

## THIRTY-SECOND DAY

Thursday, March 17, 1994

The Senate of the Seventeenth Legislature of the State of Hawaii, Regular Session of 1994, convened at 11:35 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Dr. Marge Terpstra, Hawaii Conference, United Church of Christ, after which the Roll was called showing all Senators present with the exception of Senators Chang and Nakasato who were excused.

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

## SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 114 to 141) were read by the Clerk and were referred to committees:

## Senate Concurrent Resolution

No. 114 "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES OF AMERICA TO RETURN MAKUA MILITARY RESERVATION TO THE OFFICE OF HAWAIIAN AFFAIRS."

Offered by: Senators Solomon, by request, Tanaka.

Referred to: Committee on Government Operations, Environmental Protection and Hawaiian Programs

No. 115 "SENATE CONCURRENT RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT THE SIERRA CLUB LEGAL DEFENSE FUNDS' FORMAL PETITION WITH THE FEDERAL AVIATION ADMINISTRATION TO CONTROL TOUR AIRCRAFT IN THE STATE OF HAWAII."

Offered by: Senators Solomon, Fernandes Salling, Grauly, Hagino, Kobayashi, B., Tanaka, Tungpalan.

Referred to: Jointly to the Committee on Transportation and the Committee on Tourism and Recreation

No. 116 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONSIDER KOHALA COASTAL ACQUISITIONS."

Offered by: Senators Solomon, Fernandes Salling, Hagino, Tanaka.

Referred to: Jointly to the Committee on Higher Education, Culture and Arts and Historic Preservation and the Committee on Planning, Land and Water Use Management

No. 117 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DEVELOP A COMMUNITY PROCESS FOR PLANNING AND MANAGEMENT OF PUBLIC LANDS AND NATURAL RESOURCES IN HAMAKUA ON THE ISLAND OF HAWAII."

Offered by: Senators Solomon, Fernandes Salling, Hagino, Reed, Tanaka.

Referred to: Committee on Planning, Land and Water Use Management

No. 118 "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES TO INSTITUTE A HAWAIIAN LANGUAGE AND CULTURE CURRICULUM IN KAHANA VALLEY STATE PARK."

Offered by: Senator McCartney.

Referred to: Jointly to the Committee on Higher Education, Culture and Arts and Historic Preservation and the Committee on Planning, Land and Water Use Management

No. 119 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO EXAMINE THE FEASIBILITY OF USING PRIVATELY-OWNED LAND IN THE PUNALUU DISTRICT OF OAHU TO SITE A HEALTH CARE FACILITY."

Offered by: Senator McCartney.

Referred to: Committee on Health

No. 120 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO INSTALL A TRAFFIC LIGHT ON KAMEHAMEHA HIGHWAY AT THE CROSSWALK FRONTING THE MAIN ENTRANCE TO KAHUKU HIGH AND INTERMEDIATE SCHOOLS."

Offered by: Senator McCartney.

Referred to: Committee on Transportation

No. 121 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE OFFICE OF STATE PLANNING TO IDENTIFY ALL PUBLIC TRUST LANDS HELD BY THE DEPARTMENT OF LAND AND NATURAL RESOURCES IN AREAS WITH A HIGH CONCENTRATION OF NATIVE HAWAIIANS."

Offered by: Senator McCartney.

Referred to: Jointly to the Committee on Government Operations, Environmental Protection and Hawaiian Programs and the Committee on Planning, Land and Water Use Management

No. 122 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO PERFORM A FEASIBILITY STUDY TO CONSTRUCT A WALKWAY ATTACHED TO THE KAHANA BAY BRIDGE."

Offered by: Senator McCartney.

Referred to: Committee on Transportation

No. 123 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ESTABLISH RULES WITH KAHANA RESIDENTS REGARDING THEIR PARTICIPATION IN KAHANA STATE PARK INTERPRETIVE PROGRAMS."

Offered by: Senator McCartney.

Referred to: Jointly to the Committee on Higher Education, Culture and Arts and Historic Preservation and the Committee on Planning, Land and Water Use Management

No. 124 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY TO DETERMINE THE FEASIBILITY OF ESTABLISHING A KUPUNA HALE IN KAHANA VALLEY STATE PARK FOR RESIDENTS QUALIFIED TO PARTICIPATE IN THE PARK'S INTERPRETIVE PROGRAM."

Offered by: Senator McCartney.

