

FIFTY-SECOND DAY

Wednesday, April 18, 1990

The Senate of the Fifteenth Legislature of the State of Hawaii, Regular Session of 1990, convened at 11:36 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Chaplain Cary Speaker, Queen's Medical Center, after which the Roll was called showing all Senators present with the exception of Senators Chang, McCartney, Menor, Mizuguchi and Yamasaki who were excused.

The President announced that he had read and approved the Journal of the Fifty-First Day.

The following introductions of guests seated in the gallery were made to the members of the Senate:

Senator Cobb introduced Miss Vicki Custer, accompanied by Mrs. Betty Becker, aide to Representative Hayes, as follows:

"Mr. President, on behalf of the lessees in the 12th Senatorial District as well as statewide, I'd like to introduce Miss Vicki Custer of the Kahala Towers condominium project on Waialae Avenue. It's a project with 234 condominium units and a owner occupancy rate of 63-1/2 percent. She and members of her association recognize the Legislature is the one hope of being able to buy the land in fee under their units since it's owned by a rather large estate."

Senator Koki, on behalf of Senators George, McCartney and himself, introduced a group of students from Germany and said, "The students are being hosted by Hawaii students from Castle and Kalaheo High Schools. They are here today to tour the Capitol and to attend our legislative session. Accompanying the students are Mrs. Schweer, their German coordinator, and Mrs. Paige Lawes, a parent of one of the student hosts."

ORDER OF THE DAY

ADVISE AND CONSENT

Stand. Com. Rep. No. 3309 (Gov. Msg. No. 175):

Senator Blair moved that Stand. Com. Rep. No. 3309 be received and placed on file, seconded by Senator Reed and carried.

Senator Blair then moved that the Senate advise and consent to the nomination of Ralston H. Nagata to the Board of Trustees, Deferred Compensation Plan, term to expire June 30, 1994, seconded by Senator Reed.

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

Ayes, 17. Noes, none. Excused, 8 (Chang, Kobayashi, B., Levin, McCartney, McMurdo, Menor, Mizuguchi, Yamasaki).

Stand. Com. Rep. No. 3310 (Gov. Msg. No. 235):

Senator Blair moved that the Stand. Com. Rep. No. 3310 be received and placed on file, seconded by Senator Reed and carried.

Senator Blair then moved that the Senate advise and consent to the nominations to the Advisory Council for Children and Youth of the following:

Jerilyn G. O'Banion and Val T. Iwashita, Ed.D., terms to expire June 30, 1993; and

Marian D. Rauch, Ph.D., Ernest Y. Martin, and Godfrey "Kaipo" Kealialio II, terms to expire June 30, 1994;

seconded by Senator Reed.

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

Ayes, 17. Noes, none. Excused, 8 (Chang, Kobayashi, B., Levin, McCartney, McMurdo, Menor, Mizuguchi, Yamasaki).

Stand. Com. Rep. No. 3311 (Gov. Msg. No. 236):

Senator Blair moved that Stand. Com. Rep. No. 3311 be received and placed on file, seconded by Senator Reed and carried.

Senator Blair then moved that the Senate advise and consent to the nominations to the Advisory Council for Community Services of the following:

Vicky G. Ramil, term to expire June 30, 1991; and

Frank DeCosta, Sr., term to expire June 30, 1994;

seconded by Senator Reed.

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

Ayes, 17. Noes, none. Excused, 8 (Chang, Kobayashi, B., Levin, McCartney, McMurdo, Menor, Mizuguchi, Yamasaki).

Stand. Com. Rep. No. 3312 (Gov. Msg. No. 237):

Senator Blair moved that Stand. Com. Rep. No. 3312 be received and placed on file, seconded by Senator Reed and carried.

Senator Blair then moved that the Senate advise and consent to the nominations to the Board of Human Services of the following:

Rose Marie H. Duey, Andre' S. Wooten, and Asako T. Iwamoto, terms to expire June 30, 1994;

seconded by Senator Reed.

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

Ayes, 17. Noes, none. Excused, 8 (Chang, Kobayashi, B., Levin, McCartney, McMurdo, Menor, Mizuguchi, Yamasaki).

MATTERS DEFERRED FROM
TUESDAY, APRIL 17, 1990

STANDING COMMITTEE REPORT

Stand. Com. Rep. No. 3308 (H.C.R. No. 22, H.D. 1, S.D. 1):

On motion by Senator Nakasato, seconded by Senator Blair and carried, the report of the Committee was adopted and H.C.R. No. 22, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING

A REVIEW OF THE USE OF TEMPORARY, EMERGENCY, AND EXEMPT HIRES BY THE STATE," was adopted.

At 12:13 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:14 o'clock p.m.

