

FIFTY-FOURTH DAY

Friday, April 20, 1990

The Senate of the Fifteenth Legislature of the State of Hawaii, Regular Session of 1990, convened at 11:40 o'clock a.m. with the Vice President in the Chair.

The Divine Blessing was invoked by Sister Rose Lauren Earl, Director, Natural Family Planning, after which the Roll was called showing all Senators present with the exception of Senator Wong who was excused.

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

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

Senator McCartney, on behalf of Senator Koki and himself, introduced Mr. Ray Sweeney, chairman of the Kaneohe Neighborhood Board, "here today to lobby on limited county home rule issues."

Senator Crozier introduced Massachusetts Governor Mike Dukakis and wife Kitty as follows:

"Mr. President, I have the great honor today to introduce a gentleman that this great state, this liberal state supported wholeheartedly in the last election -- Governor Mike Dukakis who is here with his pretty wife Kitty.

"Mr. President, many of the programs we have here today found their roots in Massachusetts and I would like to mention two of them. Universal health care that we now have was started in Massachusetts. I think ours is more expanded, but the genesis was Massachusetts under Governor Dukakis. Also, our after-school A+ program. That, too, is much more expanded because we are a one school district and can service more people. But that too, the genesis was Massachusetts under Governor Dukakis.

"I first met Governor Mike Dukakis at the Harvard University Kennedy School of Government in 1985. He came to speak to us and he described how he had been governor the first time, and we've all read the story over and over again, and how he made critical mistakes and the people sent him a message just like how they sent Mayor Dante Carpenter a message, and too many of them sent him the message and he got defeated. But he humbled himself; he went back to Harvard University and analyzed his shortcomings, his strong points, and he went back and four years later he got elected. And ever since that -- I'm sure you're still doing it, Governor -- he goes back to the Kennedy School and lectures there for one day. I'm sure Senator Levin had an opportunity to hear him. When he lectured before me, I took notes of the way he structured his government. I know Governor John Waihee did not attend the Kennedy School, but it seems like both of them structured their government in the same manner. I actually still have my notes that I took, Governor, still, right here. Maybe some day I'll have an opportunity to use it. Long time from now ... long time from now. (Laughter.)

"Anyway, I was fortunate enough to be one of the first people to get involved with the Mike Dukakis effort and it was quite a team effort. For the first three and a half months, starting in I guess June or July when we got the message from Massachusetts -- 'Don't pick a leader, just be a nebulous group out there and it will evolve.' So we said, okay. All our different legislators got together and said okay, we won't find a leader; we'll just work together. Talking to me, 'Mike how about you take care

of this.' There was no leader. I ended up being the gopher for you. I enjoyed it. I enjoyed doing it.

"Early on, a former senator who's not here anymore, Senator Patsy Young, joined me in developing the organization and when you go to the House, you'll meet some of the other people. But there are two senators in the body now, Senators Richard Matsuura and Mary Jane McMurdo, who had come on quite early. And we had a fund raiser. The first fund raiser for you was in October of 1987. I gotta tell you the story. We needed to have some kind of image. Jesse Jackson already had his Rainbow Coalition -- 'give hope a chance.' So what we did was, because you're from Boston, because you're from New England; because you were from the area where the Revolution took place, we did a little skit. Senator Patsy Young and I did. We dressed up like revolutionaries. We had a musket and we had the hats and the blue coats and everything. But ever since then that guerilla farce that we created was known as 'Mike's Minuteman and Minutemaid.' You folks should have took that title and something would have happened across the nation. (Laughter.)

"But, anyway, I won't belabor the point. I would like to say that Hawaii is a liberal state. Hawaii truly believes in you. We had the highest hope in you and your platform and what you thought government could do to lift people up. We believed in you so much, even though polls had closed across the nation, even though Bush was declared the winner, Hawaii still supported you. We supported you to the point, excluding the District of Columbia, of giving you the highest percentage of votes. That's how much we thought of you, Governor Dukakis.

"Ladies and gentlemen, I'd like to introduce Governor Mike Dukakis and his pretty wife Kitty."

Governor and Mrs. Dukakis, seated on the floor of the Senate, rose to be recognized and were presented leis.

At this time, the Chair invited Governor Dukakis to the rostrum to address the members of the Senate and guests and his remarks were as follows:

"Thank you all very much, thank you. Thank you, Mr. President.

"In case you are wondering what I'm doing with this contraption on my right hand. It's an injury I sustained trying to get Kitty's dad's car out of the snow several weeks ago. Many of you, I think, had the opportunity to watch him conduct the symphony here at a pops concert and he will be back this fall and when you talk to him, be nice to him. It wasn't his fault. I'm the guy that went sliding down the hill, put out my hands and busted both hands. So that's why I'm walking around with this strange contraption. I did not attempt to take a punch at a unfriendly newspaper columnist or anyone else for that matter, so please be assured that all is well and peaceful.

