

THIRTY-SIXTH DAY

Friday, March 17, 1989

The Senate of the Fifteenth Legislature of the State of Hawaii, Regular Session of 1989, convened at 11:44 o'clock a.m. with the Vice President in the Chair.

The Divine Blessing was invoked by the Reverend Terrance A. M. Watanabe, Rector of the Cathedral of Our Lady of Peace, after which the Roll was called showing all Senators present with the exception of Senator Cobb who was excused.

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

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

Senator McMurdo introduced Father Claude DuTeil, husband, grandfather and tireless advocate of homeless men, women and children. Senator McMurdo read from the Senate certificate of appreciation citing Father DuTeil's dedication in the service of others ... "who, 40 years ago, began his ministry for servicing the community by counseling those who are desperately in need ... caring for and counseling alcoholic men and women ... recognizing the need for a drop-in center, which has become the Institute for Human Services, which provides temporary shelter and food to anyone and everyone "

The honoree, who was seated on the floor of the Senate, rose to be recognized, and was presented the Senate certificate of appreciation and a lei.

Father DuTeil was accompanied by his wife Roberta, son Robert, daughter Susan Langford, and son-in-law James Langford, the Reverend Donald Hart, Episcopal Bishop of Hawaii, and Mr. James "Bud" Morgan, head of the Institute of Human Services (IHS). All rose to be recognized.

Seated in the gallery were Deacon Moore, acting director of IHS; Mr. Bob Peterson, associate director; Mr. Vincent Yano, board member; and Joette Manning and Annette Templer, coordinators of the Peanut Butter Jam Session and Festival at Aloha Tower, March 19, 1989.

Senator Ikeda introduced a group of 4th grade students from Holy Trinity School, along with their teacher, Ms. Barbara Dung, and parent chaperones.

Senator Crozier introduced, on this St. Patrick's day, Mr. Bob Gilkey, "my Irish historian whose ancestors come from the area called Derry which is now called Londonderry "

Senator Reed introduced his son Chad Houston and said: "This young man in the audience has been a legislative aide for the past two months and is leaving Hawaii today ... He was in a motorcycle accident six months ago, going a hundred twenty-five miles an hour, and as a result had a leg amputated just below the knee. I have found in the last two months this person has been an inspiration to me ... He is leaving today to be fitted for a prosthetic, an artificial leg, with the goal of returning to Hawaii as soon as he learns how to run the 2 miles in 15 minutes so he can enter the Army Reserves, and to attend the University of Hawaii. I'm very proud to introduce Chad Houston who also happens to be my son."

Senator Menor, on behalf of Senators Levin, Matsuura and himself, introduced Ms. Millie Macugay Asuncion and Lito Asuncion, founders of the Sariling Gawa Organization, working with Filipino youths on a statewide basis to teach them leadership skills. Also seated in the gallery were Ms. Josefina Matias, program coordinator, and a delegation of Big Island students, participants of the 9th annual leadership program at Camp Erdman.

At 11:57 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:11 o'clock p.m., with the President in the Chair.

SENATE CONCURRENT RESOLUTIONS

The following Senate concurrent resolutions (S.C.R. Nos. 64 to 70) were read by the Clerk and were referred to committee:

Senate
Concurrent
Resolution

No. 64 "SENATE CONCURRENT RESOLUTION URGING THE DEVELOPMENT OF A FOUR-YEAR NURSING PROGRAM AT THE UNIVERSITY OF HAWAII, HILO, AND FUNDING FOR THE NURSING PROGRAM AT THE UNIVERSITY OF HAWAII, KONA."

Offered by: Senator Levin.

Referred to: Committee on Higher Education

No. 65 "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW OF HARBORS DIVISION FACILITIES AND PROCEDURES."

Offered by: Senator Levin.

Referred to: Committee on Transportation

No. 66 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONSIDER MAKING KA'U HIGH SCHOOL A MAGNET SCHOOL FOR VOCATIONAL AND TECHNICAL STUDIES."

