

TWELFTH DAY

Thursday, February 4, 1988

The Senate of the Fourteenth Legislature of the State of Hawaii, Regular Session of 1988, convened at 11:36 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Lt. (J.G.) Joseph Maiocco from Pearl Harbor Naval Station, after which the Roll was called showing all Senators present.

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

HOUSE COMMUNICATION

Hse. Com. No. 2, returning Senate Bill No. 1, S.D. 1, which passed Third Reading in the House of Representatives on Wednesday, February 3, 1988, was read by the Clerk and was placed on file.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills introduced on Tuesday, February 2, 1988:

Senate Bills Referred to:

No. 2462 Committee on Housing, Hawaiian Programs and Natural Resources

No. 2463 Committee on Health

No. 2464 Committee on Education, then to the Committee on Ways and Means

No. 2465 Jointly to the Committee on Health and the Committee on Labor and Employment, then to the Committee on Ways and Means

No. 2466 Committee on Education, then to the Committee on Ways and Means

No. 2467 Committee on Education, then to the Committee on Ways and Means

No. 2468 Committee on Public Utilities, then to the Committee on Ways and Means

No. 2469 Committee on Higher Education, then to the Committee on Ways and Means

No. 2470 Committee on Higher Education, then to the Committee on Ways and Means

No. 2471 Committee on Housing, Hawaiian Programs and Natural Resources, then to the Committee on Ways and Means

No. 2472 Committee on Health, then to the Committee on Ways and Means

No. 2473 Committee on Agriculture, Energy and Ocean Resources, then to the Committee on Ways and Means

No. 2474 Committee on Education, then to the Committee on Ways and Means

No. 2475 Committee on Higher Education, then to the Committee on Ways and Means

No. 2476 Committee on Judiciary, then to the Committee on Ways and Means

No. 2477 Committee on Higher Education, then to the Committee on Ways and Means

No. 2478 Committee on Agriculture, Energy and Ocean Resources

No. 2479 Jointly to the Committee on Planning and Environment and the Committee on Agriculture, Energy and Ocean Resources, then to the Committee on Judiciary

No. 2480 Committee on Agriculture, Energy and Ocean Resources, then to the Committee on Ways and Means

No. 2481 Committee on Agriculture, Energy and Ocean Resources, then to the Committee on Ways and Means

No. 2482 Committee on Agriculture, Energy and Ocean Resources, then to the Committee on Ways and Means

No. 2483 Committee on Consumer Protection and Commerce

No. 2484 Committee on Judiciary, then to the Committee on Ways and Means

No. 2485 Committee on Planning and Environment

No. 2486 Committee on Public Utilities

No. 2487 Committee on Tourism and Recreation, then to the Committee on Ways and Means

No. 2488 Committee on Higher Education, then to the Committee on Ways and Means

No. 2489 Committee on Consumer Protection and Commerce

No. 2490 Committee on Consumer Protection and Commerce

No. 2491 Committee on Consumer Protection and Commerce

No. 2492 Committee on Consumer Protection and Commerce

No. 2493 Committee on Consumer Protection and Commerce

No. 2494 Committee on Consumer Protection and Commerce

No. 2495 Committee on Planning and Environment, then to the Committee on Ways and Means

