

FIFTY-SEVENTH DAY

Wednesday, April 22, 1992

The Senate of the Sixteenth Legislature of the State of Hawaii, Regular Session of 1992, convened at 11:42 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Mr. Arthur P. McKinlay, Stake President, The Church of Jesus Christ of Latter-Day Saints, after which the Roll was called showing all Senators present with the exception of Senators Aki, Chang, Nakasato and Yamasaki who were excused.

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

Senator Iwase introduced students: Travis Ortogero and Alan Aspinwall, who are members of the 'MathCounts' Team, seated on the floor of the Senate, as follows:

"Mr. President, I would like to ask this body to honor two Milliani residents who add to the list of distinguished winners of the MathCounts competition. These two students will become members of the State of Hawaii team and will compete in the national finals in May in Washington, D.C.

"The first individual I would like to introduce is Travis Ortogero of Punahou School, who is the second place winner. (Travis Ortogero stood to be recognized.)

"The third place winner is Alan Aspinwall of Wheeler Intermediate School. (Alan Aspinwall stood to be recognized.)

"Also present on the floor is Mrs. Evelyn Cheong, coach of the MathCounts Team and a teacher at Punahou School. (Mrs. Cheong rose to be recognized.)"

Senator Iwase also introduced teachers and parents, affiliated with MathCounts, who were seated in the audience: Mrs. Patricia Young, teacher, Wheeler Intermediate School; Mr. Wilfred Ortogero, father of Travis Ortogero; Mrs. Rowena Blaisdell, state Mathcounts coordinator; Mrs. Paulene Marcello, state Mathcounts assistant coordinator; and Mrs. Jo-Ann Valdez, mother of Justin Valdez and former classmate of the Senator.

Senator Iwase then introduced William Cobb, student at Kalaheo High School, who was seated on the floor of the Senate, as follows:

"Mr. President, it's not every day that a member of our body is blessed with the success of their children and when that moment does occur we share in the pride and joy of the moment.

"This morning I am honored to present the son of one of our colleagues who will represent Hawaii in Washington, D.C., this summer, as the winner of Hawaii's Citizen Bee Contest. This young man is a senior at Kalaheo High School, has earned a \$1,000 savings bond and, most notably, has been accepted to study, this September, at Moscow University in the Commonwealth of Independent States, formerly part of the U.S.S.R.

"It is with great pleasure and my honor to introduce William Cobb, son of Senator Steve Cobb." (William Cobb stood to be recognized.)

Senator Iwase also introduced Ms. Sara Sincke, coach and social studies teacher of William Cobb.

Senator B. Kobayashi then introduced students Justin Valdez and Hannah Okamura, two other members of the MathCounts Team, who were seated on the floor of the Senate, as follows:

"Mr. President, I would like to introduce two individuals, also part of the State of Hawaii MathCounts Team. These individuals competed in a statewide and a national team involving 7th and 8th graders. The event is sponsored by the Hawaii Society of Professional Engineers, Hawaiian Electric and Aloha Airlines.

"The winners for the statewide contest, in March, go on to the national contest in Washington, D.C., in May.

"Their coaches receive a trip to the national contest on behalf of NASA.

"The two individuals from my district are Justin Valdez, an 8th grader at Iolani School, who is the statewide winner. (Justin stood to be recognized.) He is coached by Ms. Ann Yoneshige.

"The other individual that I would like to introduce is Hannah Okamura, an 8th grader at Kaimuki Intermediate School, who placed fourth in the contest. (Hannah stood to be recognized.) She is coached by Ms. Jeanne Kurita who is seated in the audience. (Ms. Kurita rose to be recognized.)

"On behalf of this honorable body, we wish to extend our congratulations and our best wishes and success in the national contest. We hope that these 'mathletes,' as they are sometimes called, will bring honor to the State of Hawaii."

Senator A. Kobayashi then introduced Mr. V.G. Guinnes, seated on the floor of the Senate, as follows:

"Mr. President, I have the privilege of introducing Mr. V.G. Guinnes, who is one of the founders of SEY YES, Incorporated. SEY YES is an abbreviation for Save Every Younger Youth Enterprise Society, Inc., of which Mr. Guinnes is the chief executive officer and executive director.

"SEY YES, a community-based organization incorporated in 1968 in California, focuses primarily on problem youths in South Central Los Angeles. Mr. Guinnes developed 'An Alternative Approach to the Reduction of Gang Violence' to address the problem of at-risk youngsters.

