

THIRTY-SECOND DAY

Friday, March 6, 1987

The Senate of the Fourteenth Legislature of the State of Hawaii, Regular Session of 1987, convened at 11:40 o'clock a.m., with the Vice President in the Chair.

The Divine Blessing was invoked by Father Colin J. Correa of the Co-Cathedral of St. Theresa and the Baby Jesus, after which the Roll was called showing all Senators present.

The Chair announced that she had read and approved the Journal of the Thirty-First Day.

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

Senator Chang introduced his uncle, Mr. Wilson Chang, who is visiting from San Francisco, California, and is the first vice president of the Chang Society of North America.

Senator Yamasaki, on behalf of Senators Reed, Solomon and himself, introduced 80 seventh grade students from Lihikai School, Maui, accompanied by nine teachers and parents: Ms. Sharon Yanagida, Ms. Janet Sato, Ms. Christine Hondo, Ms. Sheila Kawahara, Ms. Debbie Takahashi, Ms. Willia Romanchak, Mr. Vance Yatsushiro, Mr. James Suehisa and Ms. Judith Matoi.

Senator A. Kobayashi introduced seventh grade students from Our Redeemer Lutheran School, accompanied by their teachers, Miss Jean Comprini, Mrs. Lorine Pelletier and Mr. Jody Timm.

Senator A. Kobayashi, on behalf of Senator Young, also introduced Ms. Marguerite Simson, Ms. Terri McGraw and Ms. Agnes Conrad from the Foundation for Hawaii Women's History Week, who were present on the Senate floor.

Ms. Simson, Ms. McGraw and Ms. Conrad rose to be recognized and were presented with leis by Senators Blair, Mizuguchi and Yamasaki.

Senator McMurdo, on behalf of Senator Young, introduced two students from Ilima Intermediate School in Ewa Beach, Michelle Felix and Joannie Lau, who are studying the legislative process as part of their social studies class.

At 11:45 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:49 o'clock a.m.

MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 131, transmitting the "Hawaii State Workers' Compensation Self-Insurance Program," prepared by the Department of Personnel Services, pursuant to Sec. 209B of the Supplemental Appropriations Act of 1986, was read by the Clerk and was placed on file.

SENATE CONCURRENT RESOLUTION

S.C.R. No. 26, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE GOVERNOR AND HAWAII'S CONGRESSIONAL DELEGATION TAKE IMMEDIATE ACTION TO DEVELOP AND IMPLEMENT AN ACTION PLAN TO EXEMPT PEARL HARBOR NAVAL SHIPYARD FROM THE FEDERAL GOVERNMENT'S NEW COMPETITIVE BIDDING POLICY," was offered by Senators J. Wong, Kuroda, McMurdo, Yamasaki, Chang, Henderson, George, Nakasato, Cobb, Aki, Ikeda, Blair, Fernandes Salling, B. Kobayashi and Menor, and was read by the Clerk.

By unanimous consent, S.C.R. No. 26 was referred to the Committee on Government Operations.

STANDING COMMITTEE REPORT

Senator Kuroda, for the Committee on Culture, Arts and Historic Preservation, presented a report (Stand. Com. Rep. No. 363) recommending that Senate Bill No. 411 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kuroda, seconded by Senator Hagino and carried, the report of the Committee was adopted and S.B. No. 411, entitled: "A BILL FOR AN ACT RELATING TO THE STATE GEM," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 9, 1987.

ORDER OF THE DAY

ADVISE AND CONSENT

Stand. Com. Rep. No. 4 (Gov. Msg. No. 89):

Senator B. Kobayashi moved that Stand. Com. Rep. No. 4 be received and placed on file, seconded by Senator Matsuura and carried.

Senator B. Kobayashi then moved that the Senate advise and consent to the nomination of John C. Lewin, M.D., as Director of Health, term to expire December 3, 1990, seconded by Senator Matsuura.

