

TWELFTH DAY

Friday, February 1, 1991

The Senate of the Sixteenth Legislature of the State of Hawaii, Regular Session of 1991, convened at 11:36 o'clock a.m. with the Vice President in the Chair.

The Divine Blessing was invoked by Father Gary Secor, St. John Apostle and Evangelist Church, after which the Roll was called showing all Senators present with the exception of Senator Chang who was excused.

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

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

Senator Crozier introduced a group of students from the Gifted and Talented Program of Iroquois Elementary School. They were accompanied by their teacher Mrs. Janice Tashiro and their chaperones, Mrs. Carnes and Mrs. Herr.

Senator B. Kobayashi introduced a group of students (4th, 5th and 6th graders) from Liliuokalani Elementary School, their teachers, Ms. Nadine Okazawa and Ms. Linda Morikone, and their chaperones, Mr. Takara and Mrs. Kahalehau.

Senator McMurdo also introduced long time family friends, Colonel Russ McGovern, a classmate of her husband at West Point, and Mrs. Nancy McGovern who were accompanied by Mr. Mick McMurdo.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 73 and 74) were read by the Clerk and were placed on file:

Gov. Msg. No. 73, letter dated December 27, 1990, transmitting, pursuant to Section 171-50(c), HRS, for introduction a draft of a resolution for review of action involving a land exchange entered into by and between the Department of Land and Natural Resources and North Kona Development Group, a Hawaii Limited Partnership.

Gov. Msg. No. 74, letter dated January 25, 1991, transmitting the "Report of the 1990 Highway Revenue Task Force."

DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 20 and 21) were read by the Clerk and were placed on file:

Dept. Com. No. 20, from the Office of the Administrative Director of the Courts, Judiciary, dated January 28, 1991, transmitting the annual reports of the State of Hawaii's Center for Alternative Dispute Resolution.

Dept. Com. No. 21, from the Office of the Auditor dated January 28, 1991, transmitting reports, (1) "Study of Programs and Services for Veterans"; and (2) "Management Audit of Hawaii's Student Transportation Safety Program."

HOUSE COMMUNICATION

Hse. Com. No. 3, transmitting H.B. No. 1, H.D. 1, which passed Third Reading in the House of

Representatives on February 1, 1991, was read by the Clerk and was placed on file.

On motion by Senator Solomon, seconded by Senator Reed and carried, H.B. No. 1, H.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE LEGISLATIVE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN," passed First Reading by title and was referred to the Committee on Ways and Means.

SENATE CONCURRENT RESOLUTION

The following concurrent resolution (S.C.R. No. 7) was read by the Clerk and was referred to committee:

Senate
Concurrent
Resolution

No. 7 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO SUGGEST WAYS TO URGE THE PACIFIC ASIA TRAVEL ASSOCIATION TO RELOCATE ITS HEADQUARTERS TO HAWAII."

Offered by: Senators Nakasato, Kobayashi, A., Koki, McMurdo, Mizuguchi.

Referred to: Committee on Tourism and Recreation

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 11 and 12) were read by the Clerk and were referred to committees:

Senate
Resolution

No. 11 "SENATE RESOLUTION SUBMITTING TO THE LEGISLATURE OF THE STATE OF HAWAII FOR REVIEW OF ACTION TAKEN BY THE BOARD OF LAND AND NATURAL RESOURCES ON THE EXCHANGE OF PUBLIC LAND FOR PRIVATE LAND."

Offered by: Senator Wong, R., by request.

Referred to: Committee on Planning, Land and Water Use Management

No. 12 "SENATE RESOLUTION REQUESTING AN AUDIT OF THE HAWAII VISITORS BUREAU."

Offered by: Senators Nakasato, by request, Koki, McMurdo.

Referred to: Committee on Tourism and Recreation, then to the Committee on Legislative Management

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, February 4, 1991:

Sente Bill

No. 2073 "A BILL FOR AN ACT RELATING TO A JOINT EXECUTIVE-LEGISLATIVE-COUNTY

COMMITTEE TO RECOMMEND PLANS AND ACTIONS FOR THE COMMUNITIES IN TRANSITION ON THE HAMAKUA COAST."

Introduced by: Senator Solomon.

No. 2074 "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL FUNDING."

Introduced by: Senator Solomon.

No. 2075 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."

Introduced by: Senator Solomon.

No. 2076 "A BILL FOR AN ACT RELATING TO LIABILITY INSURANCE."

Introduced by: Senators Solomon, Fernandes Salling.

No. 2077 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senator Kobayashi, B.

No. 2078 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."

Introduced by: Senator Levin.

No. 2079 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ESTABLISH A HOME LOAN REPAIR REVOLVING FUND TO PROVIDE LOW INTEREST HOME REPAIR LOANS TO ASSIST LOW INCOME FAMILIES ON KAUAI."

Introduced by: Senator Fernandes Salling, by request.

No. 2080 "A BILL FOR AN ACT RELATING TO THE PENAL CODE."