Referred to: Jointly to the Committee on Higher Education, Culture and Arts and Historic Preservation and the Committee on Planning, Land and Water Use Management

No. 125 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ESTABLISH A PERMITTING AND EXTENSION SERVICE PROGRAM FOR HAWAIIAN FISHPONDS, OR 'LOKO I'A'."

Offered by: Senator McCartney.

Referred to: Jointly to the Committee on Higher Education, Culture and Arts and Historic Preservation and the Committee on Planning, Land and Water Use Management

No. 126 "SENATE CONCURRENT RESOLUTION REQUESTING THE POLICE DEPARTMENTS TO ENFORCE CURFEW LAWS."

Offered by: Senators Aki, Kobayashi, A., Nakasato.

Referred to: Committee on Judiciary

No. 127 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO DETERMINE THE NEED FOR A PAPAYA TREATMENT FACILITY ON MOLOKAI."

Offered by: Senators Baker, Hagino.

Referred to: Committee on Agriculture

No. 128 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS AND THE BOARD OF PRIVATE DETECTIVES AND GUARDS TO EXAMINE THE ISSUE OF MANDATING PRIVATE SECURITY GUARD TRAINING."

Offered by: Senator Baker.

Referred to: Committee on Consumer Protection

No. 129 "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE FEASIBILITY OF THE DEVELOPMENT OF ENTREPRENEURIAL VENTURES WITHIN OR IN PARTNERSHIP WITH NONPROFIT AGENCIES."

Offered by: Senator Baker.

Referred to: Committee on Human Services

No. 130 "SENATE CONCURRENT RESOLUTION REQUESTING IMPLEMENTATION OF RECOMMENDATIONS MADE BY THE AUDITOR PURSUANT TO REPORT NO. 93-22, 'MANAGEMENT AND FINANCIAL AUDIT OF THE DEPARTMENT OF HAWAIIAN HOME LANDS.'"

Offered by: Senators Solomon, Chang, George, Grauly, Hagino, Kanno, Levin, Matsunaga, Nakasato, Tanaka.

Referred to: Committee on Government Operations, Environmental Protection and Hawaiian Programs

No. 131 "SENATE CONCURRENT RESOLUTION REQUESTING IMPLEMENTATION OF RECOMMENDATIONS MADE BY THE AUDITOR PURSUANT TO REPORT NO. 93-21, 'MANAGEMENT AUDIT OF THE TRAFFIC VIOLATIONS BUREAU.'"

Offered by: Senators Solomon, Chang, George, Hagino, Kanno, Levin, Matsunaga, Nakasato, Tanaka.

Referred to: Committee on Judiciary

No. 132 "SENATE CONCURRENT RESOLUTION REQUESTING IMPLEMENTATION OF RECOMMENDATIONS MADE BY THE AUDITOR PURSUANT TO REPORT NO. 93-29, 'AUDIT OF THE STD/AIDS PREVENTION PROGRAM IN THE DEPARTMENT OF HEALTH.'"

Offered by: Senators Solomon, Chang, George, Hagino, Kanno, Levin, Matsunaga, Matsuura, McCartney, Nakasato, Tanaka.

Referred to: Committee on Health

No. 133 "SENATE CONCURRENT RESOLUTION REQUESTING IMPLEMENTATION OF RECOMMENDATIONS MADE BY THE AUDITOR PURSUANT TO REPORT NO. 94-3, 'AUDIT OF THE HAZARDOUS WASTE MANAGEMENT PROGRAM OF THE DEPARTMENT OF HEALTH.'"

Offered by: Senators Solomon, Chang, George, Hagino, Kanno, Koki, Levin, Matsunaga, Matsuura, McCartney, Nakasato, Reed, Tanaka.

Referred to: Committee on Government Operations, Environmental Protection and Hawaiian Programs

No. 134 "SENATE CONCURRENT RESOLUTION REQUESTING IMPLEMENTATION OF RECOMMENDATIONS MADE BY THE AUDITOR PURSUANT TO REPORT NO. 93-25, 'MANAGEMENT AND FINANCIAL AUDIT OF THE HAWAII VISITORS BUREAU.'"

Offered by: Senators Solomon, Chang, George, Hagino, Kanno, Koki, Levin, Matsunaga, McCartney, Nakasato, Reed, Tanaka.

