

FORTY-FIFTH DAY

Wednesday, April 4, 1990

The Senate of the Fifteenth Legislature of the State of Hawaii, Regular Session of 1990, convened at 11:42 o'clock a.m. with the Vice President in the Chair.

The Divine Blessing was invoked by Lieutenant Colonel Kenneth E. Briggs, Fifteenth Air Base Wing, Hickam Air Force Base, after which the Roll was called showing all Senators present with the exception of Senator Holt who was excused.

The President announced that he had read and approved the Journal of the Forty-Fourth Day.

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

Senator Reed introduced Glenn Izawa, Bob Johnson, Colette Machado, Barbara Kalipi, Janice Kalanihūia and Lynette Shaefer, who were seated in the gallery, and said, "These six people are key members of the human services community on Molokai. They've taken their vacation time to come to the Legislature on behalf of legal aid for Molokai."

Senator Chang introduced Warren Luke, Tan Tek Lum, Tai Yau Chung, Larry Ching and Ted Li, "prominent members of the Chinese Chamber of Commerce and Governor's Commission on the Celebration of the 200th Anniversary of the Chinese to Hawaii," who were also seated in the gallery.

Senator Chang also made the following introduction and said:

"Mr. President, I believe that members of the Chinese Chamber of Commerce are here today because we have several honorees.

"The first is Phyllis Shea. The United States Small Business Administration has awarded the coveted Small Business Advocate Award to Phyllis Shea, Certified Public Accountant, and president of Shea and Company, CPA's Inc., of Honolulu.

"The Small Business Advocate is an individual who has used his or her professional expertise or personal talents to further the understanding and awareness of small business.

"Phyllis Shea has taken an active role in creating opportunities to advocate the interests of small business. She has a special interest in helping non-profit organizations and has been instrumental in effecting legislative development in the field of accountancy. Her efforts have resulted in the successful entities of Lanakila Crafts and Ronald McDonald House. She has done much volunteer work with small business organizations to provide information and educational opportunities for small business owners in Hawaii. She is also a member of the Board of Regents of Chaminade University of Honolulu, the Chaminade Educational Foundation, the Business Advisory Council of Chaminade's Business School, and the Finance Scholarship Committee of the Community Scholarship Program, which is sponsored by the Health and Community Services Council of Hawaii.

"At this time, Mr. President, it is my honor to introduce Phyllis N.T. Shea, Small Business Advocate of the Year."

Senator Chang continued:

"Mr. President, the United States Small Business Administration has also awarded the prestigious Small Business Person of the Year for 1990 to George H.T. Chu, president and owner of GBC, Inc., of Honolulu. As a small business owner, George Chu has demonstrated staying power, growth in the number of his employees, an increase in the sales and unit volume, innovativeness in product and service, and contributed to community projects.

"GBC, Inc. is a small, closely held family business engaged primarily in distribution, retailing, and packaging of packing materials. The company also provides party supplies and personalized imprinting for special occasions. The company is immensely successful due to the dedicated entrepreneurial efforts of George Chu, whose four children are involved in the business. He has also served on the Aloha United Way, Junior Achievement, Narcissus Festival, the Chinese Chamber of Commerce, the China Trade Fair in Honolulu, and the Governor's Commission to Commemorate the 200th Anniversary of the Chinese in Hawaii.

"At this time, Mr. President, it's my privilege and honor to introduce George H.T. Chu.

"Phyllis Shea and George Chu are joined by Bob Fujii, Small Business Coordinator for the Bank of Hawaii, and Charles Lum, director for the Small Business Administration in Hawaii."

The honorees rose to be recognized and were presented congratulatory Senate certificates by Senator Chang. Senators Fernandes Salling, A. Kobayashi, Crozier, McCartney and Tungpalan presented the leis.

Senator Chang also introduced: Mrs. Bertha Chu, wife of George Chu; Ms. Dorothy Shea, mother of Phyllis Shea; Ms. Lorinda Wong; and friends and family members who were seated in the gallery.

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

The Senate reconvened at 11:58 o'clock a.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 252 to 254) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 252, transmitting a report, "Parole and Recidivism," prepared by the Department of the Attorney General, Hawaii Criminal Justice Data Center, was placed on file.

Gov. Msg. No. 253, informing the Senate that on March 30, 1990, he signed into law Senate Bill No. 609 as Act 5, entitled: "RELATING TO REAL ESTATE BROKERS AND SALESMEN," was placed on file.