Senator B. Kobayashi then rose to speak

in support of the nomination as follows:

"Madam Vice President, for the record I should like to say that Dr. Lewin's nomination was well supported by a large number of people representing the medical and health community here in the State of Hawaii, as well as a number of individual private citizens. There were no negative comments attributed to his nomination as department director, and I would urge all members of the Senate to vote affirmatively."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 22 (Gov. Msg. No. 94):

Senator Nakasato moved that Stand. Com. Rep. No. 22 be received and placed on file, seconded by Senator B. Kobayashi and carried.

Senator Nakasato then moved that the Senate advise and consent to the nomination of Mario R. Ramil as Director of Labor and Industrial Relations, term to expire December 3, 1990, seconded by Senator B. Kobayashi.

Senator Nakasato then rose to speak in support of the nomination as follows:

"Madam Vice President, I would just like to add that Mr. Ramil has been very, very supportive and very helpful in the Labor Committee area. I fully recommend his nomination."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 23 (Gov. Msg. No. 95):

Senator Nakasato moved that Stand. Com. Rep. No. 23 be received and placed on file, seconded by Senator B. Kobayashi and carried.

Senator Nakasato then moved that the Senate advise and consent to the nomination of Alfred C. Lardizabal as Director of Personnel Services, term to expire December 3, 1990, seconded by Senator B. Kobayashi.

Senator Nakasato then rose to speak in support of the nomination as follows:

"Madam Vice President, for the past four years Mr. Lardizabal was the vice chair of my Tourism Committee. He worked very hard and gave tremendous support. I know

he will do the same in this job capacity. I fully recommend his nomination."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 112 (Gov. Msg. No. 96):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 112 be received and placed on file, seconded by Senator Chang and carried.

Senator Fernandes Salling then moved that the Senate advise and consent to the nomination of Edward Y. Hirata as Director of Transportation, term to expire December 3, 1990, seconded by Senator Chang.

Senator Fernandes Salling then rose to speak in support of the nomination as follows:

"Madam Vice President, I'm very pleased to recommend to this body the nomination of Ed Hirata as Director of Transportation. He brings with him a wealth of experience, having served with the county and also as managing director for Hawaiian Electric. I think that with Ed as director of this department, we can look forward to seeing some innovative solutions to some of the traffic problems and other problems facing the state with respect to transportation. Thank you."

Senator Cobb also rose to speak in support of the nomination as follows:

"Madam Vice President, I rise to speak in favor of the nomination, as well. I've also had the opportunity and the pleasure to serve under Ed Hirata when he was the commanding general, as a brigadier general, for Headquarters, 9th Corps Augmentation, United States Army Reserve, at that least favored convention site, Ft. DeRussy. I know that his experience is going to stand him in good stead and I've had the opportunity to work with him personally on a variety of projects, both in and out of the military service. I think it's an outstanding choice in a series of very good choices made by the governor and I want to recommend the nomination very strongly to the members of the Senate. Thank you."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 352 (Gov. Msg. No. 86):

By unanimous consent, action on Stand. Com. Rep. No. 352 and Gov. Msg. No. 86 was deferred until Monday, March 9, 1987.

Stand. Com. Rep. No. 357 (Gov. Msg. No. 88):

Senator Cobb moved that Stand. Com. Rep. No. 357 be received and placed on file, seconded by Senator Blair and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Robert A. Alm as Director of Commerce and Consumer Affairs, term to expire December 3, 1990, seconded by Senator Blair.

Senator Cobb then rose to speak in support of the nomination as follows:

"Madam Vice President, I've had the opportunity to work with Mr. Alm for a number of years while chairing your Committee on Consumer Protection and Commerce. I've always found him to be very responsive, very knowledgeable, and yet very cool and analytical in his analysis of problems. He is an outstanding individual and I think he has a dimension both of continuity, as well as a new look to the department, and I strongly urge his confirmation by the Senate."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 358 (Gov. Msg. No. 97):

Senator Yamasaki moved that Stand. Com. Rep. No. 358 be received and placed on file, seconded by Senator Mizuguchi and carried.