"Mr. Guinnes has conducted lectures, workshops, and in-service training sessions for numerous law enforcement agencies and social and community organizations throughout the country.

"Mr. Guinnes has been participating for the past two days, here in Hawaii, in a Youth Directions Seminar on 'Delinquency and Gang Prevention' for law enforcement agencies presented by the Boys and Girls Club of Honolulu and the Office of Youth Services.

"At this time, I would like to present Mr. V.G. Guinnes. (Mr. Guinnes stood to be recognized.)

"Thank you for coming to Hawaii to help us with our problems."

Senator A. Kobayashi also introduced Mr. David Nakada, executive director of the Boys and Girls Club of

Honolulu, who is also nationally known, and who accompanied Mr. Guines. (Mr. Nakada stood to be recognized.)

Senator George then introduced Ms. Diane de Champeaux, administrative assistant to the Speaker of the House, State of Idaho. Senator George said: "I am delighted to have Ms. de Champeaux here on a day when we can show her what kind of young people we grow in the State of Hawaii."

Ms. de Champeaux, who was seated in the audience, rose to be recognized.

At 11:54 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:59 o'clock a.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 344 to 347) were read by the Clerk and were placed on file:

Gov. Msg. No. 344, dated April 13, 1992, transmitting the "Recommendations of the Sterile Needle Exchange Oversight Committee on the Department of Health's Needle Exchange Evaluation Report," March 1992.

Gov. Msg. No. 345, dated April 13, 1992, transmitting a report prepared by the Governor's Committee on HIV/AIDs in response to H.C.R. No. 291, requesting a study and report on the state's first responder professional organizations' efforts to coordinate their funding requests for development and implementation of occupational exposure curricula and training.

Gov. Msg. No. 346, dated April 15, 1992, transmitting copies of "Hawaii's Older Adults," a notebook prepared by the Executive Office on Aging, Office of the Governor.

Gov. Msg. No. 347, dated April 13, 1992, transmitting the Biennial Report, 1990 and 1991, of the Department of Hawaiian Home Lands, in response to Section 222, Hawaiian Homes Commission Act, 1920, as amended.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 969 to 974) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 969, informing the Senate that the Speaker on April 21, 1992, discharged Representative Ihara and appointed Representative Hashimoto as a co-chairman on the part of the House at the conference on S.B. No. 2997, S.D. 1, H.D. 1, was placed on file.

Hse. Com. No. 970, informing the Senate that the Speaker on April 21, 1992, discharged Representative Ihara and appointed Representative Hashimoto as a co-chairman on the part of the House at the conference on S.B. No. 2823, S.D. 1, H.D. 1, was placed on file.

Hse. Com. No. 971, informing the Senate that the Speaker on April 21, 1992, discharged Representative Hashimoto and appointed Representative Ihara as a co-chairman on the part of the House at the conference on S.B. No. 2423, S.D. 1, H.D. 2, was placed on file.

Hse. Com. No. 972, informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to S.B. No. 2851, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 21, 1992, the Speaker appointed

Representatives Shon, Metcalf, Souki, co-chairmen, Amaral, Kawakami, Oshiro, Thielen as managers on the part of the House for the consideration of said amendments, was placed on file.

Hse. Com. No. 973, transmitting H.C.R. No. 128, H.D. 1, which was adopted by the House of Representatives on April 16, 1992, was placed on file.

By unanimous consent, H.C.R. No. 128, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REGARDING OCEAN USE CONFLICTS BETWEEN TUG VESSELS AND RECREATIONAL BOATS," was referred to the Committee on Transportation and Intergovernmental Relations.

Hse. Com. No. 974, transmitting H.C.R. No. 453, which was adopted by the House of Representatives on April 16, 1992, was placed on file.

By unanimous consent, H.C.R. No. 453, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO IDENTIFY REQUIREMENTS FOR IMPLEMENTING LUMP-SUM BUDGETING," was referred to the Committee on Education.

STANDING COMMITTEE REPORTS

Senator Crozier, for the Committee on Housing and Hawaiian Programs, presented a report (Stand. Com. Rep. No. 2885) recommending that H.C.R. No. 164, H.D. 1, be adopted.

On motion by Senator Solomon, seconded by Senator Reed and carried, the report of the Committee was adopted and H.C.R. No. 164, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES OF AMERICA AND THE SECRETARY OF THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO CALL UPON THE FEDERAL GOVERNMENT TO TAKE THE RESPONSIBILITY FOR PROVIDING FUNDS FOR THE CONSTRUCTION AND MAINTENANCE OF LOW TO MODERATE INCOME HOUSING IN THE STATE," was adopted.