No. 2496 Committee on Higher Education, then to the Committee on Ways and Means

No. 2497 Committee on Higher Education, then to the Committee on Ways and Means

No. 2498	Committee on Agriculture, Energy and Ocean Resources, then to the Committee on Ways and Means	No. 2523	Committee on Judiciary
No. 2499	Committee on Higher Education, then to the Committee on Ways and Means	No. 2524	Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
No. 2500	Committee on Higher Education, then to the Committee on Ways and Means	No. 2525	Committee on Health
No. 2501	Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means	No. 2526	Committee on Health
No. 2502	Committee on Housing, Hawaiian Programs and Natural Resources	No. 2527	Committee on Health
No. 2503	Committee on Consumer Protection and Commerce	No. 2528	Committee on Health
No. 2504	Committee on Consumer Protection and Commerce	No. 2529	Committee on Health
No. 2505	Committee on Consumer Protection and Commerce	No. 2530	Committee on Health
No. 2506	Committee on Agriculture, Energy and Ocean Resources, then to the Committee on Ways and Means	No. 2531	Committee on Judiciary
No. 2507	Committee on Agriculture, Energy and Ocean Resources, then to the Committee on Ways and Means	No. 2532	Committee on Judiciary, then to the Committee on Ways and Means
No. 2508	Committee on Housing, Hawaiian Programs and Natural Resources, then to the Committee on Ways and Means	No. 2533	Committee on Corrections, then to the Committee on Judiciary
No. 2509	Committee on Housing, Hawaiian Programs and Natural Resources, then to the Committee on Ways and Means	No. 2534	Committee on Transportation, then to the Committee on Judiciary
No. 2510	Committee on Housing, Hawaiian Programs and Natural Resources, then to the Committee on Ways and Means	No. 2535	Committee on Transportation, then to the Committee on Judiciary
No. 2511	Committee on Consumer Protection and Commerce	No. 2536	Committee on Judiciary
No. 2512	Committee on Health	No. 2537	Committee on Judiciary
No. 2513	Committee on Health, then to the Committee on Ways and Means	No. 2538	Committee on Judiciary
No. 2514	Committee on Health, then to the Committee on Ways and Means	No. 2539	Committee on Judiciary
No. 2515	Committee on Consumer Protection and Commerce	No. 2540	Committee on Corrections, then to the Committee on Judiciary
No. 2516	Committee on Consumer Protection and Commerce	No. 2541	Committee on Transportation
No. 2517	Committee on Judiciary	No. 2542	Committee on Transportation, then to the Committee on Judiciary
No. 2518	Committee on Higher Education, then to the Committee on Ways and Means	No. 2543	Committee on Transportation, then to the Committee on Judiciary
No. 2519	Committee on Judiciary	No. 2544	Committee on Judiciary, then to the Committee on Ways and Means
No. 2520	Committee on Consumer Protection and Commerce	No. 2545	Committee on Judiciary
No. 2521	Committee on Judiciary	No. 2546	Committee on Judiciary
No. 2522	Committee on Judiciary	No. 2547	Committee on Judiciary
		No. 2548	Committee on Transportation, then to the Committee on Judiciary
		No. 2549	Committee on Judiciary
		No. 2550	Committee on Transportation, then to the Committee on Judiciary
		No. 2551	Committee on Transportation, then to the Committee on Judiciary
		No. 2552	Committee on Judiciary
		No. 2553	Committee on Judiciary

No. 2554	Committee on Judiciary	No. 2588	Committee on Higher Education, then to the Committee on Ways and Means
No. 2555	Committee on Judiciary	No. 2589	Committee on Housing, Hawaiian Programs and Natural Resources, then to the Committee on Ways and Means
No. 2556	Committee on Judiciary	No. 2590	Committee on Judiciary
No. 2557	Committee on Judiciary	No. 2591	Committee on Judiciary
No. 2558	Committee on Judiciary	No. 2592	Committee on Higher Education, then to the Committee on Ways and Means
No. 2559	Committee on Judiciary	No. 2593	Committee on Consumer Protection and Commerce
No. 2560	Committee on Judiciary	No. 2594	Committee on Business Development and Pacific Relations, then to the Committee on Ways and Means
No. 2561	Committee on Judiciary	No. 2595	Committee on Business Development and Pacific Relations, then to the Committee on Ways and Means
No. 2562	Committee on Judiciary	No. 2596	Committee on Government Operations, then to the Committee on Ways and Means
No. 2563	Committee on Judiciary	No. 2597	Committee on Labor and Employment
No. 2564	Committee on Judiciary	No. 2598	Committee on Tourism and Recreation, then to the Committee on Ways and Means
No. 2565	Committee on Judiciary	No. 2599	Committee on Health, then to the Committee on Ways and Means
No. 2566	Committee on Judiciary	No. 2600	Committee on Health, then to the Committee on Ways and Means
No. 2567	Committee on Judiciary	No. 2601	Committee on Labor and Employment
No. 2568	Committee on Judiciary	No. 2602	Committee on Housing, Hawaiian Programs and Natural Resources
No. 2569	Committee on Judiciary	No. 2603	Committee on Ways and Means
No. 2570	Committee on Judiciary	No. 2604	Committee on Education, then to the Committee on Ways and Means
No. 2571	Committee on Judiciary	No. 2605	Committee on Agriculture, Energy and Ocean Resources, then to the Committee on Ways and Means
No. 2572	Committee on Transportation	No. 2606	Committee on Education
No. 2573	Committee on Judiciary	No. 2607	Committee on Education, then to the Committee on Ways and Means
No. 2574	Committee on Judiciary	No. 2608	Committee on Education
No. 2575	Committee on Judiciary	No. 2609	Committee on Education
No. 2576	Committee on Government Operations	No. 2610	Committee on Higher Education, then to the Committee on Ways and Means
No. 2577	Committee on Judiciary	No. 2611	Committee on Education, then to the Committee on Ways and Means
No. 2578	Committee on Judiciary	No. 2612	Committee on Education, then to the Committee on Ways and Means
No. 2579	Committee on Judiciary	No. 2613	Committee on Labor and Employment, then to the Committee on Ways and Means
No. 2580	Committee on Judiciary		
No. 2581	Committee on Education, then to the Committee on Ways and Means		
No. 2582	Committee on Education, then to the Committee on Judiciary		
No. 2583	Committee on Education, then to the Committee on Ways and Means		
No. 2584	Committee on Culture, Arts and Historic Preservation, then to the Committee on Ways and Means		
No. 2585	Committee on Culture, Arts and Historic Preservation, then to the Committee on Ways and Means		
No. 2586	Committee on Culture, Arts and Historic Preservation, then to the Committee on Ways and Means		
No. 2587	Committee on Judiciary		