"I won't presume on your time because I know this is a busy time for you. First, let me say to my good friend Mike Crozier that I probably should have paid more attention to Mike's 'minuteman and minutemaid.' Mike, you've got a talent for image-making, and I hope you will continue to build it and build it and build it. If I ever try again, maybe we'll make you the campaign manager, nationwide. We'll have minuteman and minutemaids all over the place. But I'm very, very grateful to Mike and to so many of you, and to the people of Hawaii for all that they did for Kitty and me. If every state in the nation had the great good judgment of the people of

Hawaii, either we'd be meeting in the East Room or I'd be out here surrounded by secret service people, one or the other.

"But let me also say to you, as somebody who believes deeply in what government and public service are all about, who believes that this nation of ours has a God given opportunity, right now, to take this peace dividend, and it's out there, and to make it work for long neglected domestic needs and investments -- in the education of our kids, in our environment, in economic development in the creation of jobs, in universal health care, Mike. There ought to be more than two states in this nation that have made a commitment to basic health security for all of our citizens. And one of these days, I hope we're going to join the other industrialized nations of the world, with the exception of South Africa, in guaranteeing the people of this country basic health insurance in the year of our Lord 1990, but I'm proud to be in the other state which, by the way, Mike, in fairness, inspired us. We've got a little game going here. I was telling my legislators that Hawaii had already done it and now we have to follow Hawaii. So, if we can keep that up maybe we can make progress, nationally.

"We don't have to spend \$150 billion a year anymore in the defense of Western Europe, ladies and gentlemen. I don't even know who the enemy is. The Russians won't make it through Eastern Poland, let alone to Western Europe. So, there's a peace dividend out there ... this state, my state, all the states in this country had to absorb billions and billions of dollars in federal cuts as we've done, but now's the time to get some of that back.

"And as one governor who rides mass transit regularly, let me simply encourage you to invest in public transportation. I know that's a key issue here and I would simply say to you that I hope that with good, strong federal participation you can do that.

"We are delighted to be here. The one great regret that I have in the campaign other than the fact that I lost was that I was never able to come here during the campaign. I sent my best ambassador and she had a wonderful time, and you were great to Kitty. But, we're just delighted to be here and particularly pleased to be able to say thank you to you and the people of Hawaii.

"Our joy is tampered, obviously, by the grief that we and you and all of us feel with Spark's passing. He was a very special person and a Prince of Peace. As we move now into the history of this country and of the world, I hope and believe that his example and his tireless pursuit of peace is something that can guide us all.

"Thank you for having us. Thank you for having us in this magnificent Capitol. I've got to conclude that Massachusetts and Hawaii have the two most beautiful capitols in the nation. We're just delighted to be here and, again, to say thank you to everybody for all you did for us. I appreciate it."

The Chair thanked the Governor and said, "We hope that your stay in Hawaii will be a memorable one and we wish you well."

Senator Crozier then introduced ACLU chairperson Vanessa Chong and Mr. Bill Wilson, program coordinator, who accompanied Governor and Mrs. Dukakis, and said, "Mr. President, the reason Governor Dukakis is here in Hawaii is because he is going to be the keynote speaker at the ACLU fund raiser on Sunday evening."

Senator Matsuura added his remark:

"Mr. President, I just want to add one comment to Senator Crozier's introduction. I want the good Governor to know that the Senator from Makakilo was so successful that one of the first persons who endorsed Governor Dukakis was Senator Ann Kobayashi. What makes it unusual is that Senator Kobayashi was a Republican. Of course, she is a Democrat today."

Senator Matsuura then introduced Mr. Roy Hallman, director of the Honolulu Boy Choir as follows:

"Mr. President, the Honolulu Boy Choir was formed in 1974, and is one of the state's most outstanding musical institutions where boys from ages 7 to 13 perform contemporary, ethnic, folk, traditional and religious music.

"The dedication of the 175 members of the choir has won them world-wide praise for their professional and delightful performances, performing for auspicious groups such as Bob Hope's Birthday TV Special and the Jim Nabors Christmas TV Special.

"The members of the Honolulu Boy Choir have earned a distinct honor in our society. They are role models for all of our children. The success of the Honolulu Boy Choir is mainly through the efforts of the founder and director, Roy Hallman, and arranger and accompanist, Nyle Hallman. Their untiring efforts have made the Honolulu Boy Choir a legend which cannot be duplicated.

"It gives me great pleasure to introduce Mr. Roy Hallman."

Mr. Hallman rose to be recognized and was presented the congratulatory Senate certificate and lei.

Senator Koki introduced Elmer and Chris Bissett, "personal friends" from Seattle, Washington, accompanied by Aimie Kamimura, Mrs. Donna Koki and son Samuel.