Senator Yamasaki then moved that the Senate advise and consent to the nomination of Russel S. Nagata as Comptroller, term to expire December 3, 1990, seconded by Senator Mizuguchi.

Senator Yamasaki then rose to speak in support of the nomination as follows:

"Madam Vice President, the Ways and Means Committee would like to recommend the confirmation of Russel S. Nagata, Governor's Message No. 97. We have received only favorable comments regarding this nominee. Thank you."

Senator Chang also rose to speak in support of the nomination as follows:

"Madam Vice President, I would also like to speak in favor of the nomination. I have had the opportunity to observe the nominee

in several contentious situations. He has always exercised sound judgment and evenhandedness in his actions. Thank you."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 359 (Gov. Msg. No. 98):

Senator Yamasaki moved that Stand. Com. Rep. No. 359 be received and placed on file, seconded by Senator Mizuguchi and carried.

Senator Yamasaki then moved that the Senate advise and consent to the nomination of Yukio Takemoto as Director of Finance, term to expire December 3, 1990, seconded by Senator Mizuguchi.

Senator Yamasaki then rose to speak in support of the nomination as follows:

"Madam Vice President, we have also received favorable testimony regarding the nomination of Mr. Yukio Takemoto and the Ways and Means Committee would like to recommend a favorable vote on his confirmation."

Senator Mizuguchi also rose to speak in support of the nomination as follows:

"Madam Vice President, I would be remiss if I did not stand up and say a few words on behalf of Yukio Takemoto because it is in these halls that I met Yuki — he as chief clerk of Ways and Means and I as a legislative analyst with the Senate President.

"Seventeen years ago when I met Yuki, he was a modest, quiet, and very competent and knowledgeable individual. After serving the Senate, he took the high road and went to work for the Labor Appeals Board and the university, and I took the very low road and entered the political arena. After all these years, I've known Yuki to have developed very sound judgment. He is a fair individual with great integrity.

"As the Director of Finance, he will no doubt serve the general public effectively. His willingness to make the sacrifice demanded of a public servant is laudable and deserves the full support of this body. Thank you."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 360 (Gov. Msg. No. 99):

Senator Yamasaki moved that Stand. Com. Rep. No. 360 be received and placed on file, seconded by Senator Mizuguchi and carried.

Senator Yamasaki then moved that the Senate advise and consent to the nomination of Richard F. Kahle Jr. as Director of Taxation, term to expire December 3, 1990, seconded by Senator Mizuguchi.

Senator Yamasaki then rose to speak in support of the nomination as follows:

"Madam Vice President, I speak in favor of the nomination of Mr. Richard F. Kahle. We all know Mr. Kahle as a former employee of the Legislative Reference Bureau who has done an outstanding job, especially in the field of taxation, bills relating to taxes. I'm sure he's going to be an outstanding Director of Taxation. We have received favorable comments regarding this nomination, and I urge everyone to vote for his confirmation. Thank you."

Senator Holt also rose to speak in support of the nomination as follows:

"Madam Vice President, notwithstanding the remarkably consistent opposition to every bill I have heard in the Tourism Committee earmarking funds from the transient accommodations tax, I urge all my colleagues to unanimously support Rick Kahle as Director of Taxation. Thank you."

Senator Chang also rose to speak in support of the nomination as follows:

"Madam Vice President, just a few words on behalf of Senator Holt, Senator Blair, myself, and all those who have served as Senate staff members in these halls over the past several decades. We can attest to Mr. Kahle's stringent enforcement of the bureau's policies and yet demonstrate his compassion whenever the policy seemed to work against the very needy and desperate staff members. So, on behalf of all of us, I would like to recommend his nomination. Thank you."