No. 2614	Committee on Human Services, then to the Committee on Ways and Means	No. 2640	Committee on Culture, Arts and Historic Preservation, then to the Committee on Ways and Means
No. 2615	Committee on Human Services, then to the Committee on Ways and Means	No. 2641	Committee on Planning and Environment
No. 2616	Committee on Human Services, then to the Committee on Ways and Means	No. 2642	Committee on Tourism and Recreation, then to the Committee on Ways and Means
No. 2617	Committee on Military and Civil Defense, then to the Committee on Transportation	No. 2643	Committee on Business Development and Pacific Relations, then to the Committee on Ways and Means
No. 2618	Committee on Human Services, then to the Committee on Ways and Means	No. 2644	Committee on Transportation
No. 2619	Committee on Human Services, then to the Committee on Ways and Means	No. 2645	Committee on Tourism and Recreation, then to the Committee on Ways and Means
No. 2620	Jointly to the Committee on Military and Civil Defense and the Committee on Transportation, then to the Committee on Judiciary	No. 2646	Committee on Transportation, then to the Committee on Ways and Means
No. 2621	Committee on Human Services, then to the Committee on Ways and Means	No. 2647	Committee on Tourism and Recreation
No. 2622	Committee on Human Services, then to the Committee on Ways and Means	No. 2648	Committee on Tourism and Recreation
No. 2623	Committee on Judiciary	No. 2649	Committee on Tourism and Recreation
No. 2624	Committee on Judiciary	No. 2650	Committee on Tourism and Recreation, then to the Committee on Ways and Means
No. 2625	Committee on Housing, Hawaiian Programs and Natural Resources	No. 2651	Committee on Higher Education, then to the Committee on Ways and Means
No. 2626	Committee on Housing, Hawaiian Programs and Natural Resources, then to the Committee on Ways and Means	No. 2652	Committee on Tourism and Recreation, then to the Committee on Ways and Means
No. 2627	Committee on Labor and Employment, then to the Committee on Ways and Means	No. 2653	Committee on Tourism and Recreation, then to the Committee on Ways and Means
No. 2628	Jointly to the Committee on Education and the Committee on Government Operations, then to the Committee on Ways and Means	No. 2654	Committee on Tourism and Recreation, then to the Committee on Ways and Means
No. 2629	Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means	No. 2655	Committee on Tourism and Recreation, then to the Committee on Ways and Means
No. 2630	Committee on Consumer Protection and Commerce	No. 2656	Committee on Tourism and Recreation
No. 2631	Committee on Public Utilities	No. 2657	Committee on Judiciary
No. 2632	Committee on Public Utilities, then to the Committee on Ways and Means	No. 2658	Committee on Tourism and Recreation, then to the Committee on Ways and Means
No. 2633	Committee on Public Utilities	No. 2659	Jointly to the Committee on Tourism and Recreation and the Committee on Culture, Arts and Historic Preservation, then to the Committee on Ways and Means
No. 2634	Committee on Public Utilities	No. 2660	Jointly to the Committee on Tourism and Recreation and the Committee on Culture, Arts and Historic Preservation, then to the Committee on Ways and Means
No. 2635	Committee on Housing, Hawaiian Programs and Natural Resources	No. 2661	Committee on Tourism and Recreation, then to the Committee on Ways and Means
No. 2636	Committee on Consumer Protection and Commerce	No. 2662	Jointly to the Committee on Tourism and Recreation and the Committee on Culture, Arts and Historic Preservation, then to the Committee on Ways and Means
No. 2637	Committee on Housing, Hawaiian Programs and Natural Resources, then to the Committee on Ways and Means	No. 2663	Committee on Tourism and Recreation, then to the Committee on Ways and Means
No. 2638	Committee on Ways and Means	No. 2664	Committee on Tourism and Recreation
No. 2639	Committee on Public Utilities	No. 2665	Committee on Tourism and Recreation