Senator Chang then introduced a group from the East-West Center as follows:

"Mr. President, the East-West Center, located on the campus of the University of Hawaii at Manoa, was established 30 years ago with the intent to create a university that would be the meeting place of intellectuals from the East and the West. The center was the realization of a dream of many notable people, Arthur Dean, Gregg Sinclair, Lyndon Johnson and John A. Burns, to name a few. Because of their vision, the East-West Center became an institution not found in any other place in the world.

"Since its inception, the East-West Center has seen thousands of scholars and students pass through its halls. Many have gone on to achieve greatness. Others were content with a better understanding of different cultures. All benefitted from their experience at the East-West Center.

"We commend and congratulate the East-West Center and join in the celebration of its Thirtieth Anniversary.

"With us today from the East-West Center are the following people: Dr. Lee-Jay Cho, vice president for academic affairs, and director of the Population Institute; Ms. Trudy Wong, president of the Friends of the East-West Center; Mr. Ali Riaz, from Bangladesh, is president of the East-West Center Participants Association and participant in the Institute of Culture and Communication; and Ms. Vicki Shambaugh, secretary/treasurer of the East-West Center Association Executive Board. Thank you for coming today."

The honorees, seated on the floor of the Senate, all rose to be recognized and were presented the congratulatory Senate certificate and leis.

Senator Chang also introduced East-West Center staff members who were seated in the gallery: Gail Awaya, Community Relations and Public Affairs, and Lenora Wee, administrative officer, Population Institute.

Senator Ikeda introduced Christina Nakashima and Jason Kasumoto, student "shadows" from Niu Valley Intermediate School and said, "The two students have really been more than shadows. They have become right arms and they've gotten into the entire conference process and have really helped me, running around and doing all sorts of things that need to be done, and just enjoying this very hectic time."

Senator Ikeda then introduced Mr. Rick Scudder, chairman of the Earth Day Steering Committee and said:

"Mr. President, it gives me great pleasure today, on behalf of the Senate, to call attention to Earth Day 1990 which will be celebrated on Sunday, April 22nd, and I would like to read this certificate that I will be presenting a little later because I think that it says it beautifully.

'Every year, thousands of acres of vital tropical rainforest are stripped away from the earth, leaving behind nothing to replenish the atmosphere. A steady rise in the industrialization of the world increases the pollution in all our environments. Global warming, acid rain, toxic waste, ozone layer destruction, all of these terms have become realities touching too close to home. The fundamental question has been asked by millions of people all over the world, "Can I make a difference?" The answer is "Yes, I can make a difference."

'On April 22, the people of the world will step back and give the Earth a break. This worldwide pause from destruction will allow the Earth to catch its breath and hopefully survive the turmoil humans have brought on it. Programs here in Hawaii will include the "Plant-a-Tree" project and the "Adopt-a-Beach" program. Eco-Fairs, art and film festivals, parades, and displays will all be a part of increasing the general public's awareness of the fragile environment we live in.

'The Senate of the Fifteenth Legislature of the State of Hawaii, Regular Session of 1990, declares Sunday, April 22, 1990, as Earth Day 1990 in Hawaii in the hopes that all citizens of the state will take advantage of this opportunity to broaden their understanding and knowledge and work together in celebration of the planet Earth. The Senate also extends its sincere appreciation to the Earth Day Steering Committee with the hope that future generations of Hawaii's people will reap the benefits of a cleaner Earth.'

"At this time, Mr. President, it gives me great pleasure to introduce to you Mr. Rick Scudder, chairman of the Earth Day Steering Committee. I would like to personally thank Mr. Scudder for his efforts and point out that the people who have worked so hard to make this celebration a really fantastic one have been very, very modest and rather than standing up and taking credit for it want the attention to be placed on the event itself."

Mr. Scudder rose to be recognized and was presented the congratulatory Senate certificate and lei.

Senator B. Kobayashi then introduced a group from the Educational Assistants Association as follows:

"Mr. President, this year, we are celebrating the 25th anniversary of the Educational Assistants Association in the State of Hawaii. For all the high tech that we have in education, the videos, the computers, education is still a people-related task. Educational assistants provide teachers the capability to reach out and provide personal one-to-one attention to students in the classroom. They do everything from review and reinforce lessons, helping individual problems, doing record keeping, maintaining a positive attitude within the classroom and within the school environment and, of course, helping with lesson preparations and other chores.

"We have with us on the floor, today, three individuals who have been educational assistants in our public school system. I'd like to introduce them. The president of the Educational Assistants Association, Ayako Nakanishi; the secretary, Harriet Okuhara; and the person who does all the work for the two officers, Bernice Gan."

All of the honorees rose to be recognized and were presented the congratulatory Senate certificate and leis.

Senator Fernandes Salling introduced Mr. Tom Whittemore as follows:

"Mr. President, it's my pleasure to present to this body a fellow Kauaian and a friend, Mr. Tom Whittemore. I would like to read our Senate certificate that commends and congratulates Tom on his selection as the State Financial Services Advocate by the Small Business Administration.