Senator Matsuura also rose to speak in support of the nomination as follows:

"Madam Vice President, I'm going to support this nomination although I just want this body to know that every major bill that I had on port issues have died, and every major bill about taxation that Senator Henderson introduced died, and now he is going to kill all our bills that go to the Ways and Means Committee. But even with all that, he has the character and the personality to withstand this body and I wholeheartedly support his nomination. Thank you."

Senator Hee also rose to speak in support of the nomination as follows:

"Madam Vice President, I am supporting Mr. Kahle because I understand he will take the high and courageous road in recommending a tax on military pensions, and I want to announce that I support courageous individuals."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

The Chair then asked the newly confirmed department heads, many of whom were sitting in the gallery, to rise and be recognized.

At this time, the following introductions were then made to the members of the Senate:

Senator Kuroda introduced Mr. Yoshio Kunugi, manager of the international relations division of All Nippon Airways; Mr. John Nugent, vice president of Global USA, chief lobbyist for ANA in Washington, D.C.; Mr. Y. K. Kobayashi, manager and locally based manager of ANA Hotels Hawaii; Mr. Masami Sakashita, assistant of ANA Hotels Hawaii; accompanied by Ms. Millie Ludwick, the Hawaii representative of ANA Hotels Hawaii, and stated:

"Madam Vice President, the gentlemen are here to again meet with state officials. Mr. Nugent is from Washington, D.C., and they continue to work on the possibility of attaining a regularly scheduled route to Hawaii. Presently, ANA has direct flights to Washington, D.C., and to Los Angeles, but this gateway City of Honolulu should be foremost as far as the next gateway city to the United States."

Senator Fernandes Salling introduced the winners of an essay contest sponsored by the Commission on the Handicapped and the AFL/CIO, who were present on the Senate floor, as follows:

"Madam Vice President, I would like to introduce the following people that you see on the floor, but before going through and naming each one, I'd like to explain to the body what they have been recognized for.

"Every year the Commission on the Handicapped, along with the AFL/CIO, sponsors an essay contest, and this year's theme, 'Workers with Disability, Success through Independence,' required the students to not only write the essay but to go out and research the subject of disability and how it affects people's lives. The students had to interview the people and

they had to learn for the first time to take time to meet and talk with these people. This gave these students the opportunity to see disabled people in a positive light as productive and independent taxpaying members of our community.

"The program is designed to bring an awareness to the students of the lives of these very special people, and with us on the floor are the winners of this essay contest. It gives me great pleasure to introduce the first place winner, Claire Futenma. Claire is a senior from Kapaa High School and she will be going to Colorado to participate in the national contest. The second place winner also hails from Kapaa High School, Sharolyn Kaui.

"At this time, I would like to introduce the teacher who was responsible for helping these two do so well in this contest, Josephine Sokei. And I do believe that Senator Menor may want to introduce the third place winner who comes from his district."

Senator Menor then introduced the third place winner, Kimberly Cassidy from Millilani High School, and her teacher Mrs. Kotake, and stated:

"Madam Vice President, it is an honor and a privilege for me to join in the congratulatory remarks made by Senator Fernandes Salling about our honorees. I would especially like to say to Kimberly that, as her Senator, I am speaking for this entire legislative body and the community of Millilani in expressing our pride in her achievement. I wish to thank all of the honorees for being here today."

At this time, the students and teachers rose to be recognized.

At 12:05 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:08 o'clock p.m.

Senator Kuroda then introduced Mr. Don Worobe from Pearl City, a very good friend and the Commander of the Hawaii Disabled Veterans Organization and one of the co-sponsors of this commendation.

Senator Nakasato then rose on a congratulatory note and remarked:

"Madam Vice President, I noticed this morning that the men of the Mizuguchi family made the news. While the good Senator went to bat for us against the Board of Education, his son Reid, who pitches for the Punahou School Baseball Team, had a perfect game yesterday against Hawaii Baptist Academy.