No. 2666 Committee on Tourism and Recreation, then to the Committee on Ways and Means

No. 2667 Committee on Health

No. 2668 Committee on Health

No. 2669 Committee on Judiciary

No. 2670 Committee on Consumer Protection and Commerce

No. 2671 Committee on Health, then to the Committee on Ways and Means

No. 2672 Committee on Transportation, then to the Committee on Ways and Means

No. 2673 Committee on Transportation

No. 2674 Committee on Human Services, then to the Committee on Ways and Means

No. 2675 Committee on Planning and Environment, then to the Committee on Ways and Means

No. 2676 Committee on Health, then to the Committee on Ways and Means

No. 2677 Committee on Planning and Environment, then to the Committee on Ways and Means

No. 2678 Committee on Judiciary

No. 2679 Committee on Transportation

No. 2680 Committee on Transportation

No. 2681 Committee on Transportation

No. 2682 Committee on Education, then to the Committee on Ways and Means

No. 2683 Committee on Health, then to the Committee on Ways and Means

No. 2684 Committee on Culture, Arts and Historic Preservation, then to the Committee on Ways and Means

No. 2685 Committee on Transportation, then to the Committee on Ways and Means

No. 2686 Committee on Health, then to the Committee on Ways and Means

No. 2687 Committee on Judiciary, then to the Committee on Ways and Means

No. 2688 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means

No. 2689 Committee on Tourism and Recreation, then to the Committee on Ways and Means

No. 2690 Committee on Education, then to the Committee on Ways and Means

No. 2691 Committee on Education, then to the Committee on Ways and Means

No. 2692 Committee on Education, then to the Committee on Ways and Means

No. 2693 Committee on Labor and Employment, then to the Committee on Ways and Means

No. 2694 Committee on Education, then to the Committee on Ways and Means

No. 2695 Committee on Culture, Arts and Historic Preservation

No. 2696 Committee on Housing, Hawaiian Programs and Natural Resources

No. 2697 Committee on Government Operations, then to the Committee on Ways and Means

No. 2698 Committee on Judiciary

No. 2699 Committee on Labor and Employment, then to the Committee on Ways and Means

No. 2700 Committee on Labor and Employment, then to the Committee on Ways and Means

No. 2701 Committee on Tourism and Recreation, then to the Committee on Ways and Means

No. 2702 Committee on Judiciary

No. 2703 Committee on Business Development and Pacific Relations, then to the Committee on Ways and Means

No. 2704 Committee on Business Development and Pacific Relations, then to the Committee on Ways and Means

No. 2705 Committee on Higher Education, then to the Committee on Ways and Means

No. 2706 Committee on Business Development and Pacific Relations, then to the Committee on Ways and Means

No. 2707 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means

No. 2708 Committee on Business Development and Pacific Relations, then to the Committee on Ways and Means

No. 2709 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means

No. 2710 Committee on Planning and Environment, then to the Committee on Ways and Means

No. 2711 Committee on Education, then to the Committee on Ways and Means

RE-REFERRAL OF SENATE BILL

The Chair re-referred S.B. No. 2096 jointly to the Committee on Military and Civil Defense and the Committee on Transportation, then to the Committee on Judiciary.

At 11:39 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:43 o'clock a.m.

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

"Mr. President, yesterday morning eight Senators formed a bipartisan coalition to stand together on issues of concern.

"Mr. President, you have often said that 13 is a magic number here in the Senate. A few days ago we missed an opportunity to show our strength. The eight women were very concerned about the procedural appointment of the deputy state librarian. Two other Senators stood up and concurred. We needed three more Senators to join us and we could have passed any legislation in that particular area.