'Tom Whittemore has been the vice president and branch manager of the Lihue Branch of First Hawaiian Bank since 1982. Since taking the helm, he has continuously encouraged his loan staff to assist small business owners and potential owners. Because of his aggressive approach to encourage small business enterprises, the Lihue Branch of First Hawaiian Bank has realized a ninety-two percent increase in small business loans.

'To further promote economic growth on Kauai, Tom Whittemore is a member of the Kauai Economic Development Board. He helped to organize and establish the Kauai Products Fair and the Kauai Products Council, an organization of small business manufacturers, owners, and producers of products made on Kauai. He is an active member of the community and has also served as president of the Kauai Rotary Club and is on the Board of Directors of Wilcox Hospital and Foundation, the Kauai Chamber of Commerce, Kauai 200 (or should that say, 2,000) and the Kauai Museum.

'Recently, because of his unrelenting efforts to further public understanding awareness of the importance of small business, Tom Whittemore was selected by the Small Business Administration to be the State's Financial Services Advocate.'

"The Senate, today, would like to commend and congratulate Tom for his long-standing and meaningful contributions to small business, and congratulates him on his selection as the State's Financial Services Advocate.

"Mr. President, I would like to present Mr. Tom Whittemore."

The honoree, accompanied by his father, Fred Whittemore, and also Anthony Guerrero, senior vice president of First Hawaiian Bank, rose to be recognized and was presented the congratulatory Senate certificate and lei.

Senator McMurdo then introduced Sophie Ann Aoki as follows:

"Mr. President, they say that good things come in small packages, and I have a young lady here today who is tiny in stature but a real ball of dynamite. Her name is Sophie Ann Aoki and she served as executive vice president and later president of the Waikiki Improvement Association, and she oversaw many important community programs with all its difficult problems and accomplished many beneficial objectives. Major programs attributable to her leadership are The Waikiki Futures Conference, the restoration of Waikiki Beach, the beautification and maintenance of Waikiki, the annual Block Party, and the formulation of a more active role of the association in legislative matters.

"Other outstanding attributes of Sophie Ann are her ability to encourage cooperation and communication between Waikiki Improvement Association, which is a business organization, and the diverse factions of residents in Waikiki. And I can assure you, Mr. President, that is no small task and she did it beautifully.

"Prior to joining the Waikiki Improvement Association, she was director of programs and development for the Clean Water Fund/Clean Water Action Project in Washington, D.C., and she served as president of Citizens' Campaign Inc., and as an officer or board member in several national environmental and conservation organizations.

"So, it's especially opportune with the advent of Earth Day on Sunday that this Legislature commend Sophie Ann Aoki for her leadership and accomplishments in improving the quality of life for the people of Waikiki and elsewhere."

Sophie Ann Aoki rose to be recognized and was presented the congratulatory Senate certificate and lei. She was accompanied by Christina Kemmer, current president of the Waikiki Improvement Association, and Scotty Bowman, vice president, government affairs.

Senator Chang then added:

"Mr. President, I would just like to note that many long years ago, Sophie Ann Aoki helped preserve the jobs of two Senate staff members, namely, Russell Blair and myself, and not having accomplished that, one wonders whether we might be here today. Thank you very much, Sophie."

Senator Holt then introduced Uncle Puna Titcomb as follows:

"Mr. President, I would be remiss if I did not introduce an individual, who is related to me, accompanying Governor Dukakis today. He is one who served in the public sector as well as the private sector way back with the City Auditoriums as well as being a boxing promoter. He promoted Jesus Salud's fight here in Hawaii. His exploits in this town have been well documented in Sammy Amalu's articles and I just have to tell Governor Dukakis one story.

"One day, some time ago, he was ill and was laid up in the hospital. The family went down to see him and the room was full of flowers ... I mean, you couldn't believe how many flowers he received, and you just couldn't imagine how many friends he had out there. It was not until my uncle Jomo got the bill from the florist that we all realized that he called the florist and ordered the flowers.

"He is a gentleman who's got a heart as big as gold, but, a character in his own right -- my uncle Puna."

Mr. Titcomb rose to be recognized.

The Chair then remarked:

"Members of the Senate, we've had a lot of introductions this morning and I think Governor Dukakis and Kitty have come to visit us at a very opportune time ... he has witnessed a day in the life of Hawaii. Should the Governor decide to seek higher office again, I think he'll receive more votes this time."

At 12:15 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:25 o'clock p.m.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 770 to 776) were read by the Clerk and were placed on file.

Hse. Com. No. 770, informing the Senate that the Speaker added Representative Hayes as a manager on the part of the House at the conference on S.B. No. 2617, H.D. 1.

Hse. Com. No. 771, informing the Senate that the Speaker added Representative Say as a manager on the part of the House at the conference on S.B. No. 1719, S.D. 1, H.D. 2.