Gov. Msg. No. 254, submitting for consideration and consent to the Circuit Court of the First Circuit, the nomination of Melvin K. Soong as Eleventh Judge, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, for a term of ten years, was referred to the Committee on Judiciary.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 409 to 412) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 409, returning S.B. No. 3423, which passed Third Reading in the House of Representatives on April 3, 1990, was placed on file.

Hse. Com. No. 410, transmitting H.C.R. No. 109, H.D. 1, which was adopted by the House of Representatives on April 3, 1990, was placed on file.

By unanimous consent, H.C.R. No. 109, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO DEVELOP A COMPREHENSIVE REPAIR AND MAINTENANCE PROGRAM FOR THE HAWAII STATE LIBRARY FACILITIES," was referred to the Committee on Education.

Hse. Com. No. 411, transmitting H.C.R. No. 154, H.D. 1, which was adopted by the House of Representatives on April 3, 1990, was placed on file.

By unanimous consent, H.C.R. No. 154, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH AN EXCHANGE PROGRAM WITH OKINAWA, HAWAII'S SISTER STATE," was referred to the Committee on Education.

Hse. Com. No. 412, transmitting H.C.R. No. 162, H.D. 1, which was adopted by the House of Representatives on April 3, 1990, was placed on file.

By unanimous consent, H.C.R. No. 162, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO UNDERTAKE A STUDY OF THE FEASIBILITY OF ESTABLISHING A PUBLIC HIGH SCHOOL IN KEAAU," was referred to the Committee on Education.

STANDING COMMITTEE REPORTS

Senator Mizuguchi, for the Committee on Corrections, presented a report (Stand. Com. Rep. No. 2877) recommending that S.C.R. No. 211 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2877 and S.C.R. No. 211, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY TO EXAMINE THE FEASIBILITY OF ESTABLISHING A PRE-RELEASE CENTER FOR ADULT INMATES," was deferred until Thursday, April 5, 1990.

Senator Mizuguchi, for the Committee on Corrections, presented a report (Stand. Com. Rep. No. 2878) recommending that S.R. No. 193 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2878 and S.R. No. 193, entitled: "SENATE RESOLUTION REQUESTING A STUDY TO EXAMINE THE FEASIBILITY OF ESTABLISHING A PRE-RELEASE CENTER FOR ADULT INMATES," was deferred until Thursday, April 5, 1990.

Senator Mizuguchi, for the Committee on Corrections, presented a report (Stand. Com. Rep. No. 2879) recommending that S.C.R. No. 15 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2879 and S.C.R. No. 15, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEVELOPMENT OF PROFILES FOR ALL ADULTS AND JUVENILES IN STATE CORRECTIONAL

FACILITIES," was deferred until Thursday, April 5, 1990.

Senator Mizuguchi, for the Committee on Corrections, presented a report (Stand. Com. Rep. No. 2880) recommending that S.R. No. 15 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2880 and S.R. No. 15, entitled: "SENATE RESOLUTION URGING THE DEVELOPMENT OF PROFILES FOR ALL ADULTS AND JUVENILES IN STATE CORRECTIONAL FACILITIES," was deferred until Thursday, April 5, 1990.

Senator Mizuguchi, for the Committee on Corrections, presented a report (Stand. Com. Rep. No. 2881) recommending that S.C.R. No. 215 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2881 and S.C.R. No. 215, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO ASSIGN PERSONNEL TO FORMULATE A PLAN OF ACTION ADDRESSING THE NEEDS OF INMATES WITH DISABILITIES," was deferred until Thursday, April 5, 1990.

Senator Mizuguchi, for the Committee on Corrections, presented a report (Stand. Com. Rep. No. 2882) recommending that S.R. No. 197 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2882 and S.R. No. 197, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO ASSIGN PERSONNEL TO FORMULATE A PLAN OF ACTION ADDRESSING THE NEEDS OF INMATES WITH DISABILITIES," was deferred until Thursday, April 5, 1990.

Senator Fernandes Salling, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 2883) recommending that H.B. No. 2429, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and H.B. No. 2429, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NUMBER PLATES," passed Second Reading and was placed on the calendar for Third Reading on Friday, April 6, 1990.

Senator Fernandes Salling, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 2884) recommending that H.B. No. 2953 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and H.B. No. 2953, entitled: "A BILL FOR AN ACT RELATING TO VEHICLE WEIGHT," passed Second Reading and was placed on the calendar for Third Reading on Friday, April 6, 1990.

