

SEVENTH DAY

Friday, January 25, 1991

The Senate of the Sixteenth Legislature of the State of Hawaii, Regular Session of 1991, convened at 11:40 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Sister Donna Williams, St. Stephen's Diocesan Center, after which the Roll was called showing all Senators present with the exception of Senators Aki, Chang, Crozier, McCartney and McMurdo who were excused.

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

The following introductions of visitors seated in the gallery were then made to the members of the Senate:

Senator Koki introduced a group of special education students from Castle High School: Alice Bautista, Courtney Chun, Michael Cullen, Sarah Kalani, Danny Simeona, Christine Nakamura, Windy Pua and Joseph Maumau. They were accompanied by their teachers, Ms. Renee Fonoimoana and Ms. Shari Lynn.

Senator Nakasato introduced a group of 69 second grade students from Fern Elementary School, escorted by six adults and their teachers, Mrs. Mary Balmores, Ms. Jean Kimoto and Ms. JoAnn Yamasaki.

Senator A. Kobayashi introduced Miss Joyce Amba, a student from Lanai High School who was spending a day at the Capitol, accompanied by Mr. Randy Tolentino.

Senator Tungpalan introduced Mrs. Millie Kim, member, and Mr. Wendell Silva, director, of the State Foundation on Culture and the Arts.

MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 71, dated December 4, 1990, transmitting a report prepared by the Department of Human Services and the Department of Accounting and General Services in response to H.C.R. No. 312 (1990), to provide more space and a more professional working environment for Child Protective Services workers, was read by the Clerk and was placed on file.

DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 18 and 19) were read by the Clerk and were placed on file:

Dept. Com. No. 18, from the Office of Children and Youth, Office of the Governor, transmitting a report, "Working for the Future of Hawaii's Children, Youth, and Families, Project Reports 1989 - 1990."

Dept. Com. No. 19, from the Department of Commerce and Consumer Affairs together with the Hawaii Association of Realtors, Hawaii Real Estate Commission and the Institute of Real Estate Managers, transmitting a "Report to the Legislature on Having State Mandatory Errors and Omissions Insurance for Real Estate Licensees," in response to S.R. No. 87 (1990) and H.R. No. 133 (1990).

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 2 and 3) were read by the Clerk and were referred to committees:

Senate
Concurrent
Resolution

No. 2 "SENATE CONCURRENT RESOLUTION REQUESTING A REPORT ON THE FEASIBILITY OF RECYCLING PLASTIC GOODS USED BY STATE AGENCIES."

Offered by: Senator Levin.

Referred to: Committee on Agriculture and Environmental Protection.

No. 3 "SENATE CONCURRENT RESOLUTION URGING THE OFFICE OF ENVIRONMENTAL QUALITY CONTROL TO CONDUCT AN ENVIRONMENTAL IMPACT STUDY ON ROADSIDE PESTICIDE SPRAYING IN THE STATE OF HAWAII."

Offered by: Senator Levin.

Referred to: Committee on Agriculture and Environmental Protection.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 3 to 5) were read by the Clerk and were referred to committees:

Senate
Resolution

No. 3 "SENATE RESOLUTION REQUESTING A REPORT ON THE FEASIBILITY OF RECYCLING PLASTIC GOODS USED BY STATE AGENCIES."

Offered by: Senator Levin.

Referred to: Committee on Agriculture and Environmental Protection.

No. 4 "SENATE RESOLUTION URGING THE OFFICE OF ENVIRONMENTAL QUALITY CONTROL TO CONDUCT AN ENVIRONMENTAL IMPACT STUDY ON ROADSIDE PESTICIDE SPRAYING IN THE STATE OF HAWAII."

Offered by: Senator Levin.

Referred to: Committee on Agriculture and Environmental Protection.

No. 5 "SENATE RESOLUTION REQUESTING THAT THE DEPARTMENT OF EDUCATION DEVELOP LONG-RANGE FACILITY PLANS AND UPDATE STATE SPECIFICATIONS."

Offered by: Senators Levin, McCartney.

Referred to: Committee on Education.

INTRODUCTION OF SENATE BILLS

On motion by Senator Solomon, seconded by Senator Reed and carried, the following bills passed First Reading by title and were placed on the calendar for further consideration on Monday, January 28, 1991:

Senate Bill

No. 306 "A BILL FOR AN ACT RELATING TO MEDICAID."