Referred to: Committee on Tourism and Recreation

No. 135 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF HUMAN SERVICES IN COOPERATION WITH THE FAMILY SUPPORT ACTION COMMITTEE TO SUBMIT AN IMPLEMENTATION PLAN FOR A STATEWIDE FAMILY SUPPORT SERVICES PROGRAM FOR FAMILIES OF PERSONS WITH DISABILITIES OR CHRONIC ILLNESSES."

Offered by: Senators Kobayashi, B., Aki, Chang, George, Grauly, Kobayashi, A., Koki, Levin, Matsunaga, Nakasato.

Referred to: Jointly to the Committee on Human Services and the Committee on Health

No. 136 "SENATE CONCURRENT RESOLUTION REQUESTING THE IDENTIFICATION OF IMPORTANT ACCESS ROUTES OVER STATE AND

PRIVATE LANDS ON THE BIG ISLAND, TO FOREST AND MARINE RESOURCES."

Offered by: Senators Solomon, Chang, George, Hagino, Kanno, Levin, McCartney, Nakasato, Tanaka.

Referred to: Committee on Planning, Land and Water Use Management

No. 137 "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION AND THE DEPARTMENT OF EDUCATION TO ESTABLISH TECHNOLOGY AND TELECOMMUNICATION DEMONSTRATION MODELS FOR PUBLIC SCHOOLS."

Offered by: Senator McCartney.

Referred to: Committee on Education

No. 138 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ESTABLISH AMBIENT AIR QUALITY STANDARDS AND TO STUDY THE FEASIBILITY OF ESTABLISHING A PROGRAM TO MONITOR AND CONTROL VEHICULAR EMISSIONS TO COMPLY WITH AIR QUALITY STANDARDS."

Offered by: Senator Matsunaga.

Referred to: Committee on Government Operations, Environmental Protection and Hawaiian Programs

No. 139 "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO EXPEDITE THE IMPLEMENTATION OF THE PERMIT PROCESS FACILITATION ACT."

Offered by: Senator Matsunaga.

Referred to: Jointly to the Committee on Science, Technology and Economic Development and the Committee on Government Operations, Environmental Protection and Hawaiian Programs

No. 140 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO STUDY THE FEASIBILITY OF PROVIDING INCENTIVES FOR THE USE OF ALTERNATIVE TRANSPORTATION FUELS."

Offered by: Senator Matsunaga.

Referred to: Jointly to the Committee on Science, Technology and Economic Development and the Committee on Transportation

No. 141 "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF TAXATION AND THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO EVALUATE THE COSTS AND BENEFITS OF PROVIDING IMPROVED TAX CREDIT BENEFITS TO RESIDENTIAL WIND AND PHOTOVOLTAIC SYSTEMS."

Offered by: Senator Matsunaga.

Referred to: Jointly to the Committee on Science, Technology and Economic Development and the Committee on Ways and Means

**SENATE RESOLUTIONS**

The following resolutions (S.R. Nos. 83 to 109) were read by the Clerk and were referred to committees:

Senate Resolution

No. 83 "SENATE RESOLUTION REQUESTING THE UNITED STATES OF AMERICA TO RETURN MAKUA MILITARY RESERVATION TO THE OFFICE OF HAWAIIAN AFFAIRS."

Offered by: Senators Solomon, by request, Tanaka.

Referred to: Committee on Government Operations, Environmental Protection and Hawaiian Programs

No. 84 "SENATE RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT THE SIERRA CLUB LEGAL DEFENSE FUNDS'S FORMAL PETITION WITH THE FEDERAL AVIATION ADMINISTRATION TO CONTROL TOUR AIRCRAFT IN THE STATE OF HAWAII."

Offered by: Senators Solomon, Fernandes Salling, Hagino, Tanaka.

Referred to: Jointly to the Committee on Transportation and the Committee on Tourism and Recreation

No. 85 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONSIDER KOHALA COASTAL ACQUISITIONS."

Offered by: Senators Solomon, Fernandes Salling, George, Grauly, Hagino, Kobayashi, B., Tanaka, Tungpalan.

Referred to: Jointly to the Committee on Higher Education, Culture and Arts and Historic Preservation and the Committee on Planning, Land and Water Use Management

No. 86 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DEVELOP A COMMUNITY PROCESS FOR PLANNING AND MANAGEMENT OF PUBLIC LANDS AND NATURAL RESOURCES IN HAMAKUA ON THE ISLAND OF HAWAII."

Offered by: Senators Solomon, Fernandes Salling, George, Grauly, Hagino, Kobayashi, B., Koki, Reed, Tanaka, Tungpalan.