Senator Mizuguchi, for the Committee on Corrections, presented a report (Stand. Com. Rep. No. 2885) recommending that S.R. No. 198, be referred to the Committee on Legislative Management.

By unanimous consent, action on Stand. Com. Rep. No. 2885 and S.R. No. 198, entitled: "SENATE RESOLUTION REQUESTING THE COMMITTEE ON CORRECTIONS TO EXERCISE LEGISLATIVE OVERSIGHT OF IMPROVEMENTS TO KULANI

CORRECTIONAL FACILITY," was deferred until Thursday, April 5, 1990.

Senator Ikeda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 2886) recommending that S.C.R. No. 34, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2886 and S.C.R. No. 34, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ADOPT RULES TO IMPLEMENT STANDARDS FOR GRAY WATER USAGE," was deferred until Thursday, April 5, 1990.

Senator Ikeda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 2887) recommending that S.R. No. 32, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2887 and S.R. No. 32, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ADOPT RULES TO IMPLEMENT STANDARDS FOR GRAY WATER USAGE," was deferred until Thursday, April 5, 1990.

Senator Ikeda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 2888) recommending that S.C.R. No. 91 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2888 and S.C.R. No. 91, entitled: "SENATE CONCURRENT RESOLUTION URGING ALL DOMESTIC CARRIERS TO SHOW A VIDEO THAT EXPLAINS THE RESTRICTIONS OF THE STATE'S PLANT AND ANIMAL QUARANTINE LAWS TO PASSENGERS ON INCOMING FLIGHTS TO HAWAII TO PROTECT THE NATURAL ENVIRONMENT OF THE ISLANDS," was deferred until Thursday, April 5, 1990.

Senator Ikeda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 2889) recommending that S.R. No. 80 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2889 and S.R. No. 80, entitled: "SENATE RESOLUTION URGING ALL DOMESTIC CARRIERS TO SHOW A VIDEO THAT EXPLAINS THE RESTRICTIONS OF THE STATE'S PLANT AND ANIMAL QUARANTINE LAWS TO PASSENGERS ON INCOMING FLIGHTS TO HAWAII TO PROTECT THE NATURAL ENVIRONMENT OF THE ISLANDS," was deferred until Thursday, April 5, 1990.

Senator Ikeda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 2890) recommending that S.C.R. No. 95 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2890 and S.C.R. No. 95, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO ASSESS THE FEASIBILITY OF ESTABLISHING A FULL SERVICE VETERINARY CLINIC AT THE ANIMAL QUARANTINE STATION IN HALAWA," was deferred until Thursday, April 5, 1990.

Senator Ikeda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 2891) recommending that S.R. No. 83 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2891 and S.R. No. 83, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF

AGRICULTURE ASSESS THE FEASIBILITY OF ESTABLISHING A FULL SERVICE VETERINARY CLINIC AT THE ANIMAL QUARANTINE STATION IN HALAWA," was deferred until Thursday, April 5, 1990.

Senator Ikeda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 2892) recommending that S.C.R. No. 220, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2892 and S.C.R. No. 220, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A LEGISLATIVE INTERIM TASK FORCE TO IDENTIFY THE FACTORS RESTRICTING AGRICULTURAL DEVELOPMENT IN HAWAII," was deferred until Thursday, April 5, 1990.

Senator Ikeda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 2893) recommending that S.R. No. 203, as amended in S.D. 1, be referred to the Committee on Legislative Management.

By unanimous consent, action on Stand. Com. Rep. No. 2893 and S.R. No. 203, S.D. 1, entitled: "SENATE RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A LEGISLATIVE INTERIM TASK FORCE TO IDENTIFY THE FACTORS RESTRICTING AGRICULTURAL DEVELOPMENT IN HAWAII," was deferred until Thursday, April 5, 1990.

Senator Ikeda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 2894) recommending that S.C.R. No. 223, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2894 and S.C.R. No. 223, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY TO DETERMINE THE FEASIBILITY OF AN AGRICULTURAL RESEARCH INSTITUTION," was deferred until Thursday, April 5, 1990.

Senator Ikeda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 2895) recommending that S.R. No. 206, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2895 and S.R. No. 206, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY TO DETERMINE THE FEASIBILITY OF AN AGRICULTURAL RESEARCH INSTITUTION," was deferred until Thursday, April 5, 1990.