"Reid Mizuguchi had a perfect game going — he gave no hits, struck out eight batters, gave no walks — and this was done in five innings. The score was 12-0; he faced a minimum of 15 batters, 3 batters each inning for five innings — a tremendous achievement. And, he also made two hits to contribute to the winning cause.

"I just want to congratulate the Senator and his son."

Senator Holt then added:

"Madam Vice President, I hope the Senator can throw a perfect game against the Board of Education." (Laughter.)

At this time, Senator Mizuguchi rose on a point of personal privilege and said:

"Madam Vice President, I am now known as Reid Mizuguchi's father.

"Madam Vice President, I rise on a point of personal privilege.

"Distinguished members of the Senate, in today's morning newspaper 'Requests for future cuts infuriates school board.' In last night's evening news of the Board of Education meeting, it was not 'Entertainment Tonight' but there are some inexplicable terms and intemperate remarks made by Board of Education members about the members of the Legislature, specifically from the state Senate. So, today, I would like to set the record straight and bring you up-to-date on the specific issue at hand as it relates to the Department of Education budget.

"As you are well aware, we are in the process of reviewing and formulating a budget for this next fiscal biennium. Based on the instructions by our knowledgeable chairman of the Ways and Means Committee, Senator Yamasaki, we found that the Department of Education was asking for 16 million more dollars to their request for this next fiscal biennium. So with that thought, I issued a letter to Superintendent Charles Toguchi, a former colleague of ours, and I'd like to read this letter into the record. It states:

'Dear Charlie,

We need your help quickly on a key budgetary matter.

As you know, the budgetary guidelines issued to our committee on Ways and Means require us to stay within the ceiling represented by the amount of the executive budget plus the governor's supplemental budget. This means that in providing for your recommended supplemental budget, we are limited to

\$33,252,425 for the fiscal biennium, the total funds which you indicate are available after reallocation of current resources in the amount of \$13,052,425 and the addition of \$20,200,000 from the governor's supplemental allocation.

Therefore, I am asking you and your staff to rework the budget and to limit the program adjustments to the \$33,252,425 available for the biennium. (And this is a key statement that I'd like to read into the record.) Perhaps, at some later time, the funds will be available to accommodate all or most of your department's supplemental requests, but for now, we have to work under the foregoing constraint.

We are fighting a deadline, and also I am asking that we receive your supplementary schedule by noon on March 4.'

"Madam Vice President, subsequently, because the Board of Education was meeting on the 5th, a letter was sent by Senator Yamasaki and myself to bring forward those changes no later than 12:00 noon today.

"That is the background of our particular request.

"The issue at hand is that Governor Waihee, in attempting to give greater flexibility to the Department of Education, said that he would give the department \$20 million if it could come up with an additional \$10 million, and in that initial reallocation process the department came up with \$13 million, matched by \$20 million from the executive to give us a grand total of \$33 million.

"Today, after receiving two memos from the Department of Education which included numerous changes, requests, and insistence that we add on another \$16 million to this budget, bringing this budget to a grand total of \$49 million.

"I think that the major issue that we want to dispel here is that the board does not have the ultimate spending authority. It is the Legislature that has this spending authority and it is our power and our prerogative to request for an updated and very, very good information so that we, in turn, can make some wise decisions about a very important issue as it relates to public education for our children.

"Not only do I feel an anger about the board's misinterpretation about their role and responsibility, but I find it inexplicable that they would discredit the fine work of our chairman of the Ways and Means Committee. His unquestionable integrity, knowledge, and the years of service has served us well as our fiscal leader in this

particular body.

"They have also, again, challenged the commitment of members of the Senate that we are not committed to providing for first-class education for our children in our public schools.

"So it is with these statements, Madam Vice President, that I want to set the record straight and that these public outbursts will not deter your Senate Education to work very hard with Senator Yamasaki to come up with an appropriate budget for the Department of Education.

"Thank you."