Introduced by: Senator Hagino.

No. 2081 "A BILL FOR AN ACT RELATING TO THE STATE CAPITOL TOUR AND INFORMATION PROGRAM."

Introduced by: Senator Hagino.

No. 2082 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PARKING ENFORCEMENT."

Introduced by: Senator Iwase, by request.

No. 2083 "A BILL FOR AN ACT RELATING TO PATIENT RESIDENTS OF KALAUPAPA."

Introduced by: Senator Kobayashi, A.

No. 2084 "A BILL FOR AN ACT RELATING TO PARI-MUTUEL HORSE RACING."

Introduced by: Senators Kobayashi, A., Yamasaki.

No. 2085 "A BILL FOR AN ACT RELATING TO USED CARS."

Introduced by: Senator Ikeda.

No. 2086 "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASE DISCLOSURE."

Introduced by: Senator Ikeda.

No. 2087 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE KEAHOE AGRICULTURAL PRODUCT MARSHALLING AND PROCESSING CENTER."

Introduced by: Senators Solomon, Matsuura, Levin.

No. 2088 "A BILL FOR AN ACT RELATING TO OUTDOOR ADVERTISING."

Introduced by: Senator Mizuguchi, by request.

No. 2089 "A BILL FOR AN ACT RELATING TO ABORTION."

Introduced by: Senators Aki, Reed, Koki.

No. 2090 "A BILL FOR AN ACT RELATING TO INCOME TAX PENALTIES."

Introduced by: Senators Aki, Kobayashi, B., Koki, Reed, Yamasaki.

No. 2091 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE NANAKULI NEIGHBORHOOD HOUSING SERVICES."

Introduced by: Senators Aki, Kobayashi, B., Koki, Reed, Yamasaki.

No. 2092 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE WAIANAE COAST COMMUNITY MENTAL HEALTH CENTER, INC."

Introduced by: Senators Aki, Kobayashi, B., Koki, Reed, Yamasaki.

No. 2093 "A BILL FOR AN ACT RELATING TO THE HAWAII INCOME TAX."

Introduced by: Senators Cobb, Blair, Chang, Hagino, Levin, Matsuura, McCartney, McMurdo, Nakasato, Solomon, Tungpalan.

No. 2094 "A BILL FOR AN ACT RELATING TO OFFICE OF HAWAIIAN AFFAIRS."

Introduced by: Senator Crozier.

No. 2095 "A BILL FOR AN ACT RELATING TO NAMING OF THE OFFICE OF HAWAIIAN AFFAIRS AS A DEFENDANT IN QUIET TITLE ACTIONS INVOLVING KULEANA LAND."

Introduced by: Senator Crozier.

No. 2096 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A FEASIBILITY STUDY FOR A SUNSET BEACH BYPASS ROAD TO RUN FROM WAHIAWA TO LAIE, OAHU."

Introduced by: Senator Reed.

No. 2097 "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES."

Introduced by: Senators Cobb, Crozier, Ikeda.

No. 2098 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE SPECIAL NEEDS SCHOOLS."

Introduced by: Senator Fernandes Salling.

No. 2099 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ONE SECRETARY POSITION AND TWO FIFTEEN PASSENGER VANS FOR STOREFRONT, WAHIAWA, OAHU."

Introduced by: Senator Hagino.

No. 2100 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS FOR CAPITAL IMPROVEMENT PROJECTS FOR THE SEVENTH SENATORIAL DISTRICT."

Introduced by: Senator Hagino.

No. 2101 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS."

Introduced by: Senator Yamasaki.

No. 2102 "A BILL FOR AN ACT RELATING TO STATE BONDS."

Introduced by: Senator Yamasaki.

No. 2103 "A BILL FOR AN ACT RELATING TO PUBLIC HEALTH AND VOLCANIC AIR POLLUTION."

Introduced by: Senator Levin.

No. 2104 "A BILL FOR AN ACT RELATING TO GOVERNMENT MINERAL RIGHTS."

Introduced by: Senator Levin.

No. 2105 "A BILL FOR AN ACT RELATING TO MOBILE MANUFACTURED HOUSING."

Introduced by: Senator Crozier.

No. 2106 "A BILL FOR AN ACT RELATING TO THE CIVIL SERVICE."

Introduced by: Senator Mizuguchi.

No. 2107 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS FOR THE COUNTY OF KAUAI."

Introduced by: Senator Fernandes Salling, by request.

No. 2108 "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION."

Introduced by: Senator McMurdo.

No. 2109 "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING."

Introduced by: Senators Cobb, Wong, R.

No. 2110 "A BILL FOR AN ACT RELATING TO TELEPHONE UTILITY CHARGES."

Introduced by: Senator Yamasaki.

No. 2111 "A BILL FOR AN ACT RELATING TO COMMERCIAL LEASEHOLD PROPERTY."

Introduced by: Senator Yamasaki.