Introduced by: Senators Tungpalan, Matsuura, McMurdo, Levin, Kobayashi, B., Koki, Mizuguchi, Yamasaki.

No. 307 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS."

Introduced by: Senator Tungpalan, by request.

No. 308 "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION."

Introduced by: Senators Tungpalan, Kobayashi, B., Blair, Cobb, Kobayashi, A., Matsuura, Reed, Yamasaki.

No. 309 "A BILL FOR AN ACT RELATING TO IMPACT TAX AUTHORIZATION."

Introduced by: Senator Fernandes Salling, by request.

No. 310 "A BILL FOR AN ACT RELATING TO A REFERENDUM FOR A CONVENTION CENTER."

Introduced by: Senators McMurdo, Reed.

No. 311 "A BILL FOR AN ACT RELATING TO THE CONVENTION CENTER."

Introduced by: Senators McMurdo, Aki, Blair, Reed.

No. 312 "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING."

Introduced by: Senator Blair.

No. 313 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Crozier.

No. 314 "A BILL FOR AN ACT RELATING TO A STATE LOTTERY."

Introduced by: Senator Crozier.

No. 315 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CONSTRUCTION OF THE NORTH HAWAII COMMUNITY HOSPITAL."

Introduced by: Senators Solomon, Matsuura, Levin.

No. 316 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR VARIOUS CIP PROJECTS IN HAWAII COUNTY."

Introduced by: Senators Solomon, Matsuura, Levin.

No. 317 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ACQUISITION OF LANDS TO ENLARGE AND CONSOLIDATE FOREST RESERVES IN SOUTH KONA."

Introduced by: Senators Levin, Solomon.

No. 318 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ACQUISITION OF FOREST AND AGRICULTURAL PROPERTY IN SOUTH KONA."

Introduced by: Senator Levin.

No. 319 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE WEST HAWAII FORESTRY AND WILDLIFE PROGRAM."

Introduced by: Senator Levin.

No. 320 "A BILL FOR AN ACT RELATING TO WORKING HOURS OF OLDER STUDENTS."

Introduced by: Senator Levin.

No. 321 "A BILL FOR AN ACT RELATING TO FUEL TAXES."

Introduced by: Senators Aki, Kobayashi, A., Nakasato, Tungpalan.

No. 322 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senators Aki, Cobb, Kobayashi, A., Matsuura, McMurdo, Nakasato.

No. 323 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO SUBSIDIZE THE AGRICULTURAL QUANTITY RATE OF THE ANAHOLA HAWAIIAN HOMES FARM LOTS."

Introduced by: Senators Aki, George, Holt, Koki, McCartney, McMurdo, Mizuguchi, Nakasato, Solomon, Tungpalan.

No. 324 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A PORTABLE CLASSROOM FOR HANAIEI ELEMENTARY SCHOOL ON KAUAI."

Introduced by: Senators Aki, George, Holt, Koki, Matsuura, McCartney, McMurdo, Mizuguchi, Nakasato, Solomon, Tungpalan.

No. 325 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR WAIANAE HIGH SCHOOL."

Introduced by: Senators Aki, Cobb, George, Holt, Koki, Matsuura, McCartney, McMurdo, Mizuguchi, Nakasato, Solomon, Tungpalan.

No. 326 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR WAIANAE HIGH SCHOOL."

Introduced by: Senators Aki, George, Holt, Iwase, Koki, Matsuura, McCartney, Mizuguchi, Nakasato, Solomon, Tungpalan.

No. 327 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEVELOPMENT OF A COMMERCIAL SIZE HAWAIIAN FARMERS COOPERATIVE MARKET ON THE ISLAND OF KAUAI IN THE COMMUNITY OF ANAHOLA."

Introduced by: Senators Aki, Cobb, George, Holt, Koki, Matsuura, McCartney, McMurdo, Mizuguchi, Nakasato, Solomon, Tungpalan.

No. 328 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE REPAIR OF THE POKAI BAY BEACH BREAKWATER."

Introduced by: Senators Aki, George, Holt, Iwase, Koki, Matsuura, McCartney, McMurdo, Mizuguchi, Nakasato, Solomon, Tungpalan.

No. 329 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A FORESTRY AND WILDLIFE BASEYARD FACILITY IN KAMUELA, HAWAII."

Introduced by: Senators Solomon, Levin.