Senator Hee then responded to the previous speaker's remarks as follows:

"Madam Vice President, I would like to make some comments regarding the previous speaker's remarks on the Department of Education.

"Madam Vice President, it seems that this is that time of the year in the legislative session when the horns come out of the Board of Education and the crying towels proceed to follow the horns. I would like for you and the members to understand that our Board of Education has been published in this morning's Advertiser with saying, and I quote Reverend Aiona who said,

'... Looking this over, I'm really getting pissed off. It happens all the time. ... All these politicians shooting their mouths off about improving quality education — it's not going to happen. A lot of our programs end up in half-assed ways.'

"I also would like to quote the board chairman who said,

'I'm not sure they're giving me an open hand, ... Or if they are, four fingers are missing and one of them is sticking up.'

"This speaks for the Board of Education.

"As a member of the Education Committee since the first year of my election to the House, the scenario has never changed. The board members, with few exceptions, have gotten re-elected, and the crying towels and the programs with the 'politicians shooting their mouths off' and the reverend getting quote 'pissed off' unquote have remained the same.

"The Board of Education seems to be of the mind that innovations can only occur with more money; that innovations cannot occur by cutting back; that innovations cannot occur by reallocating resources, by redeploying personnel; and that each and every time innovations have been requested they have come from the legislative

Education Committees.

"I point out in fact that at the Education hearings last year, chaired by the now superintendent and former Senator Charles Toguchi, the committee was lied to by the former personnel director who has since become the head civil servant in the personnel department of the Department of Education; that the personnel director when then superintendent Francis Hatanaka indicated that they could not reallocate resources; that they could not redeploy personnel.

"For example, we will be facing shortly a massive continuation of the exodus of not only teachers but educational officers (EO), that is to say, the principals and vice principals presently working for the Department of Education. They are, as a rule rather than the exception, about the same age or have about the same amount of years and are now looking for retirement.

"We know this will happen and yet, year after year, the board has refused, steadfastly refused, to take this problem head on to make necessary adjustments. For example, schools with less than 100 students, do not need a principal who gets paid \$40,000 or can that principal be redeployed into another position and that school be annexed, as it was in the old days, the good old days by the way, to the larger school? Can that principal be removed and two guidance counselors be put in to the benefit of the direct communication between student and counselor, or should that continuation of the EO with \$40,000 to \$45,000 to \$50,000 remain with the school with less than 100 students to play catch in recess, to hang the clothes when he can get away? And this is not a single school, this is statewide.

"In our own homes, when money becomes tight, we begin to shut off lights; we begin to shut faucets; we begin to look at innovative ways like replacing a conventional light bulb with a fluorescent light bulb. This is not new. So rather than the board continue to get quote 'pissed off' unquote and accuse the programs as being quote 'half-assed' unquote, I suggest they look inwardly because this is not new, and for the board to look innovatively. For example, the chairman of the Board of Education testified against a contract for the superintendent ... testified against a contract, which would not have precluded the board from summarily firing someone with just cause, just as a football coach can be summarily fired with just cause. What this would have done was to finally give stability to the Board of Education and the Department of Education; to have finally sent a message to the board and the people and to the students that your superintendent has a contract; that your superintendent

will be there to make tough decisions.

"The chairman whose one finger is left sticking in the air, in my view, has left it sticking to the public. The chairman and the board have cut their OJT program, on-the-job training for EO's, the educational officers. We will be faced with an exodus of retirees, principals, and because of that the Department of Education has accelerated the SAT program whereby teachers can take the test and qualify and become certificated to be principals. Once that has happened, they must go through OJT, on the job training. For that to occur, they must go through that program and only then can they become principals in the Department of Education. So, what has the innovative Board of Education done with respect to OJT? They have cut the supplemental program by 33 percent.

