAND OF HAWAII TO PARTICIPATE IN THE SPACE INDUSTRY."

Offered by: Senator Levin.

Referred to: Committee on Business Development and Pacific Relations

No. 14 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO REPORT ON PLANS TO IMPLEMENT THE NATIVE HAWAIIAN HEALTH CARE ACT OF 1988."

Offered by: Senator Levin.

Referred to: Committee on Health

No. 15 "SENATE RESOLUTION REQUESTING THE OFFICE OF LITTER CONTROL TO STUDY CERTAIN ISSUES RELATING TO RECYCLING."

Offered by: Senator Levin.

Referred to: Committee on Agriculture

No. 16 "SENATE RESOLUTION REQUESTING THE STATE AND THE COUNTIES TO REPORT ON HOW THE RIGHTS OF THE PHYSICALLY HANDICAPPED ARE ENFORCED."

Offered by: Senator Levin.

Referred to: Committee on Government Operations

No. 17 "SENATE RESOLUTION REQUESTING THE PREPARATION OF ACTION PLANS FOR HAWAII TO PROMOTE AN EXPANDING HEALTH CARE INDUSTRY AND TO MEET THE NEEDS OF THE ASIA-PACIFIC REGION."

Offered by: Senator Levin.

Referred to: Committee on Health

No. 18 "SENATE RESOLUTION ENCOURAGING HEALTH INSURANCE COVERAGE OF PRESCRIPTION DRUGS FOR HIV-POSITIVE INDIVIDUALS."

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No. 19 "SENATE RESOLUTION REQUESTING AN AUTOMATIC EXEMPTION FOR PROSPECTIVE JURORS WHO MUST TRAVEL MORE THAN FIFTY MILES ONE WAY TO COURT FROM THEIR RESIDENCES."

Offered by: Senator Levin.

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No. 20 "SENATE RESOLUTION REQUESTING THAT THE DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION, PLAN AND CONSTRUCT A BYPASS ROUTE FOR PALANI ROAD."

Offered by: Senator Levin.

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No. 21 "SENATE RESOLUTION REQUESTING A REPORT ON WATERSHED AND HYDROGRAPHIC STUDIES CONDUCTED."

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No. 23 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REPORT WHAT STEPS IT HAS TAKEN TO REDUCE THE COST OF CONSTRUCTION OF PORTABLE CLASSROOMS."

Offered by: Senator Levin.

Referred to: Committee on Education

No. 24 "SENATE RESOLUTION REQUESTING THE DESIGNATION OF A STAFF PERSON AS A VOTER REGISTRAR AT EACH HIGH SCHOOL FOR THE PURPOSE OF REGISTERING YOUNG VOTERS."

Offered by: Senator Levin.

Referred to: Jointly to the Committee on Education and the Committee on Judiciary

No. 25 "SENATE RESOLUTION REQUESTING A RECOMMENDED COURSE OF ACTION IN THE DEVELOPMENT OF OUTDOOR RECREATIONAL OPPORTUNITIES ALONG THE COASTAL REGION OF WEST HAWAII."

Offered by: Senator Levin.

Referred to: Committee on Tourism, Recreation and Planning

No. 26 "SENATE RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF REQUIRING PROGRESS PHOTOGRAPHS OF ALL STATE-FUNDED CAPITAL IMPROVEMENT PROJECTS."

Offered by: Senator Levin.

Referred to: Committee on Government Operations

No. 27 "SENATE RESOLUTION REQUESTING A CHANGE IN LAND USE DESIGNATION OF LANDS INUNDATED BY LAVA."

Offered by: Senator Levin.

Referred to: Committee on Energy and Natural Resources

STANDING COMMITTEE REPORT

Senator Levin, for the Committee on Health, presented a report (Stand. Com. Rep. No. 423) recommending that S.C.R. No. 6, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 423 and S.C.R. No. 6, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ASSESSING THE SOCIAL AND FINANCIAL IMPACT OF MANDATORY HEALTH INSURANCE COVERAGE FOR MAMMOGRAPHY," was deferred until Wednesday, March 1, 1989.

At 12:02 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:03 o'clock p.m.

ORDER OF THE DAY

THIRD READING

S.B. No. 12:

On motion by Senator Ikeda, seconded by Senator Solomon and carried, S.B. No. 12, entitled: "A BILL FOR AN ACT RELATING TO MILK CONTROL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, None. Excused, 1 (Matsuura).

S.B. No. 3, S.D. 1:

On motion by Senator Blair, seconded by Senator McMurdo and carried, S.B. No. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ACCESS TO ARCHIVAL RECORDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, None. Excused, 1 (Matsuura).

S.B. No. 1734, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, S.B. No. 1734, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, None. Excused, 1 (Matsuura).

S.B. No. 408:

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, S.B. No. 408, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, None. Excused, 1 (Matsuura).

S.B. No. 245:

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, S.B. No. 245, entitled: "A BILL FOR AN ACT RELATING TO TAX CREDITS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, None. Excused, 1 (Matsuura).

S.B. No. 1110, S.D. 1:

By unanimous consent, action on S.B. No. 1110, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION," was deferred until Wednesday, March 1, 1989.

Senator Solomon rose on a point of personal privilege and said:

"Mr. President, there was an editorial that appeared in the Advertiser this Sunday in reference to a bill that I had passed out of your Higher Education Committee pertaining to establishing a Hawaii State University which would have given autonomy to UH-Hilo and West Oahu College. In the editorial it says, '... Still, the Senate Higher Education Committee has passed out a bill to separate UH-Hilo and make it a state university with its own board of regents. Not surprisingly, the bill's author

and chairman of the committee is a senator from the Big Island, Malama Solomon. A House bill has not gone even that far."

"Mr. President, I'd like to say that I'm very proud to be the author of that piece of legislation and I would like to remind the editorial staff of the Advertiser that that is the purpose of a legislator ... to be creative and be able to provide a new direction for the State of Hawaii.

"Another thing, Mr. President, I'd like to bring to your attention is that in your committee's review of the Higher Education budget it has come to our attention that the undergraduate budget at Manoa has eroded away tremendously. Many courses, Mr. President, have not been funded adequately and it's quite obvious that the Manoa campus is moving more towards graduate, post-graduate and research.

"Therefore, Mr. President, I would like to inform my colleagues that the reason I did pass the bill out of committee was to be able to keep the legislation alive so that we have more time to discuss and to look at other alternatives so that we can improve the educational experience for the undergraduates. And may I remind the Advertiser editorial staff that the governor himself has set the momentum; that this is the year of the undergraduate.

"Thank you very much."

Senator Holt then rose to comment on the previous speaker's remarks and said:

"I would like to follow up on the point made earlier that not only does the editorial staff comment on laws before they are passed, they also conduct polls, like the one they are going to do on the convention center tonight, after the act is signed into law. Thank you."

ADJOURNMENT

At 12:09 o'clock p.m., on motion by Senator Blair, seconded by Senator Reed and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, March 1, 1989.