

## TENTH DAY

Tuesday, January 30, 1990

The Senate of the Fifteenth Legislature of the State of Hawaii, Regular Session of 1990, convened at 11:39 o'clock a.m. with the Vice President in the Chair.

The Divine Blessing was invoked by Ms. Patricia Mumford, Executive Director, Hawaii Council of Churches, after which the Roll was called showing all Senators present.

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

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

Senator Menor introduced Mr. Jesus Salud as follows:

"Mr. President, it gives me great pleasure and is indeed an honor and privilege for me to be able to introduce to this distinguished body Jesus Salud. Jesus, last June, earned the distinguished honor in the boxing profession of winning the Super Bantamweight Championship of the North American Boxing Federation. Through his accomplishments, Jesus Salud has been the pride of Hawaii and the toast of Nanakuli from which he came and the entire Waianae Coast. I'd also like to say, as a Filipino legislator, that Jesus Salud also typifies the fighting spirit that characterizes the Filipino community, so the Filipinos are also very proud of him.

"What makes Jesus Salud's accomplishment so impressive is the fact that not only has he earned this highest distinction in boxing by winning this prestigious championship crown, but in addition to that Jesus Salud has been a tremendous role model for our young people by actively volunteering his time to encourage Hawaii's youth gang members and other young people at-risk to remain in school and to become law-abiding citizens.

"For the information of this distinguished body, Jesus Salud has a non-championship fight that's going to be taking place at the Blaisdell Arena this coming Friday and he will be undertaking, I believe, the first defense of his championship title at Caesar's Place in March, which is also going to be nationally televised on NBC television. And I've also been informed by him, Mr. President, that as the Senator who represents the Nanakuli District, I understand that you volunteered to represent the State Senate at that fight at Caesar's Palace in March.

"At this time, before I make the presentation of the congratulatory Senate Certificate, I'd like to introduce to this distinguished body, Jesus Salud our champion."

Jesus Salud rose to be recognized and was presented the Senate Certificate by Senator Aki and Senator Tungpalan presented him with a lei.

Senator Menor also introduced Mr. Flores and Mrs. Rosita Salud, proud parents of the honoree; his manager, Mr. Wes Wambold; and trainer, Mr. Richard Wambold.

At this time, the Chair added his remarks and said:

"I would also like to personally thank Jesus and the entire Salud family, for all the good publicity they have brought to our community. Because of their efforts, I think, Waianae is well known and I think Waianae will become a better place. Thank you very much."

Senate President Wong, on behalf of the Senate, extended congratulations and good wishes to Jesus Salud in defending his Super Bantamweight Championship.

At 11:47 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:51 o'clock a.m.

Senator McCartney, on behalf of Senator Hagino and himself, introduced and welcomed a group of fourth grade students from Laie Elementary School and their teacher Mrs. Kinnicutt.

## MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 87, submitting for consideration and confirmation to the Board of Trustees, Hawaii Public Employees Health Fund, the nomination of Willard P. Miyake, term to expire June 30, 1992, was read by the Clerk and was referred to the Committee on Labor and Employment.

## DEPARTMENTAL COMMUNICATION

Dept. Com. No. 25, from the Office of Hawaiian Affairs dated January 26, 1990, transmitting a report, "Task Force for Hawaiian Services, Phase I, 1990," in response to S.C.R. No. 106 (1989), was read by the Clerk and was placed on file.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 2 and 3) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 2, transmitting H.B. No. 2138, H.D. 1, which passed Third Reading in the House of Representatives on January 29, 1990, was placed on file.

On motion by Senator Blair, seconded by Senator Reed and carried, H.B. No. 2138, H.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 3, transmitting H.B. No. 2139, H.D. 1, which passed Third Reading in the House of Representatives on January 29, 1990, was placed on file.

On motion by Senator Blair, seconded by Senator Reed and carried, H.B. No. 2139, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING UNIT 7 AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS," passed First Reading by title and was referred to the Committee on Ways and Means.

## SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 20 to 24) were read by the Clerk and were placed on the calendar for further consideration on Friday, February 2, 1990:

Senate  
Resolution

No. 20 "SENATE RESOLUTION  
SUBMITTING TO THE LEGISLATURE OF THE  
STATE OF HAWAII FOR REVIEW OF ACTION ON A  
LAND EXCHANGE."

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

No. 21 "SENATE RESOLUTION  
SUBMITTING TO THE LEGISLATURE OF THE  
STATE OF HAWAII FOR REVIEW OF ACTION ON A  
LAND EXCHANGE."

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

No. 22 "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.

No. 23 "SENATE RESOLUTION  
REVIEWING THE 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.

No. 24 "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.

#### STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1902) recommending that S.B. No. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

Senator Yamasaki then moved that the report of the Committee be adopted and S.B. No. 1, S.D. 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Senator Blair.

Senator Solomon rose to speak in support of the measure as follows:

"Mr. President, I rise to speak in support of this legislation. Within the last few days, we have been exposed to a harsh and unrelenting public attack by the attorney general on an employee of the Legislature, the legislative auditor, Newton Sue. The attack on Newton Sue was directed not only on his work for this Legislature but on his personal competence and even on his moral fitness.

"Make no mistake about it, an attack on the legislative auditor is an attack on the Legislature. The auditor, by terms of the Constitution and statute, is an employee of the Legislature - a very important employee, Mr. President. Without a competent and fearless auditor of its own, the Legislature becomes dependent on the Executive Branch for decision making information. An attack by the Executive Branch on the auditor, such as we have just witnessed, strikes at the essence of our cherished system of checks and balances.

"If the auditor is to be raked over the newspapers and television coals by the attorney general or by any member of the Executive Branch for the performance of his duties, we suffer for it. I know Newton Sue is an extremely capable official. He is not slipshod in his work. He does

his research. His reports are not compilations of personal opinions nor is he soft on marijuana usage -- all as implied by the attorney general.

"Our job description includes taking the heat, Mr. President. Mr. Sue's does not. We need his forthright reporting. It cannot be compromised by his having to defend himself from public attack by the Executive Branch.

"I commend the editors of both the Star Bulletin and the Advertiser for their quick recognition of the importance of this issue and their unhesitating response to the attorney general's unfortunate action.

"Mr. President, I urge my colleagues to support this legislation."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1902 was adopted and S.B. No. 1, S.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 Second Reading and was placed on the calendar for Third Reading on Friday, February 2, 1990.

#### ADJOURNMENT

At 11:56 o'clock a.m., on motion by Senator Blair, seconded by Senator Reed and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, February 2, 1990.