"Now somebody explain to me whose finger is pointing at whom. It is clear to me when one talks about innovation, it doesn't come by wetting a leather collar and letting it dry and squeeze your neck until you die. So, I would encourage this board to put that other finger down with the rest and to clench that fist and make hard decisions which need to be done, and only because of a different policy by the Senate chairman on Education was the board afforded the opportunity to look inwardly and to make those cuts.

"My goodness, innovation occurred with the Judiciary this year by not affording them that same opportunity. And innovation occurred with \$14 million, saved by looking inwardly and making those necessary cuts, even with adding magnetometers and x-ray machines for security.

"These things can be done inwardly and I suggest, rather than trumpeting the news to the media to infuriate the public, that the responsibility be placed exactly where it should be — that's on the Board of Education."

Senator Solomon rose in support of the previous speakers and remarked:

"Madam Vice President, when I was the former Education chairman, the bill had come to the committee to consider doing away with the elected school board and to consider an appointed school board. At that time, your Committee on Education deliberated over the issue. We met with the Board of Education, we met with the administration, and the committee had come to the conclusion that we needed a memorandum of understanding so that both the administration and the Board of Education, as well as the legislative body, would have a clear understanding as to what is their jurisdiction and their prerogative.

"At that time, Madam Vice President, it was discussed in great length and it was decided that these areas would be agreed upon and this memorandum would have been forthcoming. Unfortunately, we never received that memorandum of understanding from the Board of Education.

"It concerns me when elected officials act very irresponsibly and that we as the public begin to question the integrity of that particular public officer. And this is why I had recommended, as chairman of the Education Committee, that we try to work out our differences and come up with a memorandum of understanding, instead of destroying the elective process in which I strongly and firmly believe that the people of this state have a right to participate to determine the educational futures of their young people.

"But after these kinds of remarks that were made in the paper, I find it very discouraging that at one time I had such great confidence in the Board of Education; that we could work out our differences to come up with an understanding so that we have a clear understanding of jurisdiction in reference to our public responsibilities, have just been shattered.

"So, Madam Vice President, I would strongly recommend that the chairman of the Education Committee could re-review this. I know that there is a bill pending, questioning whether or not we should have an elective school board or an appointive school board. But, before we make any rash decision, I would like to make a strong recommendation to the chairman of the Education Committee to try to establish this understanding as to what our jurisdictions are and what are our prerogatives, and to be sure that once this is agreed upon we remain within these jurisdictional areas.

"Thank you very much."

Senator Mizuguchi then added:

"Madam Vice President, there were terms used about cuts and I want the members to know that this \$16 million is new money. We're not cutting anything out of the

existing school budget. I want to make that clear. Thank you."

Senator Matsuura rose in response to the previous remarks and said:

"Madam Vice President, I just want to mention that my colleague from Kaneohe had to use all of those words, 'half-ass,' 'pissed off,' etc. I want the Journal to reflect that those words had to be entered to express the Senator's feelings. However, we are entering those words in our Journal with grave reservations because it does not measure up to a standard of maturity. Those kinds of language should not have been used by a member of the board. Thank you."

Senator Hee then added:

"Madam Vice President, it should be noted for the record that the words reflected by me were the exact quotation of those people charged with the education of our young people and, that, in and of itself, speaks for the quality of some of those members of the board if this is the way that they feel best in their responsibility to better the education system. Thank you."

Senator Cobb also rose to remark as follows:

"Two observations, Madam Vice President. Today's debate might do something to enhance the verbal skills of our students if it's widely published. A very wise man once said, 'If you're not part of the solution, you're part of the problem.' I think those that are complaining about the problem, particularly on the board, ought to be looking in the mirror. Thank you."

At this time, Senator Yamasaki, chairman of the Committee on Ways and Means, requested a waiver of the 48-hour Notice of a Public Hearing on S.B. No. 1746, and the Chair granted the waiver.

ADJOURNMENT

At 12:30 o'clock p.m., on motion by Senator Blair, seconded by Senator George and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, March 9, 1987.