Referred to: Committee on Planning, Land and Water Use Management

No. 87 "SENATE RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES TO INSTITUTE A HAWAIIAN LANGUAGE AND CULTURE CURRICULUM IN KAHANA VALLEY STATE PARK."

Offered by: Senator McCartney.

Referred to: Jointly to the Committee on Higher Education, Culture and Arts and Historic Preservation and the Committee on Planning, Land and Water Use Management

No. 88 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO EXAMINE THE FEASIBILITY OF USING PRIVATELY-OWNED LAND IN THE PUNALUU DISTRICT OF OAHU TO SITE A HEALTH CARE FACILITY."

Offered by: Senator McCartney.

Referred to: Committee on Health

No. 89 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO INSTALL A TRAFFIC LIGHT ON KAMEHAMEHA HIGHWAY AT THE CROSSWALK FRONTING THE MAIN ENTRANCE TO KAHUKU HIGH AND INTERMEDIATE SCHOOLS."

Offered by: Senator McCartney.

Referred to: Committee on Transportation

No. 90 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE OFFICE OF STATE PLANNING TO IDENTIFY ALL PUBLIC TRUST LANDS HELD BY THE DEPARTMENT OF LAND AND NATURAL RESOURCES IN AREAS WITH A HIGH CONCENTRATION OF NATIVE HAWAIIANS."

Offered by: Senator McCartney.

Referred to: Jointly to the Committee on Government Operations, Environmental Protection and Hawaiian Programs and the Committee on Planning, Land and Water Use Management

No. 91 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO PERFORM A FEASIBILITY STUDY TO CONSTRUCT A WALKWAY ATTACHED TO THE KAHANA BAY BRIDGE."

Offered by: Senator McCartney.

Referred to: Committee on Transportation

No. 92 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ESTABLISH RULES WITH KAHANA RESIDENTS REGARDING THEIR PARTICIPATION IN KAHANA STATE PARK INTERPRETIVE PROGRAMS."

Offered by: Senator McCartney.

Referred to: Jointly to the Committee on Higher Education, Culture and Arts and Historic Preservation and the Committee on Planning, Land and Water Use Management

No. 93 "SENATE RESOLUTION REQUESTING A STUDY TO DETERMINE THE FEASIBILITY OF ESTABLISHING A KUPUNA HALE IN KAHANA VALLEY STATE PARK FOR RESIDENTS QUALIFIED TO PARTICIPATE IN THE PARK'S INTERPRETIVE PROGRAM."

Offered by: Senator McCartney.

Referred to: Jointly to the Committee on Higher Education, Culture and Arts and Historic Preservation and the Committee on Planning, Land and Water Use Management

No. 94 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ESTABLISH A PERMITTING AND EXTENSION SERVICE PROGRAM FOR HAWAIIAN FISHPONDS, OR 'LOKO I'A'."

Offered by: Senator McCartney.

Referred to: Jointly to the Committee on Higher Education, Culture and Arts and Historic Preservation and the Committee on Planning, Land and Water Use Management

No. 95 "SENATE RESOLUTION REQUESTING THE POLICE DEPARTMENTS TO ENFORCE CURFEW LAWS."

Offered by: Senators Aki, Kobayashi, A., Nakasato.

Referred to: Committee on Judiciary

No. 96 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO DETERMINE THE NEED FOR A PAPAYA TREATMENT FACILITY ON MOLOKAI."

Offered by: Senators Baker, Hagino.

Referred to: Committee on Agriculture

No. 97 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS AND THE BOARD OF PRIVATE DETECTIVES AND GUARDS TO EXAMINE THE ISSUE OF MANDATING PRIVATE SECURITY GUARD TRAINING."

Offered by: Senator Baker.

Referred to: Committee on Consumer Protection

No. 98 "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE FEASIBILITY OF THE DEVELOPMENT OF ENTREPRENEURIAL VENTURES WITHIN OR IN PARTNERSHIP WITH NONPROFIT AGENCIES."

Offered by: Senator Baker.

Referred to: Committee on Human Services, then to the Committee on Legislative Management

No. 99 "SENATE RESOLUTION REQUESTING IMPLEMENTATION OF RECOMMENDATIONS MADE BY THE AUDITOR PURSUANT TO REPORT NO. 93-22, 'MANAGEMENT AND FINANCIAL AUDIT OF THE DEPARTMENT OF HAWAIIAN HOME LANDS.'"