Offered by: Senator Levin.

Referred to: Committee on Education

No. 67 "SENATE CONCURRENT RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO INVESTIGATE AND REPORT ON PENALTY PROVISIONS IN AUTO INSURANCE POLICIES."

Offered by: Senator Levin.

Referred to: Committee on Consumer Protection and Commerce

No. 68 "SENATE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII AND THE OFFICE OF STATE PLANNING TO INVESTIGATE WAYS IN WHICH HAWAII COULD BENEFIT FROM RECENT PROGRESS MADE BY THE ENVIRONMENTAL PROTECTION AGENCY IN STUDYING GLOBAL WARMING AND ITS HAZARDOUS EFFECTS."

Offered by: Senator Levin.

Referred to: Jointly to the Committee on Agriculture and the Committee on Tourism, Recreation and Planning

No. 69 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF CORRECTIONS TO STUDY THE FEASIBILITY OF AND TO DEVELOP A PLAN FOR THE IMPLEMENTATION OF A PROGRAM TO ALLOW INCARCERATED PERSONS TO ESTABLISH BUSINESSES DURING THEIR INCARCERATION WHICH THEY COULD CONTINUE UPON THEIR RELEASE."

Offered by: Senators Mizuguchi, Matsuura, Hagino, Holt, Ikeda, Kobayashi, B., McCartney, Menor, Nakasato, Reed, Yamasaki.

Referred to: Committee on Corrections

No. 70 "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF AN INTERIM TASK FORCE TO STUDY THE STATE QUARANTINE SYSTEM."

Offered by: Senators Ikeda, Aki, Fernandes Salling, Hagino, Holt, Kobayashi, A., Kobayashi, B., Levin, McCartney, Mizuguchi, Reed, Solomon, Yamasaki.

Referred to: Committee on Agriculture

SENATE RESOLUTIONS

The following Senate resolutions (S.R. Nos. 66 to 72) were read by the Clerk and were referred to committee:

Senate
Resolution

No. 66 "SENATE RESOLUTION URGING THE DEVELOPMENT OF A FOUR-YEAR NURSING PROGRAM AT THE UNIVERSITY OF HAWAII, HILO, AND FUNDING FOR THE NURSING PROGRAM AT THE UNIVERSITY OF HAWAII, KONA."

Offered by: Senator Levin.

Referred to: Committee on Higher Education

No. 67 "SENATE RESOLUTION REQUESTING A REVIEW OF HARBORS DIVISION FACILITIES AND PROCEDURES."

Offered by: Senator Levin.

Referred to: Committee on Transportation

No. 68 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONSIDER MAKING KA'U HIGH SCHOOL A MAGNET SCHOOL FOR VOCATIONAL AND TECHNICAL STUDIES."

Offered by: Senator Levin.

Referred to: Committee on Education

No. 69 "SENATE RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO INVESTIGATE AND REPORT ON PENALTY PROVISIONS IN AUTO INSURANCE POLICIES."

Offered by: Senator Levin.

Referred to: Committee on Consumer Protection and Commerce

No. 70 "SENATE RESOLUTION URGING THE UNIVERSITY OF HAWAII AND THE OFFICE OF STATE PLANNING TO INVESTIGATE WAYS IN WHICH HAWAII COULD BENEFIT FROM RECENT PROGRESS MADE BY THE ENVIRONMENTAL PROTECTION AGENCY IN STUDYING GLOBAL WARMING AND ITS HAZARDOUS EFFECTS."

Offered by: Senator Levin.

Referred to: Jointly to the Committee on Agriculture and the Committee on Tourism, Recreation and Planning

No. 71 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF CORRECTIONS TO STUDY THE FEASIBILITY OF AND TO DEVELOP A PLAN FOR THE IMPLEMENTATION OF A PROGRAM TO ALLOW INCARCERATED PERSONS TO ESTABLISH BUSINESSES DURING THEIR INCARCERATION WHICH THEY COULD CONTINUE UPON THEIR RELEASE."