No. 2112 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE HOUSE, INC. FOR RESIDENTIAL SUPPORT SERVICES."

Introduced by: Senator Kobayashi, B.

No. 2113 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Senator Nakasato, by request.

No. 2114 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ALA MOANA GATEWAY IMPROVEMENT PROJECT."

Introduced by: Senators Nakasato, McMurdo.

No. 2115 "A BILL FOR AN ACT RELATING TO ELECTROMAGNETIC RADIATION."

Introduced by: Senator Reed.

No. 2116 "A BILL FOR AN ACT RELATING TO WATER TRANSPORTATION."

Introduced by: Senator Blair, by request.

No. 2117 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS ON THE ISLAND OF HAWAII."

Introduced by: Senator Blair.

No. 2118 "A BILL FOR AN ACT RELATING TO LITIGATION."

Introduced by: Senator Blair.

No. 2119 "A BILL FOR AN ACT RELATING TO DURABLE POWER OF ATTORNEY FOR HEALTH CARE"

Introduced by: Senator Blair, by request.

No. 2120 "A BILL FOR AN ACT RELATING TO SMALL BUSINESS."

Introduced by: Senator Crozier.

No. 2121 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE KAUAI VETERANS CENTER."

Introduced by: Senator Fernandes Salling.

No. 2122 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE SOCIAL AND EMPLOYMENT SERVICES INCUBATOR PROJECT FOR THE WEST OAHU REGION."

Introduced by: Senator Crozier.

No. 2123 "A BILL FOR AN ACT RELATING TO TRUST COMPANIES."

Introduced by: Senator Ikeda.

No. 2124 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STUDY OF MARINE LIFE CONSERVATION DISTRICTS."

Introduced by: Senators Ikeda, Kobayashi, A.

No. 2125 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senator McCartney.

No. 2126 "A BILL FOR AN ACT RELATING TO REAL ESTATE APPRAISAL."

Introduced by: Senator McCartney.

No. 2127 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EDUCATIONAL OUTREACH."

Introduced by: Senator McCartney.

No. 2128 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO SUPPORT FACULTY APPOINTMENTS TO THE UNIVERSITY OF HAWAII."

Introduced by: Senator McCartney.

No. 2129 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR POST GRADUATE AND UPPER DIVISION UNDERGRADUATE OUTREACH PROGRAMS FOR NURSES ON THE NEIGHBOR ISLANDS."

Introduced by: Senators McCartney, Tungpalan.

No. 2130 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SUGAR RESEARCH AND DEVELOPMENT."

Introduced by: Senator Kobayashi, A.

No. 2131 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A FILM ON THE HISTORY AND CULTURE OF AMERICANS OF JAPANESE ANCESTRY IN HAWAII."

Introduced by: Senator Kobayashi, A.

No. 2132 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ASSIST DESTINATION HILO IN ITS EFFORTS TO STIMULATE TOURISM ACTIVITY TO EAST HAWAII."

Introduced by: Senators Matsuura, Nakasato.

No. 2133 "A BILL FOR AN ACT RELATING TO MOTOR FUEL."

Introduced by: Senator Matsuura.

No. 2134 "A BILL FOR AN ACT RELATING TO MASSAGE."

Introduced by: Senators Matsuura, Ikeda.

No. 2135 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."

Introduced by: Senators Matsuura, Solomon, Levin.

No. 2136 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII OCEAN CENTER PROGRAM."

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

No. 2137 "A BILL FOR AN ACT RELATING TO COMMUNITY FACILITIES."

Introduced by: Senators Cobb, Chang.

No. 2138 "A BILL FOR AN ACT RELATING TO COMMUNITY CLEAN-UP AND RECYCLING."

Introduced by: Senators Cobb, Chang.

No. 2139 "A BILL FOR AN ACT RELATING TO THE FUTURE FARMERS OF AMERICA."

Introduced by: Senator Chang.

No. 2140 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DIAMOND HEAD FILM FACILITY."

Introduced by: Senators Chang, Matsuura.

No. 2141 "A BILL FOR AN ACT RELATING TO MEAT INSPECTION."

Introduced by: Senator Chang.

No. 2142 "A BILL FOR AN ACT RELATING TO AGRICULTURAL ACTIVITIES."

Introduced by: Senator Chang.

No. 2143 "A BILL FOR AN ACT RELATING TO MACADAMIA NUTS."

Introduced by: Senator Chang.

No. 2144 "A BILL FOR AN ACT RELATING TO TRADE."

Introduced by: Senator Koki.

No. 2145 "A BILL FOR AN ACT RELATING TO PROBATION."

Introduced by: Senator Koki.

No. 2146 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Senator Koki.

No. 2147 "A BILL FOR AN ACT RELATING TO PERIODIC PAYMENT OF JUDGMENTS."

Introduced by: Senator Koki.

At 11:43 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:44 o'clock a.m.

ADJOURNMENT

At 11:45 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, February 4, 1991.