No. 330 "A BILL FOR AN ACT RELATING TO THE HAWAII OCEAN AND MARINE RESOURCES COUNCIL."

Introduced by: Senators Matsuura, Hagino.

No. 331 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senators Matsuura, Ikeda.

No. 332 "A BILL FOR AN ACT RELATING TO THE USE OF DRUGS DURING PREGNANCY."

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

No. 333 "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING."

Introduced by: Senator McMurdo.

No. 334 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF HAWAII TO PROVIDE FOR THE RECALL OF PUBLIC OFFICERS."

Introduced by: Senator McMurdo.

No. 335 "A BILL FOR AN ACT RELATING TO HAWAIIAN HOME LANDS."

Introduced by: Senator McMurdo.

No. 336 "A BILL FOR AN ACT RELATING TO FOSTER CARE."

Introduced by: Senator McMurdo.

No. 337 "A BILL FOR AN ACT RELATING TO A CHILDREN'S CRISIS INTERVENTION TEAM."

Introduced by: Senator McMurdo.

No. 338 "A BILL FOR AN ACT RELATING TO GENERAL ASSISTANCE."

Introduced by: Senator McMurdo.

No. 339 "A BILL FOR AN ACT RELATING TO RENT SUPPLEMENT."

Introduced by: Senator McMurdo.

No. 340 "A BILL FOR AN ACT RELATING TO REFRIGERATION."

Introduced by: Senator McMurdo.

No. 341 "A BILL FOR AN ACT RELATING TO PRODUCTS CONTAINING OZONE-DEPLETING COMPOUNDS."

Introduced by: Senator McMurdo.

No. 342 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH."

Introduced by: Senator McMurdo.

No. 343 "A BILL FOR AN ACT RELATING TO COUNTY HAZARDOUS WASTE PROGRAMS."

Introduced by: Senator McMurdo.

No. 344 "A BILL FOR AN ACT RELATING TO AIR POLLUTION EMISSION STANDARDS."

Introduced by: Senator McMurdo.

No. 345 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE COLLECTION OF BASELINE DATA TO MONITOR THE H-POWER INCINERATOR."

Introduced by: Senator McMurdo.

No. 346 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Senator Cobb, by request.

No. 347 "A BILL FOR AN ACT RELATING TO SCHOOL AIR CONDITIONERS AND MAKING AN APPROPRIATION THEREFOR."

Introduced by: Senators Cobb, Aki, Ikeda, Koki, McMurdo, Solomon, Tungpalan.

No. 348 "A BILL FOR AN ACT RELATING TO COLLISION INSURANCE FOR RENTED MOTOR VEHICLES."

Introduced by: Senators Cobb, Hagino, Ikeda, Solomon, Tungpalan.

No. 349 "A BILL FOR AN ACT RELATING TO THE WAIKIKI CONVENTION CENTER AUTHORITY."

Introduced by: Senators McMurdo, Kobayashi, B.

No. 350 "A BILL FOR AN ACT RELATING TO THE WAIKIKI CONVENTION CENTER AUTHORITY."

Introduced by: Senator McMurdo.

No. 351 "A BILL FOR AN ACT RELATING TO THE CONVENTION CENTER."

Introduced by: Senator McMurdo.

No. 352 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A KAUAI OUTDOOR EDUCATION FACILITY."

Introduced by: Senator Fernandes Salling, by request.

No. 353 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Senator Fernandes Salling.

No. 354 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CONSTRUCTION OF CURB RAMPS."

Introduced by: Senator Fernandes Salling, by request.

No. 355 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE KOLOA/POIPU BYPASS, KAUAI COUNTY."

Introduced by: Senator Fernandes Salling, by request.

No. 356 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE HOUSING ASSISTANCE PROJECT."