Senator Ikeda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 2896) recommending that H.B. No. 2585, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and H.B. No. 2585, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DONATIONS OF FOOD" passed Second Reading and was placed on the calendar for Third Reading on Friday, April 6, 1990.

Senator Ikeda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 2897) recommending that H.B. No. 2879, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and H.B. No. 2879, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ADMINISTRATION OF THE AGRICULTURAL PARK PROGRAM," passed Second Reading and was placed on the calendar for Third Reading on Friday, April 6, 1990.

ORDER OF THE DAY

ADVISE AND CONSENT

MATTERS DEFERRED FROM TUESDAY, APRIL 3, 1990

Stand. Com. Rep. No. 2830 (Gov. Msg. No. 129):

Senator Matsuura moved that Stand. Com. Rep. No. 2830 be received and placed on file, seconded by Senator Crozier and carried.

Senator Matsuura then moved that the Senate advise and consent to the nomination of Patsy K. Young, to the Public Utilities Commission, term to expire June 30, 1996, seconded by Senator Crozier.

Senator Cobb, in support of the nominee, said:

"Mr. President, I'm delighted to support Patsy's nomination, and I note also it does not involve the case of two pay raises in one year. Thank you."

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

Ayes, 23. Noes, none. Excused, 2 (Holt, Wong, R.).

Stand. Com. Rep. No. 2843 (Gov. Msg. No. 131):

Senator Crozier moved that Stand. Com. Rep. No. 2843 be received and placed on file, seconded by Senator Fernandes Salling and carried.

Senator Crozier then moved that the Senate advise and consent to the nominations of Richard M. Iga and Janet Yagi Buen to the Hawaii Housing Authority, terms to expire June 30, 1994, seconded by Senator Fernandes Salling.

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

Ayes, 23. Noes, none. Excused, 2 (Holt, Wong, R.).

Stand. Com. Rep. No. 2864 (Gov. Msg. Nos. 133 and 174):

Senator Menor moved that Stand. Com. Rep. No. 2864 be received and placed on file, seconded by Senator Levin and carried.

Senator Menor then moved that the Senate advise and consent to the nominations of the following:

John A. Chanin to the Commission to Promote Uniform Legislation, term to expire June 30, 1994;

Charles M.L.S. Nakoa and Gail P. Gnazzo to the Juvenile Justice Interagency Board, terms to expire June 30, 1994; and

Harold Kawasaki to the Juvenile Justice Interagency Board, term to expire June 30, 1992,

seconded by Senator Levin.

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

Ayes, 23. Noes, none. Excused, 2 (Holt, Wong, R.).

STANDING COMMITTEE REPORTS

MATTERS DEFERRED FROM TUESDAY, APRIL 3, 1990

Stand. Com. Rep. No. 2824 (S.R. No. 20):

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and S.R. No. 20, entitled: "SENATE RESOLUTION SUBMITTING TO THE LEGISLATURE OF THE STATE OF HAWAII FOR REVIEW OF ACTION ON A LAND EXCHANGE," was adopted.

Stand. Com. Rep. No. 2825 (S.R. No. 21):

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and S.R. No. 21, entitled: "SENATE RESOLUTION SUBMITTING TO THE LEGISLATURE OF THE STATE OF HAWAII FOR REVIEW OF ACTION ON A LAND EXCHANGE," was adopted.

Stand. Com. Rep. No. 2826 (S.R. No. 22, S.D. 1):

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and S.R. No. 22, S.D. 1, entitled: "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," was adopted.

Stand. Com. Rep. No. 2827 (S.R. No. 23, S.D. 1):

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and S.R. No. 23, S.D. 1, entitled: "SENATE RESOLUTION REVIEWING THE ACTION TAKEN BY THE BOARD OF LAND AND NATURAL RESOURCES ON THE EXCHANGE OF PUBLIC LAND FOR PRIVATE LAND," was adopted.

Stand. Com. Rep. No. 2828 (S.R. No. 54, S.D. 1):

Senator Blair moved that the report of the Committee be adopted and S.R. No. 54, S.D. 1, be adopted seconded by Senator Reed.

Senator Solomon spoke in support of S.R. 54, S.D. 1, and S.C.R. 63, S.D. 1, and said:

"Mr. President, I urge my colleagues to adopt S.R. 54 and S.C.R. 63, requesting the Department of Land and Natural Resources to negotiate with Kamehameha Schools/Bishop Estate to acquire the estate's Makalawena lands in Kona to establish a state park.