"Mr. President, we are eight strong. We are looking for five more votes. It has always been said that a woman's place is in the house and today it certainly holds true that a woman's place is also in the Senate."

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

"Mr. President, I am now in the process of sending a memo to President Albert Simone. The subject is on the supplemental budget request. The memo states:

'In the hearing held on February 2, 1988 by the Senate Committee on Higher Education on UH supplemental budget, I was left with the feeling that undergraduate instruction is not being given its proper and just attention. An equitable balance between undergraduate instruction and the other missions of the University was not projected. There seems to be an overemphasis on research and graduate instruction.

'As I have stated time after time, the backbone of the University is undergraduate instruction. More of Hawaii's people are involved in the undergraduate level than any other University program.

'It has come to my attention the existence of such intolerable conditions in the undergraduate instruction, such as the lack of chalk in classrooms, graduate teaching assistants giving too many lectures, lack of or difficulty in having audio-visual equipment in classrooms, lack of library space for studying and badly deteriorating classrooms.

'It seems to me that such inadequacies should be taken care of before we embark on what can be called "glamorous" or "high visibility" programs. I support these programs, however, I am concerned when such programs are favored in budget requests when intolerable conditions exist in undergraduate instructions.

'A case in point is the new School of Ocean and Earth Science and Technology. There is a request for additional positions and funds to augment faculty and funds already in line to form the school.

'This committee would like to know the total number of positions requested for this School in the biennial and supplemental budgets. This includes administrators, research and instructional faculty and support staff.

'Does this School have an undergraduate curriculum already developed which would lead to a baccalaureate? How many faculty will be involved in instruction? How much of their time will be involved in graduate instruction? In undergraduate instruction?

'Furthermore, does the University have concrete plans to enhance undergraduate instruction Universitywide as we have suggested last year? We

would like to see the plans if you (meaning the administration) do have them.

'Perhaps in your zeal to support the Governor's economic development plan for Hawaii, you have not put enough emphasis on the University's instructional responsibilities. The committee was disturbed by the University of Hawaii administration's request for faculty and funds for activities related to a spaceport when the Legislators and the Board of Regents have not yet made a decision on this matter.

'As Legislators we have the responsibility to make sure that public funds are put to best use.

'A response to this memo should be sent to this committee by February 10 in order that we may finalize considerations of this budget.'

"I will be distributing to each Senator's office for their consideration the following information on the new School. Mr. President, our state's contribution to the \$42 million building that is being proposed is \$20 million in building construction and \$1,659,000 in building design. Mr. President, the land value in which this building would be placed upon is valued at \$640,000. The infrastructure support cost that has already been put in place, paid for by the residents of this state, is over one plus million dollars. The annual operating cost of this building would be \$228,000. Instructional positions that have already been approved, Mr. President, cost \$517,870; research positions that are included in the 1988 legislative appropriation cost 683,000 plus dollars.

"Units moving into the new building include:

"The Hawaii Natural Energy Institute, Mr. President, that includes eight positions, costs the taxpayers of this state nearly a million dollars annually.

"The Hawaii Institute of Geophysics (HIG) now has 63.65 positions. We the taxpayers of this state are already pumping in \$3 million to HIG annually.

"The computing center, Mr. President, has 39.5 positions. We the taxpayers of this state pay \$3.4 million to this center annually.

"Mr. President, our total state contribution to this new School would be well over \$31 (plus) million. It disturbs me, Mr. President, when I have the research arm of the University of Hawaii testify to our Committee on Higher Education and say, 'Well, we're bringing in ten million of federal dollars.'

"Fellow Senators, we are at the crossroads in terms of the University of Hawaii. We should proceed cautiously and be reminded of our obligation that undergraduate education gets equal consideration because this is where the people of the State of Hawaii send their young people to be educated. Thank you very much."

Senator Holt then rose to speak on a point of personal privilege regarding the previous speaker's remarks and stated:

"Mr. President, I too was at the budget hearing of the University a couple of days ago. It was very apparent, as the previous speaker said, that the emphasis is moving away from undergraduate instruction towards research and not only from undergraduate instruction but also what is being provided for into the community colleges.

"I would just like to request the chairman of the Committee on Higher Education to seriously consider a

bill which I introduced that sets up a separate board for the community colleges."

ADJOURNMENT

At 11:57 o'clock a.m., on motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, February 5, 1988.