Introduced by: Senators Kobayashi, B., Levin.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills introduced on Thursday, January 24, 1991:

Senate Bill Referred to:

No. 188 Committee on Health and Human Services, then to the Committee on Ways and Means

No. 189 Committee on Agriculture and Environmental Protection, then to the Committee on Ways and Means

No. 190 Committee on Agriculture and Environmental Protection, then to the Committee on Ways and Means

No. 191 Committee on Judiciary

No. 192 Committee on Judiciary

No. 193 Committee on Judiciary

No. 194 Jointly to the Committee on Planning, Land and Water Use Management and the Committee on Science, Technology and Economic Development, and then to the Committee on Ways and Means

No. 195 Committee on Science, Technology and Economic Development, then to the Committee on Ways and Means

No. 196 Jointly to the Committee on Planning, Land and Water Use Management and the Committee on Science, Technology and Economic Development, and then to the Committee on Ways and Means

No. 197 Jointly to the Committee on Planning, Land and Water Use Management and the Committee on Science, Technology and Economic Development, and then to the Committee on Ways and Means

No. 198 Jointly to the Committee on Planning, Land and Water Use Management and the Committee on Science, Technology and Economic Development, and then to the Committee on Ways and Means

No. 199 Committee on Agriculture and Environmental Protection, then to the Committee on Ways and Means

No. 200 Committee on Science, Technology and Economic Development, then to the Committee on Ways and Means

No. 201 Jointly to the Committee on Planning, Land and Water Use Management and the Committee on Science, Technology and Economic Development, and then to the Committee on Ways and Means

No. 202 Committee on Employment and Public Institutions, then to the Committee on Judiciary

No. 203 Committee on Judiciary

No. 204 Committee on Judiciary

No. 205 Committee on Judiciary

No. 206 Committee on Judiciary

No. 207 Committee on Judiciary

No. 208 Committee on Transportation and Intergovernmental Relations, then to the Committee on Judiciary

No. 209 Committee on Transportation and Intergovernmental Relations

No. 210 Committee on Agriculture and Environmental Protection

No. 211 Committee on Judiciary, then to the Committee on Ways and Means

No. 212 Committee on Transportation and Intergovernmental Relations

No. 213 Committee on Science, Technology and Economic Development, then to the Committee on Ways and Means

No. 214 Committee on Health and Human Services, then to the Committee on Ways and Means

No. 215 Committee on Agriculture and Environmental Protection

No. 216 Committee on Judiciary

No. 217 Committee on Agriculture and Environmental Protection, then to the Committee on Ways and Means

No. 218 Committee on Judiciary

No. 219 Committee on Planning, Land and Water Use Management

No. 220 Committee on Ways and Means

No. 221 Committee on Health and Human Services, then to the Committee on Ways and Means

No. 222 Committee on Housing and Hawaiian Programs, then to the Committee on Ways and Means

No. 223 Committee on Transportation and Intergovernmental Relations, then to the Committee on Ways and Means

No. 224 Jointly to the Committee on Agriculture and Environmental Protection and the Committee on Science, Technology and Economic Development, and then to the Committee on Ways and Means

No. 225 Committee on Employment and Public Institutions, then to the Committee on Ways and Means

No. 226 Committee on Legislative Management, then to the Committee on Ways and Means

No. 227 Jointly to the Committee on Planning, Land and Water Use Management and the Committee on Science, Technology and Economic Development, and then to the Committee on Ways and Means

No. 228 Jointly to the Committee on Planning, Land and Water Use Management and the Committee on Science, Technology and Economic Development, and then to the Committee on Ways and Means