"As you know, Mr. President, the West Hawaii region on the Big Island comprises 986 square miles or six hundred thirty-one thousand and forty (631,040) acres, about the size of Molokai and Oahu, combined. Of the 313 miles of tidal shore coastline, only 1.2 miles are prime sandy beach and almost half of these beaches are located in West Hawaii.

"With the passage of these resolutions, Mr. President, it is hoped that we will be able to negotiate successfully with Bishop Estate so that we can acquire this beachfront area for public purpose to establish more beach parks in

West Hawaii and to protect the area's cultural, historical and natural resources. Thank you."

The motion was put by the Chair and carried, the report of the Committee was adopted and S.R. No. 54, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO NEGOTIATE WITH KAMEHAMEHA SCHOOLS/BISHOP ESTATE FOR THE EXCHANGE OF STATE LANDS FOR THE ESTATE'S MAKALAWENA LANDS IN KONA TO ESTABLISH A STATE PARK," was adopted.

Stand. Com. Rep. No. 2829 (S.C.R. No. 63, S.D. 1):

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and S.C.R. No. 63, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO NEGOTIATE WITH KAMEHAMEHA SCHOOLS/BISHOP ESTATE FOR THE EXCHANGE OF STATE LANDS FOR THE ESTATE'S MAKALAWENA LANDS IN KONA TO ESTABLISH A STATE PARK," was adopted.

Stand. Com. Rep. No. 2834 (S.R. No. 47):

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and S.R. No. 47, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE INVESTMENT EARNINGS CREDIT PROVISION OF THE EMPLOYEES' RETIREMENT SYSTEM LAW," was referred to the Committee on Legislative Management.

Stand. Com. Rep. No. 2835 (S.C.R. No. 55):

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and S.C.R. No. 55, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE INVESTMENT EARNINGS CREDIT PROVISION OF THE EMPLOYEES' RETIREMENT SYSTEM LAW," was adopted.

Stand. Com. Rep. No. 2836 (S.R. No. 48):

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and S.R. No. 48, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE CURRENT METHODS OF PAYMENT FOR WORKERS' COMPENSATION INSURANCE," was referred to the Committee on Legislative Management.

Stand. Com. Rep. No. 2837 (S.C.R. No. 56):

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and S.C.R. No. 56, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE CURRENT METHODS OF PAYMENT FOR WORKERS' COMPENSATION INSURANCE," was adopted.

Stand. Com. Rep. No. 2844 (S.C.R. No. 19, S.D. 1):

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and S.C.R. No. 19, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING A CONCERTED EFFORT TO OBTAIN FEDERAL LAND AND FEDERAL FUNDS TO BUILD MINIMUM SECURITY FACILITIES PRIMARILY FOR DRUG TREATMENT OFFENDERS," was adopted.

Stand. Com. Rep. No. 2845 (S.C.R. No. 114, S.D. 1):

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and S.C.R. No. 114, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII AT HILO IN COLLABORATION WITH THE SCHOOL OF OCEAN AND EARTH SCIENCE AND TECHNOLOGY TO PREPARE A PROPOSAL TO ESTABLISH A CENTER FOR UNDERGRADUATE MARINE EDUCATION AT UH-HILO," was adopted.

Stand. Com. Rep. No. 2846 (S.R. No. 100, S.D. 1):

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and S.R. No. 100, S.D. 1, entitled: "SENATE RESOLUTION URGING THE UNIVERSITY OF HAWAII AT HILO IN COLLABORATION WITH THE SCHOOL OF OCEAN AND EARTH SCIENCE AND TECHNOLOGY TO PREPARE A PROPOSAL TO ESTABLISH A CENTER FOR UNDERGRADUATE MARINE EDUCATION AT UH-HILO," was adopted.

Stand. Com. Rep. No. 2847 (S.C.R. No. 117):

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and S.C.R. No. 117, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A QUANTITATIVE BASIS FOR INCREASING THE CURRENT SERVICE BASE OF THE COOPERATIVE EXTENSION SERVICE, COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES, UNIVERSITY OF HAWAII," was adopted.

Stand. Com. Rep. No. 2848 (S.R. No. 103):

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and S.R. No. 103, entitled: "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF A QUANTITATIVE BASIS FOR INCREASING THE CURRENT SERVICE BASE OF THE COOPERATIVE EXTENSION SERVICE, COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES, UNIVERSITY OF HAWAII," was adopted.