FINAL READING

S.B. No. 32:

Senator Blair moved that S.B. No. 32, pass Final Reading, seconded by Senator Reed.

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

"Mr. President, I recall that we've passed this several times before and each time it has failed to achieve the requisite majority of votes of all votes cast in a general election in order to be incorporated into the State Constitution. In view of that, I hope the wording of the ballot amendment is very clear so that the electorate will not be confused into thinking that we are providing for additional recess days because very often a measure in the past has failed to achieve the requisite majority simply because of the wording in the ballot. I hope that concern is transmitted loudly and clearly to the Lieutenant Governor's Office. Thank you."

Senator Blair also spoke in support of the bill and said:

"Mr. President, this was, as the previous speaker indicated, on the ballot once before. A substantial majority of those who cast a ballot supported it. Unfortunately, there were a very large number of blank ballots which, effectively, are counted as no votes. I am hopeful that won't recur."

The motion was put by the Chair and carried, S.B. No. 32, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 10, OF THE HAWAII CONSTITUTION TO CHANGE THE LEGISLATIVE SESSION RECESS REQUIREMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, none. Excused, 5 (Chang, McCartney, Menor, Mizuguchi, Yamasaki).

S.B. No. 33:

On motion by Senator Blair, seconded by Senator Reed and carried, S.B. No. 33, entitled: "A BILL FOR AN ACT RELATING TO GENDER," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, none. Excused, 5 (Chang, McCartney, Menor, Mizuguchi, Yamasaki).

S.B. No. 89:

On motion by Senator Blair, seconded by Senator Reed and carried, S.B. No. 89, entitled: "A BILL FOR AN ACT RELATING TO JURY COMMISSIONERS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, none. Excused, 5 (Chang, McCartney, Menor, Mizuguchi, Yamasaki).

At this time, Senator McMurdo, on behalf of Senator Andy Levin and herself, made the following introduction:

"Mr. President, I would like to recognize some young students from Naalehu School on the Big Island. These students won an essay contest on the theme 'Women Who Changed Things.' Their award is the opportunity to meet with notable women who are making a change in contemporary society and their trip to the State Capitol.

"Sean Moore, 8th grade, researched Winnie Mandela; Meleana Smith, 8th grade, researched Princess Nahi' Ena 'ena; Pablo Weaver, 7th grade, researched Betsy Ross; Kaleo Paller, 8th grade, researched Marie Curie; Farrah Miller, 7th grade, researched Helen Keller; and Shawna Embrey, 7th grade, researched Queen Liliuokalani. The students are accompanied by their teacher and advisor, Judith Bredhoff."

The students and their advisor, seated in the gallery, rose to be recognized.

**REFERRAL OF
HOUSE CONCURRENT RESOLUTIONS**

The President referred the following House Concurrent Resolutions that were received:

House Concurrent Resolution	Referred to:
No. 11	Committee on Human Services, then to the Committee on Legislative Management
No. 12, H.D. 1	Committee on Agriculture
No. 13, H.D. 2	Committee on Housing and Hawaiian Programs
No. 19, H.D. 1	Committee on Education
No. 42	Committee on Culture, Arts and Historic Preservation
No. 56, H.D. 1	Committee on Government Operations
No. 60, H.D. 1	Committee on Government Operations
No. 62, H.D. 1	Committee on Corrections
No. 66, H.D. 1	Committee on Corrections
No. 69	Committee on Energy and Natural Resources
No. 76 and Commerce	Committee on Consumer Protection
No. 80	Committee on Labor and Employment
No. 81, H.D. 1	Committee on Transportation
No. 82	Committee on Government Operations
No. 92, H.D. 1	Committee on Health
No. 93, H.D. 1	Jointly to the Committee on Government Operations and the Committee on Agriculture
No. 95	Committee on Energy and Natural Resources
No. 98	Committee on Government Operations
No. 99, H.D. 1	Committee on Government Operations
No. 100, H.D. 1	Committee on Government Operations