Offered by: Senators Solomon, Chang, George, Hagino, Kanno, Koki, Levin, Matsunaga, Nakasato, Tanaka.

Referred to: Committee on Government Operations, Environmental Protection and Hawaiian Programs

No. 100 "SENATE RESOLUTION REQUESTING IMPLEMENTATION OF RECOMMENDATIONS MADE BY THE AUDITOR PURSUANT TO REPORT NO. 93-21, 'MANAGEMENT AUDIT OF THE TRAFFIC VIOLATIONS BUREAU.'"

Offered by: Senators Solomon, Chang, George, Grauly, Hagino, Kanno, Koki, Levin, Matsunaga, Nakasato, Tanaka.

Referred to: Committee on Judiciary

No. 101 "SENATE RESOLUTION REQUESTING IMPLEMENTATION OF RECOMMENDATIONS MADE BY THE AUDITOR PURSUANT TO REPORT NO. 93-29, 'AUDIT OF THE STD/AIDS PREVENTION PROGRAM IN THE DEPARTMENT OF HEALTH.'"

Offered by: Senators Solomon, Chang, George, Grauly, Hagino, Kanno, Levin, Matsunaga, Matsuura, McCartney, Nakasato, Tanaka.

Referred to: Committee on Health

No. 102 "SENATE RESOLUTION REQUESTING IMPLEMENTATION OF RECOMMENDATIONS MADE BY THE AUDITOR PURSUANT TO REPORT NO. 94-3, 'AUDIT OF THE HAZARDOUS WASTE MANAGEMENT PROGRAM OF THE DEPARTMENT OF HEALTH.'"

Offered by: Senators Solomon, Chang, George, Grauly, Hagino, Kanno, Levin, Matsunaga, Matsuura, McCartney, Nakasato, Reed, Tanaka.

Referred to: Committee on Government Operations, Environmental Protection and Hawaiian Programs

No. 103 "SENATE RESOLUTION REQUESTING IMPLEMENTATION OF RECOMMENDATIONS MADE BY THE AUDITOR PURSUANT TO REPORT NO. 93-25, 'MANAGEMENT AND FINANCIAL AUDIT OF THE HAWAII VISITORS BUREAU.'"

Offered by: Senators Solomon, Chang, George, Grauly, Hagino, Kanno, Levin, Matsunaga, McCartney, Nakasato, Reed, Tanaka.

Referred to: Committee on Tourism and Recreation

No. 104 "SENATE RESOLUTION REQUESTING THE IDENTIFICATION OF IMPORTANT ACCESS ROUTES OVER STATE AND PRIVATE LANDS ON THE BIG ISLAND, TO FOREST AND MARINE RESOURCES."

Offered by: Senators Solomon, Chang, George, Grauly, Hagino, Kanno, Levin, McCartney, Nakasato, Tanaka.

Referred to: Committee on Planning, Land and Water Use Management

No. 105 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ESTABLISH AMBIENT AIR QUALITY STANDARDS AND TO STUDY THE FEASIBILITY OF ESTABLISHING A PROGRAM TO MONITOR AND CONTROL VEHICULAR EMISSIONS TO COMPLY WITH AIR QUALITY STANDARDS."

Offered by: Senator Matsunaga.

Referred to: Committee on Government Operations, Environmental Protection and Hawaiian Programs

No. 106 "SENATE RESOLUTION URGING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO EXPEDITE THE IMPLEMENTATION OF THE PERMIT PROCESS FACILITATION ACT."

Offered by: Senator Matsunaga.

Referred to: Jointly to the Committee on Science, Technology and Economic Development and the Committee on Government Operations, Environmental Protection and Hawaiian Programs

No. 107 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO STUDY THE FEASIBILITY OF PROVIDING INCENTIVES FOR THE USE OF ALTERNATIVE TRANSPORTATION FUELS."

Offered by: Senator Matsunaga.

Referred to: Jointly to the Committee on Science, Technology and Economic Development and the Committee on Transportation

No. 108 "SENATE RESOLUTION URGING THE DEPARTMENT OF TAXATION AND THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO EVALUATE THE COSTS AND BENEFITS OF PROVIDING IMPROVED TAX CREDIT BENEFITS TO RESIDENTIAL WIND AND PHOTOVOLTAIC SYSTEMS."

Offered by: Senator Matsunaga.