Stand. Com. Rep. No. 2849 (S.C.R. No. 143, S.D. 1):

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and S.C.R. No. 143, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO DEVELOP AND IMPLEMENT BOTH A SHORT-TERM AND LONG-TERM PLAN TO INCREASE RECRUITMENT OF QUALIFIED WOMEN AND MINORITIES FOR FACULTY POSITIONS," was adopted.

Stand. Com. Rep. No. 2850 (S.R. No. 129, S.D. 1):

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and S.R. No. 129, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO DEVELOP AND IMPLEMENT BOTH A SHORT-TERM AND LONG-TERM PLAN TO INCREASE RECRUITMENT OF QUALIFIED WOMEN AND MINORITIES FOR FACULTY POSITIONS," was adopted.

Stand. Com. Rep. No. 2851 (S.C.R. No. 148):

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and S.C.R. No. 148, entitled: "SENATE CONCURRENT RESOLUTION URGING THE FACULTIES OF THE COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES, UNIVERSITY OF HAWAII AT MANOA, AND THE COLLEGE OF AGRICULTURE, UNIVERSITY OF HAWAII AT HILO, TO DRAW UPON THEIR COMBINED EXPERTISE IN OFFERING COURSES RELATING TO AGRICULTURE ON THE ISLAND OF HAWAII," was adopted.

Stand. Com. Rep. No. 2852 (S.R. No. 134):

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and S.R. No. 134, entitled: "SENATE RESOLUTION URGING THE FACULTIES OF THE COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES, UNIVERSITY OF HAWAII AT MANOA, AND THE COLLEGE OF AGRICULTURE, UNIVERSITY OF HAWAII AT HILO, TO DRAW UPON THEIR COMBINED EXPERTISE IN OFFERING COURSES RELATING TO AGRICULTURE ON THE ISLAND OF HAWAII," was adopted.

Stand. Com. Rep. No. 2853 (S.C.R. No. 149, S.D. 1):

Senator Blair moved that Stand. Com. Rep. No. 2853 be adopted and S.C.R. No. 149, S.D. 1, be adopted, seconded by Senator Reed.

Senator Solomon rose to speak in support of S.C.R. No. 149, S.D. 1, S.R. No. 135, S.D. 1, S.C.R. No. 152, S.D. 1, and S.R. No. 138, S.D. 1, as follows:

"Mr. President, I speak in support of S.C.R. 149, S.R. 135, S.C.R. 152 and S.R. 138 and urge my colleagues to support the adoption of the resolutions.

"Mr. President, in opening my remarks, I would like to inform my colleagues ... I'm sure you're aware of the recent media coverage, both via television and newspapers, -- that I would rather be a witch than a wimp, Mr. President, when it comes to dealing with issues on sexual harassment, discrimination, and issues that deal with equal employment opportunity/affirmative action at the University of Hawaii.

"Mr. President, the reason for the necessity of S.C.R. 149 and S.R. 135 is that there appears to be a conflict of interest in reference to the Equal Employment Opportunity and Affirmative Action Office at the University of Hawaii due to the many roles that this office plays, acting as counselor, investigator and respondent. Mr. President, I think it mandatory that the Legislative Auditor study the issue and come up with some recommendations as to how we can protect the integrity of the due process procedure as it relates to the administration.

"In reference to S.R. 138, Mr. President, on sexual harassment and discrimination, as you well know, this is a festering problem at the University of Hawaii and all the resolutions purport to do is to request that these issues be resolved as soon as possible.

"In reference to the other resolution, Mr. President, it is to resolve the problems regarding the recruitment of female faculty members and people of color. Mr. President, I feel I don't have to elaborate on this because I think the resolution presents the facts and I'm sure my colleagues will be in support of the resolution. Thank you.

Senator A. Kobayashi also spoke in support of the resolutions and remarked:

"Mr. President, I rise to speak in support of the remarks made by the Senator from Kohala. I especially want to commend her for the leadership and effort she has contributed to examining and promoting the role of women and minorities at the University of Hawaii.

"The resolutions concerning the University of Hawaii before us today seek to reinvigorate the university's expressed commitment to equal employment opportunity and affirmative action by recruiting and promoting qualified women and minorities for faculty positions. Further, these resolutions promote the establishment of effective policies to address the problems of sexual harassment and discrimination so that all persons at the University of Hawaii may work and study in a respectable, tolerant, and supportive environment.