No. 101	Committee on Government Operations	No. 184, H.D. 1	Committee on Government Operations, then to the Committee on Legislative Management
No. 103, H.D. 1	Committee on Higher Education	No. 192, H.D. 1	Committee on Energy and Natural Resources
No. 107, H.D. 1	Committee on Transportation	No. 195, H.D. 1	Jointly to the Committee on Government Operations and the Committee on Judiciary
No. 110, H.D. 1	Committee on Education	No. 196	Committee on Government Operations
No. 117, H.D. 1	Committee on Education	No. 197, H.D. 1	Committee on Higher Education
No. 120 and Commerce	Committee on Consumer Protection	No. 199	Committee on Transportation
No. 121, H.D. 1	Committee on Education	No. 200, H.D. 1	Committee on Higher Education
No. 122, H.D. 1	Committee on Judiciary	No. 202	Committee on Legislative Management
No. 135	Committee on Human Services	No. 206, H.D. 1	Committee on Transportation
No. 136, H.D. 1	Committee on Human Services	No. 207, H.D. 1	Committee on Labor and Employment, then to the Committee on Legislative Management
No. 138	Committee on Human Services	No. 208, H.D. 1	Jointly to the Committee on Agriculture and the Committee on Business Development and Pacific Relations
No. 140, H.D. 1	Committee on Human Services	No. 209, H.D. 1	Committee on Higher Education
No. 143	Committee on Higher Education	No. 214, H.D. 1	Committee on Tourism, Recreation and Planning
No. 148, H.D. 1	Committee on Human Services	No. 218	Committee on Agriculture
No. 150, H.D. 1	Committee on Corrections	No. 221	Committee on Higher Education
No. 151, H.D. 1	Committee on Human Services	No. 222, H.D. 1	Committee on Higher Education
No. 152	Committee on Human Services	No. 223	Committee on Higher Education
No. 153	Committee on Higher Education	No. 224	Committee on Higher Education
No. 156, H.D. 1	Committee on Corrections	No. 225	Committee on Higher Education
No. 157, H.D. 1	Committee on Transportation	No. 227, H.D. 1	Committee on Labor and Employment
No. 158, H.D. 1	Committee on Energy and Natural Resources	No. 230, H.D. 1	Committee on Education
No. 159	Committee on Judiciary	No. 235, H.D. 1	Committee on Transportation
No. 160, H.D. 1	Committee on Higher Education	No. 238	Committee on Ways and Means
No. 163, H.D. 1	Committee on Consumer Protection and Commerce	No. 239, H.D. 1	Committee on Consumer Protection and Commerce
No. 164, H.D. 1	Committee on Consumer Protection and Commerce, then to the Committee on Legislative Management	No. 240, H.D. 1	Committee on Legislative Management
No. 165	Committee on Tourism, Recreation and Planning	No. 241, H.D. 1	Committee on Energy and Natural Resources
No. 167, H.D. 1	Committee on Transportation	No. 247, H.D. 1	Committee on Legislative Management
No. 168, H.D. 2	Committee on Education, then to the Committee on Legislative Management	No. 250, H.D. 1	Committee on Education
No. 172	Committee on Judiciary	No. 251	Committee on Education
No. 178, H.D. 1	Committee on Agriculture	No. 259, H.D. 1	Committee on Higher Education
No. 179, H.D. 1	Committee on Education	No. 261, H.D. 1	Committee on Health
No. 181, H.D. 1	Committee on Health		
No. 182, H.D. 1	Committee on Housing and Hawaiian Programs		

No. 262, H.D. 1 Committee on Transportation

No. 264 Committee on Culture, Arts and Historic Preservation, then to the Committee on Legislative Management

No. 266 Committee on Higher Education

No. 273, H.D. 1 Committee on Agriculture

No. 274 Committee on Culture, Arts and Historic Preservation

No. 278, H.D. 1 Committee on Legislative Management

No. 279, H.D. 1 Committee on Government Operations

No. 280, H.D. 1 Committee on Government Operations

No. 282 Committee on Agriculture

No. 286, H.D. 1 Jointly to the Committee on Agriculture and the Committee on Business Development and Pacific Relations

No. 292 Committee on Legislative Management

No. 293 Committee on Legislative Management

No. 296, H.D. 1 Committee on Energy and Natural Resources

No. 297, H.D. 1 Committee on Housing and Hawaiian Programs

No. 301 Committee on Housing and Hawaiian Programs

No. 308, H.D. 1 Committee on Tourism, Recreation and Planning

No. 312, H.D. 1 Committee on Human Services

No. 313, H.D. 1 Committee on Health

No. 314 Committee on Health

No. 315 Committee on Human Services

No. 316, H.D. 1 Committee on Corrections

No. 317, H.D. 1 Committee on Health

No. 318, H.D. 1 Committee on Housing and Hawaiian Programs

No. 323, H.D. 1 Jointly to the Committee on Health and the Committee on Consumer Protection and Commerce

No. 324, H.D. 1 Committee on Ways and Means

No. 328, H.D. 1 Jointly to the Committee on Agriculture and the Committee on Business Development and Pacific Relations

No. 330, H.D. 1 Committee on Energy and Natural Resources

No. 335, H.D. 1 Committee on Health

No. 336, H.D. 1 Committee on Health

No. 339, H.D. 1 Committee on Consumer Protection and Commerce

No. 341 Committee on Government Operations

No. 344, H.D. 1 Committee on Health

At 12:49 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:52 o'clock p.m.

ADJOURNMENT

At 12:55 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 19, 1990.