Referred to: Jointly to the Committee on Science, Technology and Economic Development and the Committee on Ways and Means

No. 109 "SENATE RESOLUTION REQUESTING THE BOARD OF EDUCATION AND THE DEPARTMENT OF EDUCATION TO ESTABLISH TECHNOLOGY AND TELECOMMUNICATION DEMONSTRATION MODELS FOR PUBLIC SCHOOLS."

Offered by: Senator McCartney.

Referred to: Committee on Education

#### LEADERSHIP COMMITTEE REPORTS

Senator A. Kobayashi, for the Committee on Executive Appointments, presented a report (Ldr. Com. Rep. No. 2537) recommending that the Senate advise and consent to the nomination of PATRICK J. BOLAND for State Administrator of the State Health Planning and Development Agency, in accordance with Gov. Msg. No. 155

In accordance with Senate Rule 36(1), action on Ldr. Com. Rep. No. 2537 and Gov. Msg. No. 155 was deferred until Friday, March 18, 1994.

Senator A. Kobayashi, for the Committee on Executive Appointments, presented a report (Ldr. Com. Rep. No. 2538) recommending that the Senate consent to the nomination of SIMEON R. ACOBA, JR., for Associate Judge, Intermediate Appellate Court, for a term of ten years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, and in accordance with Gov. Msg. No. 171.

In accordance with Senate Rule 36(1), action on Ldr. Com. Rep. No. 2538 and Gov. Msg. No. 171 was deferred until Friday, March 18, 1994.

Senator A. Kobayashi, for the Committee on Executive Appointments, presented a report (Ldr. Com. Rep. No. 2539) recommending that the Senate consent to the nomination of RICHARD K. PERKINS for 8th Judge, Circuit Court of the First Circuit, for a term of ten years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, and in accordance with Gov. Msg. No. 172.

In accordance with Senate Rule 36(1), action on Ldr. Com. Rep. No. 2539 and Gov. Msg. No. 172 was deferred until Friday, March 18, 1994.

Senator A. Kobayashi, for the Committee on Executive Appointments, presented a report (Ldr. Com. Rep. No. 2540) recommending that the Senate consent to the nomination of DEXTER DEAN DEL ROSARIO for 13th Judge, Circuit Court of the First Circuit, for a term of ten years, in accordance with the provisions of Article VI,

Section 3, of the Hawaii State Constitution, and in accordance with Gov. Msg. No. 176.

In accordance with Senate Rule 36(1), action on Ldr. Com. Rep. No. 2540 and Gov. Msg. No. 176 was deferred until Friday, March 18, 1994.

### ORDER OF THE DAY

#### ADVISE AND CONSENT

Ldr. Com. Rep. No. 2533 (Gov. Msg. No. 154):

Senator A. Kobayashi moved that Ldr. Com. Rep. No. 2533 be received and placed on file, seconded by Senator McCartney and carried.

Senator A. Kobayashi then moved that the Senate advise and consent to the nomination of EUGENE S. IMAI for Director of Finance, term to expire December 5, 1994, seconded by Senator McCartney.

Senator A. Kobayashi rose in support of the nominee, as follows:

"Mr. President, during these tough economic times, I don't know whether we're doing Eugene Imai a favor by confirming him as budget director of the State of Hawaii -- he has such a huge task to do. He has to handle the restrictions that may come, but I have complete faith in him. I know we all do, and we trust that he will do a fine job because he has done so in the past.

"From the huge amount of positive testimony, I'd like to quote from one of them. This person says:

'In addition to being bright, articulate, hard-working and extremely knowledgeable, his professional integrity is above reproach. Eugene Imai is also a seasoned professional who works well with others. He's one of those rare individuals who not only does everything well, but can and does inspire others to do likewise.'

"And so, Mr. President, I urge confirmation of Eugene Imai as budget director of the State of Hawaii. Thank you."

Senator McCartney also rose in favor of the nominee and said:

"Mr. President, I rise to speak in favor of the nomination.

"I had the pleasure of meeting Mr. Imai when I was working in the Senate back in 1983 and '84 when he was the administrative assistant for Jack Suwa at the Department of Agriculture. Since then, and all the way through working with him at the Department of Education and now at Budget and Finance, he has always been, in my mind, what truly exemplifies what public service is all about. He is dedicated, compassionate, fair and he has a high sense of integrity. I know he is going to do an excellent job in his new position as director of Budget and Finance.

"I urge all the members to support his confirmation. Thank you."