"The mission of the university is to provide a meeting place for the free and open expression and evaluation of ideas in a climate of respect, safety, equal opportunity, and diversity. This mission is jeopardized:

when all persons in the university community do not enjoy effective protection and redress from incidents of sexual harassment and discrimination,

when all qualified persons, especially women and minorities, are not sought out, are not recruited, and are not promoted for faculty positions at the university, and

when the Equal Employment Opportunity/Affirmative Action Office cannot properly perform its duties because it must serve as counselor, investigator, and respondent -- roles impossible for a single office to be able to perform with credibility and without any appearance of impropriety.

"These resolutions continue the efforts of the Senate Women's Caucus:

to promote equal opportunity and affirmative action in education and employment,

to promote the family and the need for child care programs, and

to promote improved opportunities for all citizens.

"I urge your support for these resolutions. Thank you."

The motion was put by the Chair and carried, the report of the Committee was adopted and S.C.R. No. 149, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO STUDY THE EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION OFFICE OF THE UNIVERSITY OF HAWAII," was adopted.

Stand. Com. Rep. No. 2854 (S.R. No. 135, S.D. 1):

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and S.R. No. 135, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO STUDY THE EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION OFFICE OF THE UNIVERSITY OF HAWAII," was referred to the Committee on Legislative Management.

Stand. Com. Rep. No. 2855 (S.C.R. No. 152, S.D. 1):

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committees was adopted and S.C.R. No. 152, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII TO ESTABLISH AND IMPLEMENT AN EFFECTIVE POLICY ON SEXUAL HARASSMENT AND DISCRIMINATION," was adopted.

Stand. Com. Rep. No. 2856 (S.R. No. 138, S.D. 1):

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committees was adopted and S.R. No. 138, S.D. 1, entitled: "SENATE RESOLUTION URGING THE UNIVERSITY OF HAWAII TO ESTABLISH AND IMPLEMENT AN EFFECTIVE POLICY ON SEXUAL HARASSMENT AND DISCRIMINATION," was adopted.

Stand. Com. Rep. No. 2857 (S.C.R. No. 156):

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and S.C.R. No. 156, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE POTENTIAL OF PROCESSED PRODUCTS AS A MEANS OF EXPORTING TROPICAL FRUITS WITHOUT THE CONSTRAINTS OF FRUIT FLY QUARANTINE REGULATIONS," was adopted.

Stand. Com. Rep. No. 2858 (S.R. No. 142):

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and S.R. No. 142, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE POTENTIAL OF PROCESSED PRODUCTS AS A MEANS OF EXPORTING TROPICAL FRUITS WITHOUT THE CONSTRAINTS OF FRUIT FLY QUARANTINE REGULATIONS," was adopted.

Stand. Com. Rep. No. 2859 (S.C.R. No. 98, S.D. 1):

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and S.C.R. No. 98, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE BOARD OF REGENTS TO LOOK INTO THE POSSIBILITY OF A SEPARATE PRESIDENT AND BUDGET FOR THE UNIVERSITY OF HAWAII AT HILO," was adopted.

Stand. Com. Rep. No. 2860 (S.R. No. 85, S.D. 1):

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and S.R. No. 85, S.D. 1, entitled: "SENATE RESOLUTION URGING THE BOARD OF REGENTS TO LOOK INTO THE POSSIBILITY OF A SEPARATE PRESIDENT AND BUDGET FOR THE UNIVERSITY OF HAWAII AT HILO," was adopted.

Stand. Com. Rep. No. 2865 (S.C.R. No. 1, S.D. 1):

By unanimous consent, Stand Com. Rep. No: 2865 and S.C.R. No. 1, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE ADOPTION OF A NATIONWIDE SYSTEM OF LABELING UNIFORMITY IN PLASTIC MATERIAL," were recommitted to the Committee on Agriculture.

Stand. Com. Rep. No. 2866 (S.R. No. 2, S.D. 1):

By unanimous consent, Stand Com. Rep. No. 2866 and S.R. No. 2, S.D. 1, entitled: "SENATE RESOLUTION SUPPORTING THE ADOPTION OF A NATIONWIDE SYSTEM OF LABELING UNIFORMITY IN PLASTIC

MATERIAL," were recommitted to the Committee on Agriculture.