Hse. Com. No. 772, informing the Senate that the Speaker added Representatives Horita and Say as managers on the part of the House at the conference on S.B. No. 3128, S.D. 2, H.D. 2.

Hse. Com. No. 773, informing the Senate that the Speaker added Representatives Fukunaga and Horita as managers on the part of the House at the conference on S.B. No. 2776, H.D. 1.

Hse. Com. No. 774, informing the Senate that the Speaker added Representative Horita as a manager on the part of the House at the conference on S.D. No. 2377, S.D. 1, H.D. 1.

Hse. Com. No. 775, informing the Senate that the Speaker designated Representative Oshiro as co-chairman on the part of the House at the conference on H.B. No. 3125, H.D. 1, S.D. 1.

Hse. Com. No. 776, informing the Senate that the amendments proposed by the Senate to the following House bills were agreed to by the House and said bills, as amended, passed Final Reading:

H.B. No. 1492, S.D. 2;
H.B. No. 2022, H.D. 1, S.D. 1;
H.B. No. 2044, H.D. 2, S.D. 2;
H.B. No. 2169, H.D. 1, S.D. 1;
H.B. No. 2174, S.D. 1;
H.B. No. 2231, H.D. 1, S.D. 1;
H.B. No. 2312, S.D. 1;
H.B. No. 2338, H.D. 1, S.D. 1;
H.B. No. 2358, H.D. 2, S.D. 1;
H.B. No. 2362, H.D. 1, S.D. 1;
H.B. No. 2400, S.D. 1;
H.B. No. 2413, H.D. 1, S.D. 1;
H.B. No. 2418, H.D. 2, S.D. 2;
H.B. No. 2527, H.D. 1, S.D. 1;
H.B. No. 2532, S.D. 1;
H.B. No. 2536, S.D. 1;

H.B. No. 2585, H.D. 1, S.D. 1;
 H.B. No. 2637, H.D. 1, S.D. 1;
 H.B. No. 2793, H.D. 2, S.D. 1;
 H.B. No. 2868, S.D. 1;
 H.B. No. 2879, S.D. 1;
 H.B. No. 2888, H.D. 2, S.D. 2;
 H.B. No. 2909, H.D. 1, S.D. 1;
 H.B. No. 3212, H.D. 1, S.D. 1;
 H.B. No. 3282, H.D. 1, S.D. 1; and
 H.B. No. 3440, H.D. 1, S.D. 1.

CONFERENCE COMMITTEE REPORTS

Senator Menor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 103, presented a report (Conf. Com. Rep. No. 1) recommending that S.B. No. 103, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 1 and S.B. No. 103, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT COURTS," was deferred for a period of 48 hours.

Senator Menor, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2053, H.D. 1, presented a report (Conf. Com. Rep. No. 2) recommending that H.B. No. 2053, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 2 and H.B. No. 2053, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE IV, SECTIONS 4, 5, AND 6, OF THE CONSTITUTION OF THE STATE OF HAWAII TO REVISE THE LAWS REGARDING APPOINTMENT," was deferred for a period of 48 hours.

STANDING COMMITTEE REPORTS

Senator B. Kobayashi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 3320) recommending that the Senate advise and consent to the nominations of Ron Harris-White, Andy Y. Nii, Barbara J. Furstenberg, Ph.D., Vivian S. P. Ing, and Darlene E. Martin to the Hawaii Education Council, in accordance with Gov. Msg. No. 215.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 3320 and Gov. Msg. No. 215 was deferred until Monday, April 23, 1990.

Senator B. Kobayashi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 3321) recommending that the Senate advise and consent to the nomination of Doris M. Ching, Ph.D., to the Education Commission of the States, in accordance with Gov. Msg. No. 216.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 3321 and Gov. Msg. No. 216 was deferred until Monday, April 23, 1990.

Senator B. Kobayashi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 3322) recommending that the Senate advise and consent to the nominations of the following:

Philip Soliven Adao, Sally Ann Harper, Hazel K. Kauahikaua and Dorothy M. Bobilin to the Library

Advisory Commission, City and County of Honolulu, in accordance with Gov. Msg. No. 217;

Frank G. Nelson and Fumiyo Yamanaka to the Library Advisory Commission, County of Hawaii, in accordance with Gov. Msg. No. 218;

Jane H. Taura, Janice S. Espiritu, Robert Buchanan and Tatiana Trailov to the Library Advisory Commission, County of Maui, in accordance with Gov. Msg. No. 219; and

Frederico R. Cuaresma, Peggy T. Cha, Priscilla T. Leong, Virginia A. Rapozo, Jean E. Sato and Jay Anthony Taylor to the Library Advisory Commission, County of Kauai, in accordance with Gov. Msg. No. 220;

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 3322 and Gov. Msg. Nos. 217, 218, 219, and 220 was deferred until Monday, April 23, 1990.

Senator B. Kobayashi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 3323) recommending that S.R. No. 123, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3323 and S.R. No. 123, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON CLASSROOM DIVIDERS," was deferred until Monday, April 23, 1990.

