

## THIRTY-SEVENTH DAY

Monday, March 21, 1988

The Senate of the Fourteenth Legislature of the State of Hawaii, Regular Session of 1988, convened at 11:38 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Ms. Charlotte Pelle, Honolulu Baha'i Community, after which the Roll was called showing all Senators present.

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

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

Senator Solomon, on behalf of Senator Holt and herself, introduced Mrs. Forrest and her students of American History at the Honolulu Community College.

Senator J. Wong introduced Jennie and Pam Medeiros, Shirley Nakagawa, and Bob and Laurie Medeiros, "good friends and constituents" from the Eighth Senatorial District.

Senator Chang then introduced a group of 37 members of the Senate of the YMCA Youth Legislature, representing delegations from Kauai, Kona, Maui and Honolulu, led by assistant State Director Bobby Stivers and accompanied by Baron Gushiken, information specialist of the Statewide Volunteer Services. The officers are: Youth Governor Scott Tamasaka, senior, McKinley High School; President of the Senate Shelly Abe, senior, Waiakea High School; Attorney of the Senate Rayna Say, junior, Iolani School; Clerk of the Senate Ralen Yamashiro, junior, Hawaii Baptist Academy; Chaplain Tracy Teruya, sophomore, Punahou School; Sergeant-at-Arms Stanley Oliveira, senior, Waiakea High School.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 213 and 214) were read by the Clerk and were referred to committees:

Gov. Msg. No. 213, submitting for consideration and confirmation as State Administrator, State Health Planning and Development Agency, the nomination of Kina'u Boyd Kamali'i, term to expire December 3, 1990, was referred to the Committee on Health.

Gov. Msg. No. 214, submitting for consideration and confirmation as Director of Environmental Quality Control, the nomination of Marvin T. Miura, Ph.D., term to expire December 3, 1990, was referred to the Committee on Planning and Environment.

## ORDER OF THE DAY

## THIRD READING

House Bill No. 2253, S.D. 1:

By unanimous consent, action on H.B. No. 2253, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL VANDALISM," was deferred until Tuesday, March 22, 1988.

House Bill No. 3305, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 3305, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL SERVICE ORGANIZATIONS," was deferred until Tuesday, March 22, 1988.

House Bill No. 2440, H.D. 2, S.D. 1:

On motion by Senator Blair, seconded by Senator Young and carried, House Bill No. 2440, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON THE YEAR 2000," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2439:

On motion by Senator Blair, seconded by Senator Young and carried, House Bill No. 2439, entitled: "A BILL FOR AN ACT RELATING TO COMMISSIONER OF DEEDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2438:

On motion by Senator Blair, seconded by Senator Young and carried, and House Bill No. 2438, entitled: "A BILL FOR AN ACT RELATING TO GLASS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 6, H.D. 1, S.D. 1:

On motion by Senator Hee, seconded by Senator Menor and carried, House Bill No. 6, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RIGHTS OF VICTIMS AND WITNESSES IN CRIMINAL PROCEEDINGS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Wong, R.).

## FINAL READING

MATTER DEFERRED FROM  
THURSDAY, MARCH 17, 1988

Senate Bill No. 70 (Hse. Com. No. 411):

By unanimous consent, action on S.B. No. 70, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," was deferred until Tuesday, March 22, 1988.

MATTER DEFERRED FROM  
FRIDAY, MARCH 18, 1988

Senate Bill No. 21, S.D. 1, H.D. 1 (Hse. Com. No. 412):

By unanimous consent, action on S.B. No. 21, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REGULATION OF MOTOR VEHICLE REPAIRS," was deferred until Tuesday, March 22, 1988.

At 11:51 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:05 o'clock p.m. with the Vice President in the Chair.

#### REFERRAL OF RESOLUTIONS

The Chair made the following committee assignments of resolutions that were offered on Friday, March 18, 1988:

Senate  
Concurrent  
Resolution

Referred to:

No. 76 Committee on Consumer Protection and Commerce

No. 77 Committee on Human Services

No. 78 Jointly to the Committee on Business Development and Pacific Relations and the Committee on Government Operations

Senate

Resolution Referred to:

No. 85 Jointly to the Committee on Business Development and Pacific Relations and the Committee on Government Operations

No. 86 Committee on Consumer Protection and Commerce

Senator Hee rose to speak on a point of personal privilege as follows:

"Madam Vice President, it appears through the media that the dilemma of Mr. Francis Morgan and the questions raised regarding his dilemma seem to be matriculating towards the chairman of the Judiciary Committee. I'd like at this time to set my concerns on the floor for the record so there is no misunderstanding into what potentially could be a great misunderstanding with respect to my concerns on the bill.

"Let me state that the concerns that I have raised informally and formally have been centered around the ability of this individual to repay the taxpayers of this state. The taxpayers are being asked to cough up \$10 million. And as someone who is not a member of either committee, that is not privileged to the chairman's wisdom and would not so much as to accuse either chairman of overreacting or being over-broadly concerned or not concerned with the taxpayers' money.

"The concerns I've raised as a nonmember, and as a member who is elected by taxpayers whose concerns are of taxpayers, are that, does this man through his company or his holdings, either through a sole proprietorship of Hamakua or an undivided interest in Kualoa Ranch and Kualoa lessees, does this man have the ability and is this man willing to state in writing, not through hearsay through some committee proceeding, or as far as I know it is not recorded nor on the record, is this individual willing and able and will he commit to the taxpayers that they would be the first lien should the \$10 million which he is seeking should not hold up his company? And would this man be willing to give the Senate his books just as a bank would require this individual, prior to the Senate making any decision relative to the financial health and well-being of this individual vis-a-vis the ability to repay the taxpayers of this state?

"I want to make that perfectly clear. As far as I'm concerned the taxpayers deserve nothing less than a bank would require relative to the kinds of information this man would be required to give a bank. Particularly, when the amount is \$10 million and I make that very clear that that's my concern.

"Thank you."

At 12:10 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:18 o'clock p.m.

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

Senator Menor introduced members of the Aloha Medical Mission, "a group of dedicated and humanitarian physicians who have devoted a tremendous amount of time and energy to provide treatment and services to certain impoverished areas in the Philippines" - Dr. Ramon Sy, Dr. Erlinda Cachola, Dr. Don Parsa, Dr. George D. Camara, Mrs. Miriam Morgan, and Dr. Andrew Morgan.

The honorees who were seated on the Senate floor rose to be recognized and were presented the Senate certificate of recognition and leis.

Senator Chang then introduced the Honolulu Chinese Jaycees' 1988 Miss Chinatown Hawaii and her court as follows: Sylvia Karen Shui Len Shim, Miss Chinatown; Lily Hsin Min Wu, 1st princess; Jody Mae Kam Quon Lum, 2nd princess; and Sandra Lynn Wai Mee Tang, 3rd princess; accompanied by Mr. Wendell Woo, president of the Honolulu Chinese Jaycees.

The young ladies and Mr. Woo who were also seated on the floor of the Senate rose to be recognized and were presented the Senate certificate of recognition and leis.

Senator Chang also introduced Mr. Welton Won on his retirement from the Chinese Chamber of Commerce after more than 30 years of dedicated service and "his tireless and devoted efforts to promote the traditions of his cultural heritage."

Mr. Won, also present on the Senate floor, rose to be recognized and was presented a Senate certificate of recognition and lei.

At 12:24 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:28 o'clock p.m.

#### ADJOURNMENT

At 12:29 o'clock p.m., on motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, March 22, 1988.