Stand. Com. Rep. No. 2867 (S.C.R. No. 89, S.D. 1):

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and S.C.R. No. 89, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REAFFIRMING THE LEGISLATURE'S COMMITMENT TO THE PROMOTION AND UTILIZATION OF ALTERNATE SOURCES OF ENERGY IN ORDER TO PROTECT HAWAII'S FRAGILE ENVIRONMENT AND REQUESTING THE PUBLIC UTILITIES COMMISSION TO ENSURE THAT APPROPRIATE ECONOMIC INCENTIVES ARE AVAILABLE TO INDEPENDENT POWER PRODUCERS THAT GENERATE ALTERNATE SOURCES OF ENERGY," was adopted.

Stand. Com. Rep. No. 2868 (S.R. No. 78, S.D. 1):

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and S.R. No. 78, S.D. 1, entitled: "SENATE RESOLUTION REAFFIRMING THE LEGISLATURE'S COMMITMENT TO THE PROMOTION AND UTILIZATION OF ALTERNATE SOURCES OF ENERGY IN ORDER TO PROTECT HAWAII'S FRAGILE ENVIRONMENT AND REQUESTING THE PUBLIC UTILITIES COMMISSION TO ENSURE THAT APPROPRIATE ECONOMIC INCENTIVES ARE AVAILABLE TO INDEPENDENT POWER PRODUCERS THAT GENERATE ALTERNATE SOURCES OF ENERGY," was adopted.

Stand. Com. Rep. No. 2869 (S.C.R. No. 93, S.D. 1):

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and S.C.R. No. 93, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO REVISE THEIR REQUIREMENTS FOR OBTAINING A PERMIT TO OPERATE A SATELLITE ANIMAL QUARANTINE FACILITY ON THE NEIGHBOR ISLANDS," was adopted.

Stand. Com. Rep. No. 2870 (S.R. No. 82, S.D. 1):

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and S.R. No. 82, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO REVISE THEIR REQUIREMENTS FOR OBTAINING A PERMIT TO OPERATE A SATELLITE ANIMAL QUARANTINE FACILITY ON THE NEIGHBOR ISLANDS," was adopted.

Stand. Com. Rep. No. 2871 (S.C.R. No. 221, S.D. 1):

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and S.C.R. No. 221, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE GOVERNOR TO APPLY FOR A \$1.3 MILLION APPROPRIATION FROM THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR A COMMUNITY DEVELOPMENT BLOCK GRANT TO AID IN JOB RETENTION OF AGRICULTURAL WORKERS," was adopted.

Stand. Com. Rep. No. 2872 (S.R. No. 204, S.D. 1):

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and S.R. No. 204, S.D. 1, entitled: "SENATE

RESOLUTION URGING THE GOVERNOR TO APPLY FOR A \$1.3 MILLION APPROPRIATION FROM THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR A COMMUNITY DEVELOPMENT BLOCK GRANT TO AID IN JOB RETENTION OF AGRICULTURAL WORKERS," was adopted.

Stand. Com. Rep. No. 2873 (H.C.R. No. 37):

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and H.C.R. No. 37, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING FURTHER DEVELOPMENT OF THE STATE AGRICULTURAL PARK PROGRAM TO PROVIDE AND MAKE AVAILABLE SUITABLE LANDS FOR FARMING AND SUSTAIN THE ESTABLISHED AGRICULTURAL DIVERSIFICATION GOALS," was adopted.

Stand. Com. Rep. No. 2874 (H.C.R. No. 38):

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and H.C.R. No. 38, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING HAWAII'S CONGRESSIONAL DELEGATION IN ITS EFFORTS TO MAINTAIN SUPPORT FOR THE U.S. SUGAR INDUSTRY," was adopted.

AGREE/DISAGREE

S.B. No. 2969, S.D. 1, H.D. 1:

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2969, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 3111, S.D. 1, H.D. 1:

On motion by Senator Levin, seconded by Senator B. Kobayashi and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 3111, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Levin, chairman, Kobayashi, B., Reed as managers on the part of the Senate at such conference.

S.B. No. 3151, S.D. 1, H.D. 1:

Senator Crozier moved that the Senate agree to the amendments proposed by the House to S.B. No. 3151, S.D. 1, seconded by Senator Fernandes Salling.

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 3151, S.D. 1, and S.B. No. 3151, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY," was placed on the calendar for Final Reading on Thursday, April 5, 1990.

RE-REFERRAL OF HOUSE BILLS

The President re-referred the following House bill that was received:

House Bill Referred to:

No. 2265, H.D. 1 Committee on Ways and Means

ADJOURNMENT

At 12:16 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., Thursday, April 5, 1990.