Senator B. Kobayashi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 3324) recommending that H.C.R. No. 162, H.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3324 and 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 deferred until Monday, April 23, 1990.

Senator B. Kobayashi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 3325) recommending that H.C.R. No. 154, H.D. 1, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3325 and H.C.R. No. 154, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH AN EXCHANGE PROGRAM WITH OKINAWA, HAWAII'S SISTER STATE," was deferred until Monday, April 23, 1990.

Senator B. Kobayashi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 3326) recommending that H.C.R. No. 109, H.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3326 and 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 deferred until Monday, April 23, 1990.

Senator McCartney, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 3327) recommending that the Senate advise and consent to the nominations of Frank T. S. Kim and Alfred O.

Souza to the Civil Defense Advisory Council, in accordance with Gov. Msg. No. 173.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 3327 and Gov. Msg. No. 173 was deferred until Monday, April 23, 1990.

ORDER OF THE DAY

ADVISE AND CONSENT

Stand. Com. Rep. No. 3315 (Gov. Msg. No. 269):

Senator Blair moved that Stand. Com. Rep. No. 3315 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 Sharon R. Himeno to the Board of Land and Natural Resources, 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, 22. Noes, none. Excused, 3 (Chang, Crozier, Wong, R.).

Stand. Com. Rep. No. 3316 (Gov. Msg. No. 270):

Senator Blair moved that Stand. Com. Rep. No. 3316 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 of Karen S. Ahn, JoAnn Namie Mattson and Delmond J. H. Won to the Land Use Commission, 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, 22. Noes, none. Excused, 3 (Chang, Crozier, Wong, R.).

Stand. Com. Rep. No. 3319 (Gov. Msg. Nos. 203, 204, 205, 206, 207, 208, 209, 210, 211, 212 and 213):

Senator Blair moved that Stand. Com. Rep. No. 3319 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 of the following:

Gary N. Suzukawa and Kikue Yamaguchi to the Board of Barbers, terms to expire June 30, 1994;

Martha H. Luna Goo, Mary Shigeko Monden, Richard H. Oshiro, Barry Utsumi and George Rainey, Jr., to the Consumer Advisory Council, terms to expire June 30, 1994;

Raymond Shogo Nagata, Howard H. Tasaka and Robert M. Yamada II to the Contractors License Board, terms to expire June 30, 1994;

Lane H. Shibata to the Credit Union Review Board, term to expire June 30, 1994;

Thad Kawakami-Wong, D.D.S., to the Board of Dental Examiners, term to expire June 30, 1992;

Angela M. A. Chin, D.M.D., Alan T. Miyamoto, D.D.S., and Carlina T. Bartolome to the Board of Dental Examiners, terms to expire June 30, 1994;

Wesley Mark Teruya and Mike Y. Miura to the Board of Electricians and Plumbers, terms to expire June 30, 1994;

Daniel J. Tucker and Thaddeus R. Tomei to the Elevator Mechanics Licensing Board, terms to expire June 30, 1994;

Crystal K. Rose, George K. Nishimura, Elmer D. Phillips and Stanley J. Shigemura to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects, terms to expire June 30, 1994;

Tsuneko Apaka and Dale Chikumi Hahn to the Board of Examiners of Nursing Home Administrators, terms to expire June 30, 1994;

Shannon Y. Ching, Debra Ann K. Ohta and Kenneal Y. C. Chun, M.D., to the Board of Speech Pathology and Audiology, terms to expire June 30, 1993; and

Bjarne N. Folling, D.V.M. and Janet Marie Everett-O'Gara to the Board of Veterinary Examiners, 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, 22. Noes, none. Excused, 3 (Chang, Crozier, Wong, R.).

At 12:26 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:37 o'clock p.m.

MATTERS DEFERRED FROM THURSDAY, APRIL 19, 1990

STANDING COMMITTEE REPORTS

Stand. Com. Rep. No. 3313 (S.R. No. 150, S.D. 1):

Senator Blair moved that Stand. Com. Rep. 3313 be adopted and S.R. No. 150, S.D. 1, be adopted, seconded by Senator Reed.

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

"Mr. President, I rise to speak in support of Senate Resolution No. 150.

"Mr. President, if you recall, there was a bill that was introduced early this session, Senate Bill 3008, recommending a moratorium for the West Hawaii District. The bill was held in committee, the Committee on Tourism and Recreation, after the chairman and I had discussed it in great length. This Senate resolution is a compromise to that bill.

"As you know, Mr. President, West Hawaii is a beautiful and diverse region long recognized by residents and visitors alike as a place of having unique qualities which contribute to a distinctive lifestyle. Historically and contemporaneously, the Hawaiian people have referred to this region as Kōna Kaimalino, an area noted for its calm waters, warm climate, a place for people to gather to celebrate life, and an area for spiritual healing. This spiritual feeling is part of the local lifestyle in which the

West Hawaii Regional Plan has referred to as a preferred quality of life.