Offered by: Senators Mizuguchi, Matsuura, Hagino, Holt, Ikeda, Kobayashi, B., McCartney, Menor, Nakasato, Reed, Yamasaki.

Referred to: Committee on Corrections

No. 72 "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF AN INTERIM TASK FORCE TO STUDY THE STATE QUARANTINE SYSTEM."

Offered by: Senators Ikeda, Aki, Fernandes Salling, Hagino, Holt, Kobayashi, A., Kobayashi, B., Levin, McCartney, Mizuguchi, Reed, Solomon, Yamasaki.

Referred to: Committee on Agriculture, then to the Committee on Legislative Management

At this time, the President requested the Clerk to read the following letter:

"March 17, 1989

The Honorable Richard S.H. Wong
President of the Senate
State Capitol, Rm. 003
Honolulu, Hawaii 96813

Dear Mr. President:

Following my district court plea of no contest this past Monday, I made a promise to seek counseling. I am now getting that counseling. I realize that I have a problem - a serious one - and that I need professional help.

Recent new accounts concerning my alleged past activities have, I am sure, caused great consternation to my fellow colleagues in the Senate. I will not at this time comment on such hearsay allegations in the media.

However, I believe my continued presence in the Senate at this time would cause disruption to the body during a critical phase of the legislative session. I do not wish to be a disruptive influence at a time when the Senate must concentrate on the many important issues facing it. The uninterrupted functioning of the legislative process is of the utmost importance to me.

Because I wish to continue a program of professional help, and because I do not want to be a negative influence in the Senate, I hereby request to be temporarily excused from my legislative duties.

Very truly yours,

/s/Steve Cobb
STEVE COBB"

The President then made the following remarks in response to the foregoing letter:

"Members of the Senate, before filing the letter, the Chair would like to make an announcement that in light of the letter I have just received from Senator Cobb, the Chair hereby relieves him from his legislative duties. The Chair is still researching the whole matter involving Senator Cobb and a final determination is yet to be made.

"I feel extremely sorry for Senator Cobb. He is clearly suffering from a very serious illness. He feels he needs professional help. I'm hopeful that in the course of time and with the good graces of God that he be brought back to full health.

"In the absence of Senator Cobb, I've asked Senator Russell Blair, vice chair of the Committee on Consumer Protection and Commerce to carry on the work of the committee."

Senator Reed, Minority floor leader, then responded as follows:

"Mr. President, I rise to speak on this issue on behalf of the Senate Republicans. We also feel sorrow for Steve Cobb, but as elected officials we are expected to maintain a higher standard of behavior than demanded of the general public. It is unfortunate but inescapably clear that Senator Cobb's behavior has fallen unacceptably below that standard. If the State Senate is to retain any measure of public respect, the time for investigation or tolerance has passed. Senator Cobb should resign."

Senator Blair then rose and stated:

"Mr. President, I would like to begin my response by thanking the Minority for their very measured response when earlier action was taken on the previous letter from Senator Cobb. I think we all appreciated the bipartisan nature of the action that was taken on that occasion.

"The Star-Bulletin published an editorial suggesting that our previous actions were precipitous and that we should have proceeded, perhaps, slower and more deliberately. In retrospect some may argue that there was merit in their editorial. I would like to urge my colleagues that we not repeat that error and that we take the time that the heavy weight of this issue commands and that we not again act too quickly. Thank you."

Senator Solomon also rose and stated:

"Mr. President, I rise to speak in support of the previous speaker's remarks. Thank you."

There being no objections from the members of the Senate, the Chair ordered the Clerk to file the letter from Senator Cobb.

At this time, Senator Menor, chairman for the Committee on Judiciary, requested a waiver of the 48-hour Notice of a Public Hearing on H.B. No. 189, H.D. 2, and the President granted the waiver.

ADJOURNMENT

At 1:17 o'clock p.m., on motion by Senator Blair, seconded by Senator Reed and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, March 20, 1989.