Senator Fernandes Salling, for the Committee on Transportation and Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 2886) recommending that H.C.R. No. 360, H.D. 1, be adopted.

On motion by Senator Solomon, seconded by Senator Reed and carried, the report of the Committee was adopted and H.C.R. No. 360, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE CONGRESS OF THE UNITED STATES, THE PRESIDENT OF THE UNITED STATES, AND THE SECRETARY OF DEFENSE, TO MAINTAIN THE PACIFIC MISSILE RANGE FACILITY AT MANA, ON THE ISLAND OF KAUAI, IN THE STATE OF HAWAII, AS THE UNITED STATES' FOREMOST MISSILE RANGE FACILITY," was adopted.

Senator McMurdo, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2887) recommending that H.C.R. No. 4 be adopted.

On motion by Senator Solomon, seconded by Senator Reed and carried, the report of the Committee was adopted and H.C.R. No. 4, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO AMEND ITS ADMINISTRATIVE RULES REGARDING THE ADMISSION POLICIES OF ADULT RESIDENTIAL HOME CARE PATIENTS," was adopted.

Senator McMurdo, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2888) recommending that H.C.R. No. 5 be referred to the Committee on Legislative Management.

On motion by Senator Solomon, seconded by Senator Reed and carried, the report of the Committee was adopted and H.C.R. No. 5, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A COMPREHENSIVE REVIEW OF ISSUES RELATED TO THE SPECIAL CARE NEEDS OF ADULT RESIDENTIAL CARE HOME OPERATORS," was referred to the Committee on Legislative Management.

Senator McMurdo, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2889) recommending that H.C.R. No. 9 be referred to the Committee on Legislative Management.

On motion by Senator Solomon, seconded by Senator Reed and carried, the report of the Committee was adopted and H.C.R. No. 9, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO REVIEW, EVALUATE, AND OFFER PROPOSALS TO ADDRESS THE CONCERNS OF ADULT RESIDENTIAL CARE HOME OPERATORS ON MOLOKAI," was referred to the Committee on Legislative Management.

Senator McMurdo, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2890) recommending that H.C.R. No. 325, H.D. 1, be adopted.

On motion by Senator Solomon, seconded by Senator Reed and carried, the report of the Committee was adopted and H.C.R. No. 325, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO CONDUCT A COMPREHENSIVE REVIEW OF THE NEEDS OF AND SERVICES AVAILABLE TO CHILDREN WHO ARE MEDICALLY FRAGILE/TECHNOLOGY DEPENDENT AND THEIR FAMILIES," was adopted.

Senator McMurdo, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2891) recommending that H.C.R. No. 396 be adopted.

On motion by Senator Solomon, seconded by Senator Reed and carried, the report of the Committee was adopted and H.C.R. No. 396, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HUMAN SERVICES, HEALTH CARE ADMINISTRATION DIVISION TO DESIGNATE 'SUB-ACUTE' LEVEL OF CARE," was adopted.

Senator McMurdo, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2892) recommending that H.C.R. No. 141 be adopted.

On motion by Senator Solomon, seconded by Senator Reed and carried, the report of the Committee was adopted and H.C.R. No. 141, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE YEAR 1992 AS THE 'YEAR OF THE FAMILY' IN HAWAII," was adopted.

Senator McMurdo, for the majority of the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2893) recommending that H.C.R. No. 429, H.D. 1, be adopted.

On motion by Senator Solomon, seconded by Senator Reed and carried, the report of the majority of the Committee was adopted and H.C.R. No. 429, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE DEPARTMENT OF HEALTH TO REPORT ON THE STATUS OF NOISE ABATEMENT PROCEDURES, LAWS, AND REGULATIONS IN HAWAII," was adopted.

ORDER OF THE DAY

RE-REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The Chair re-referred the following House concurrent resolutions that were introduced:

House Concurrent Resolution	Referred to:
No. 72	Committee on Ways and Means
No. 187, H.D. 1	Committee on Ways and Means

APPOINTMENT OF CONFEREES

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

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 3109, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Ikeda, chairman, Iwase and Koki as managers on the part of the Senate at such conference.

At this time, Senator Reed, on behalf of the Senate, extended a very Happy Birthday to Senator Mary Jane McMurdo!

ADJOURNMENT

At 12:02 o'clock p.m., on motion by Senator Solomon, seconded by Senator Reed and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, April 23, 1992.