"However, Mr. President, this region no longer identifies with this philosophical concept. It now is a coastline noted for its rampant development with approvals for the development including over 33,000 hotel/condominium units. Through strenuous community lobbying efforts, a responsive state administration, and a committed political leadership on both Senate and county levels, these unit numbers have been reduced to 17,000. With international, national investments exceeding \$400 million, the coastline, Mr. President, has become noted as a rich man's paradise, with world-class luxury resorts, golf courses, and hotel rooms at \$300 and up. There is land speculation with real estate transactions exceeding in the millions and, nothing, Mr. President, nothing available for the working men and women of this great state of ours. This resolution provides us with a balance.

"Today, Mr. President, the only local presence that is felt on that coastline is of those that are employed by these resorts -- a sad commentary for Hawaii. The public does not enjoy ready accessibility to many of the shoreline areas. The only accessibilities that the public enjoys freely, without having to pass through guard gates, Mr. President, are those at Anaihoomalua and Hapuna Beach Park. However, you are lucky if you can find a clean restroom at Hapuna Beach or maybe Kawaihae Spencer Park which has been closed on numerous occasions due to the outbreak of hepatitis because we have many of the homeless camping in that area.

"The resident population on the Big Island has grown rapidly since 1970 from 63,470 to over 111,800 in 1986. The population growth in the West Hawaii region increased by 156 percent from 1970 to 1986. In 1980, the proportion of residential population in East Hawaii to West Hawaii was 67% to 33%, respectively. County projections for the year 2005 indicate a shift in population from East Hawaii to West Hawaii where resident population would become about equally divided.

"Patterns of population settlement and growth are defined primarily by an area's economic opportunities. West Hawaii has been blessed with increased growth in such industries as alternate energy (OTEC), cold water aquaculture at NELH where abalone, micro algae, lobster, salmon and shellfish are grown, longstanding agriculture commodities as cattle, ornamentals, poultry, fruits and vegetables, construction, especially for large non-residential projects, and the visitor industry which has experienced a dramatic increase in the past few years.

"Of paramount concern is the cumulative effect of fiscal, social and environmental impacts generated by the rapid growth -- how these affect the preferred quality of life of the residents.

"There is a push by the state together with the county to balance rapid economic growth with the need to have quality services/programs and resources in place. It is estimated that \$622 million of public infrastructures are required to support the current expanded population needs.

"The West Hawaii Regional Plan has presented goals which will work toward the vision for West Hawaii. The vision includes the need to:

1. Plan and maximize benefits for Hawaii's people.
2. Optimize the use of state owned land.
3. Promote a diversified economic base which maximizes job choice and opportunities.

4. Ensure access to and adequacy of health, education, job training, and human service programs.

5. Ensure provision and adequacy of affordable housing.

6. Minimize adverse impact of new development on local lifestyle, historic and cultural resources and community values.

7. Provide a wide range of outdoor recreational opportunities.

8. Protect scenic areas, natural landmarks, open space and viewsheds.

9. Protect state investments at the Natural Energy Laboratory of Hawaii, the Hawaii Ocean Science and Technology Park, Keahole Airport, Kawaihae Harbor and the Mauna Kea observatories.

"The implementation of activities to achieve these goals is a formidable task, requiring superb coordination of public and private concerns.

"This resolution proposes a study of the feasibility of establishing a new public body corporate to serve as a public instrumentality of the state for the purpose of supervising, undertaking, directing and coordinating the implementation of the West Hawaii Regional Plan together with private enterprises and various components of government agencies.

"This corporate could be likened to the Hawaii Community Development Authority and the Aloha Tower Development Corporation.

"I am saddened by the fact that this resolution can only request for a feasibility study, Mr. President. I'm hoping that next session we will have a bill or a piece of legislation which will enable the state and county to gain control of that coastline area. Because, Mr. President, the State of Hawaii, is the major land owner on that coastline.

"I urge all of my colleagues to support this resolution. Thank you."

The motion was put by the Chair and carried, the report of the Committee was adopted and S.R. No. 150, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF ESTABLISHING A DEVELOPMENT AUTHORITY TO OVERSEE FUTURE DEVELOPMENT OF CERTAIN LANDS AND USE OF WATERS WITHIN THE WEST HAWAII REGION, INCLUDING NORTH AND SOUTH KOHALA ON THE ISLAND OF HAWAII," was adopted.

Stand. Com. Rep. No. 3314 (S.R. No. 173, S.D. 1):

On motion by Senator Blair, seconded by Senator Reed and carried, Stand. Com. Rep. No. 3314 was adopted and S.R. No. 173, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE STADIUM AUTHORITY TO EXPLORE THE FEASIBILITY OF DEVELOPING A SPORTS COMPLEX FACILITY AT THE ALOHA STADIUM SITE OR ANOTHER SUITABLE SITE," was adopted.