No. 229 Committee on Transportation and Intergovernmental Relations

- No. 230 Committee on Transportation and Intergovernmental Relations, then to the Committee on Ways and Means
- No. 231 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 232 Committee on Employment and Public Institutions
- No. 233 Committee on Judiciary
- No. 234 Jointly to the Committee on Health and Human Services and the Committee on Education, and then to the Committee on Ways and Means
- No. 235 Committee on Judiciary
- No. 236 Committee on Science, Technology and Economic Development, then to the Committee on Ways and Means
- No. 237 Committee on Agriculture and Environmental Protection
- No. 238 Committee on Health and Human Services, then to the Committee on Judiciary
- No. 239 Committee on Housing and Hawaiian Programs
- No. 240 Committee on Housing and Hawaiian Programs, then to the Committee on Ways and Means
- No. 241 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 242 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 243 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 244 Committee on Health and Human Services
- No. 245 Committee on Agriculture and Environmental Protection
- No. 246 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 247 Committee on Consumer Protection and Business Regulation
- No. 248 Committee on Employment and Public Institutions, then to the Committee on Ways and Means
- No. 249 Committee on Transportation and Intergovernmental Relations
- No. 250 Committee on Judiciary, then to the Committee on Ways and Means
- No. 251 Committee on Consumer Protection and Business Regulation
- No. 252 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 253 Committee on Agriculture and Environmental Protection, then to the Committee on Judiciary
- No. 254 Committee on Planning, Land and Water Use Management
- No. 255 Committee on Agriculture and Environmental Protection, then to the Committee on Judiciary
- No. 256 Committee on Agriculture and Environmental Protection, then to the Committee on Ways and Means
- No. 257 Committee on Agriculture and Environmental Protection, then to the Committee on Ways and Means
- No. 258 Committee on Science, Technology and Economic Development, then to the Committee on Ways and Means
- No. 259 Committee on Transportation and Intergovernmental Relations
- No. 260 Committee on Transportation and Intergovernmental Relations, then to the Committee on Ways and Means
- No. 261 Committee on Education, then to the Committee on Ways and Means
- No. 262 Committee on Ways and Means
- No. 263 Committee on Transportation and Intergovernmental Relations
- No. 264 Committee on Judiciary
- No. 265 Committee on Transportation and Intergovernmental Relations
- No. 266 Committee on Agriculture and Environmental Protection, then to the Committee on Ways and Means
- No. 267 Jointly to the Committee on Agriculture and Environmental Protection and the Committee on Employment and Public Institutions, and then to the Committee on Ways and Means
- No. 268 Committee on Agriculture and Environmental Protection, then to the Committee on Consumer Protection and Business Regulation
- No. 269 Committee on Agriculture and Environmental Protection
- No. 270 Committee on Transportation and Intergovernmental Relations, then to the Committee on Ways and Means
- No. 271 Jointly to the Committee on Agriculture and Environmental Protection and the Committee on Employment and Public Institutions, and then to the Committee on Ways and Means
- No. 272 Committee on Transportation and Intergovernmental Relations
- No. 273 Committee on Employment and Public Institutions, then to the Committee on Ways and Means
- No. 274 Committee on Agriculture and Environmental Protection
- No. 275 Committee on Agriculture and Environmental Protection, then to the Committee on Ways and Means

No. 276 Committee on Agriculture and Environmental Protection

No. 277 Committee on Science, Technology and Economic Development, then to the Committee on Ways and Means

No. 278 Committee on Planning, Land and Water Use Management, then to the Committee on Ways and Means

No. 279 Committee on Judiciary, then to the Committee on Ways and Means

No. 280 Committee on Employment and Public Institutions

No. 281 Committee on Consumer Protection and Business Regulation

No. 282 Committee on Health and Human Services, then to the Committee on Ways and Means

No. 283 Jointly to the Committee on Tourism and Recreation and the Committee on Education

No. 284 Committee on Employment and Public Institutions

No. 285 Committee on Agriculture and Environmental Protection

No. 286 Committee on Consumer Protection and Business Regulation

No. 287 Committee on Planning, Land and Water Use Management, then to the Committee on Ways and Means

No. 288 Committee on Housing and Hawaiian Programs, then to the Committee on Ways and Means

No. 289 Committee on Planning, Land and Water Use Management, then to the Committee on Ways and Means

No. 290 Committee on Housing and Hawaiian Programs

No. 291 Committee on Education, then to the Committee on Ways and Means

No. 292 Committee on Education, then to the Committee on Ways and Means

No. 293 Committee on Education, then to the Committee on Ways and Means

No. 294 Committee on Education, then to the Committee on Ways and Means

No. 295 Committee on Judiciary

No. 296 Committee on Agriculture and Environmental Protection

No. 297 Committee on Health and Human Services, then to the Committee on Ways and Means

No. 298 Committee on Tourism and Recreation

No. 299 Committee on Tourism and Recreation

No. 300 Committee on Transportation and Intergovernmental Relations, then to the Committee on Judiciary

No. 301 Committee on Planning, Land and Water Use Management, then to the Committee on Judiciary

No. 302 Committee on Planning, Land and Water Use Management, then to the Committee on Judiciary

No. 303 Committee on Judiciary

No. 304 Committee on Transportation and Intergovernmental Relations, then to the Committee on Judiciary

No. 305 Committee on Education, then to the Committee on Ways and Means

RE-REFERRAL OF A SENATE BILL

The President re-referred the following Senate bill that was introduced on January 22, 1991:

Senate Bill Referred to:

No. 118 Committee on Transportation and Intergovernmental Relations, then to the Committee on Judiciary

ADJOURNMENT

At 11:48 o'clock a.m., on motion by Senator Solomon, seconded by Senator Reed and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, January 28, 1991.