Stand. Com. Rep. No. 3317 (H.C.R. No. 9):

On motion by Senator Blair, seconded by Senator Reed and carried, Stand. Com. Rep. 3317 was adopted and H.C.R. No. 9, entitled: "SENATE CONCURRENT RESOLUTION URGING SUPPORT FOR THE

ESTABLISHMENT OF A COMPACT BETWEEN PACIFIC STATES AND THE CANADIAN PROVINCE OF BRITISH COLUMBIA TO PROVIDE FOR FUTURE PLANNING AND PROTECTION OF OCEAN RESOURCES WHICH ARE OF REGIONAL CONCERN," was adopted.

Stand. Com. Rep. No. 3318 (H.C.R. No. 21, H.D. 1, S.D. 1):

On motion by Senator Blair, seconded by Senator Reed and carried, Stand. Com. Rep. 3318 was adopted and H.C.R. No. 21, H.D. 1, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A PLAN TO UTILIZE PIN TECHNOLOGY IN MOORINGS," was adopted.

AGREE/DISAGREE

S.C.R. No. 7, S.D. 1, H.D. 1:

By unanimous consent, action on S.C.R. No. 7, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE CONGRESS TO EXTEND THE TERRITORIAL LIMITS OF THE UNITED STATES AND COASTAL STATES FROM THREE TO TWELVE NAUTICAL MILES OFFSHORE," was deferred until Monday, April 23, 1990.

S.C.R. No. 46, S.D. 1, H.D. 1:

By unanimous consent, action on S.C.R. No. 46, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO INFORM THE COASTAL STATES OF THE UNITED STATES AS WELL AS THE PACIFIC ISLANDS OF AMERICAN SAMOA, FEDERATED STATES OF MICRONESIA, GUAM, NORTHERN MARIANA ISLANDS AND REPUBLIC OF BELAU TO BAN LARGE-SCALE DRIFTNETS, TO PROHIBIT TRANSHIPMENT OF DRIFTNET-CAUGHT FISH, AND TO REFUSE TO SERVICE SHIPS ENGAGING IN DRIFTNETTING WITH ANY NATION SUPPORTING OR SANCTIONING THE PRACTICE OF DRIFTNET FISHING," was deferred until Monday, April 23, 1990.

FINAL READING

S.B. No. 2894, S.D. 1, H.D. 1:

Senator Nakasato moved that the Senate agree to the amendments proposed by the House to S.B. No. 2894, S.D. 1, seconded by Senator Mizuguchi and carried.

On motion by Senator Nakasato, seconded by Senator Mizuguchi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2894, S.D. 1, and that S.B. No. 2894, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Chang, Crozier, Wong, R.).

S.B. No. 3154, S.D. 1, H.D. 2:

Senator Nakasato moved that the Senate agree to the amendments proposed by the House to S.B. No. 3154, S.D. 1, seconded by Senator Mizuguchi and carried.

On motion by Senator Nakasato, seconded by Senator Mizuguchi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 3154,

S.D. 1, and that S.B. No. 3154, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Chang, Crozier, Wong, R.).

S.B. No. 3156, H.D. 1:

Senator Nakasato moved that the Senate agree to the amendments proposed by the House to S.B. 3156, seconded by Senator Mizuguchi and carried.

On motion by Senator Nakasato, seconded by Senator Mizuguchi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 3156, and that S.B. No. 3156, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Chang, Crozier, Wong, R.).

At 12:33 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:35 o'clock p.m.

RECONSIDERATION OF ACTIONS TAKEN

S.B. No. 2475, S.D. 2, H.D. 1:

Senator Matsuura moved that the Senate reconsider its action taken on April 12, 1990 on S.B. No. 2475, S.D. 2, H.D. 1, seconded by Senator Hagino and carried.

On motion by Senator Matsuura, seconded by Senator Hagino and carried, the Senate agreed to the amendments proposed by House to S.B. No. 2475, S.D. 2, and S.B. No. 2475, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," was placed on the calendar for Final Reading on Monday, April 23, 1990.

S.B. No. 3109, S.D. 1, H.D. 1:

Senator Ikeda moved that the Senate reconsider its action taken on April 12, 1990 on S.B. No. 3109, S.D. 1, H.D. 1, seconded by Senator Hagino and carried.

On motion by Senator Ikeda, seconded by Senator Hagino and carried, the Senate agreed to the amendments proposed by House to S.B. No. 3109, S.D. 1, and S.B. No. 3109, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL STATUTES," was placed on the calendar for Final Reading on Monday, April 23, 1990.

At this time, Senator B. Kobayashi introduced to the members of the Senate Ms. Bertha Nahoopii, "a neighborhood board member, a member of the Kapiolani Community College Association Advisory Board, and a constituent," who was seated in the gallery.

ADJOURNMENT

At 12:39 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, April 23, 1990.