Senator Ikeda, rising in support of the nominee, then said:

"Mr. President, I rise to speak in favor of this nomination.

"I've had the pleasure of working with Mr. Imai, not just as the current director of Budget and Finance but also when he was with the Department of Education, and I must say that I appreciate his straight forwardness and his honesty. I think that he is an excellent nominee and I want to offer my congratulations to him for being the new director of Budget and Finance.

"I look forward to a continued working relationship with him. Thank you."

Senator Matsuura also rising in support of the nominee, then stated:

"Mr. President, I also rise to speak in favor of the nominee.

"A lot of people don't know that Eugene Imai is a general. I didn't know that until he came in with a star. He's not only a good administrator as a finance person, but he is a good general. There are very few persons who make it to a star. 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 (Chang, Nakasato).

At this time, Senator A. Kobayashi introduced and congratulated Mr. Imai, seated in the gallery, together with his wife and members of his staff. (Mr. and Mrs. Imai and his staff all rose to be recognized.)

At 11:44 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:50 o'clock a.m.

Ldr. Com. Rep. No. 2534 (Gov. Msg. No. 164):

By unanimous consent, action on Ldr. Com. Rep. No. 2534 and Gov. Msg. No. 164 was deferred until Tuesday, March 22, 1994.

Ldr. Com. Rep. No. 2535 (Gov. Msg. No. 166):

Senator A. Kobayashi moved that Ldr. Com. Rep. No. 2535 be received and placed on file, seconded by Senator McCartney and carried.

Senator A. Kobayashi then moved that the Senate advise and consent to the nominations to the State Council on Mental Health of the following:

MARTHA BURT and LEONARD P. PARESA JR., terms to expire June 30, 1995;

GARY L. BLAICH, TONA DONIGAN, DUANE IKEDA and ERIC B. ROLSETH, terms to expire June 30, 1996; and

GABRIELLE B. BATZER and JOHN L. NOLAND, terms to expire June 30, 1997,

seconded by Senator McCartney.

Senator A. Kobayashi rose in favor of the nominees, as follows:

"Mr. President, I'd like to thank the individuals whose names are listed on this and the following Governor's message for giving their time and effort and volunteering their services to the state. 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 (Chang, Nakasato).

Ldr. Com. Rep. No. 2536 (Gov. Msg. No. 167):

Senator A. Kobayashi moved that Ldr. Com. Rep. No. 2536 be received and placed on file, seconded by Senator McCartney and carried.

Senator A. Kobayashi then moved that the Senate advise and consent to the nomination of MILTON H. KAKAIO to the Motor Vehicle Industry Licensing Board, term to expire June 30, 1996, seconded by Senator McCartney.

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

Ayes, 23. Noes, none. Excused, 2 (Chang, Nakasato).

#### MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 252, letter dated March 17, 1994, as provided in Section 9, Article VII, of the Constitution of the State of Hawaii, requesting immediate passage of H.B. 3322, which makes supplementary appropriations and authorization for the expenditure of additional funds in fiscal year 1994 for the payment programs, was read by the Clerk and was placed on file.

#### THIRD READING

H.B. No. 3322, H.D. 2:

Senator Levin moved that H.B. No. 3322, H.D. 2, having been read throughout, pass Third Reading, seconded by Senator Ikeda.

Senator Ikeda rose in favor of the measure, as follow:

"Mr. President, I rise to speak in favor of this bill, but with some serious reservations.

"Because of the need and the fact that if we don't pass this bill, recipients won't get their payments, we really have no choice in this matter. We need to pass this measure.

"However, Mr. President, as you are aware, an audit done by our legislative auditor is extremely critical of the way the department has handled these payments. There is also a question of whether or not mismanagement has occurred, and whether or not 20 to 30 million dollars have actually been misspent or whether the monies are still in the department's various accounts, as the department claims. There is a real need to clear up all of these questions raised by the auditor in order to ensure that these kinds of discrepancies and errors do not occur in the future. There is also a need for the department to focus on ways to cut down on over-payments, since we generally are not able to recoup over-payments.

"Despite the fact that we have all of these problems that need to be looked at and resolved, we have no choice, as I said earlier, but to approve this \$10 million appropriation so that the recipients of these welfare payments can continue to subsist.

"I would like to say, however, Mr. President, that unless measures are taken to resolve some of these outstanding problems which have been brought to our

attention, I will be very reluctant to vote in favor of additional emergency appropriations in the future.

"Thank you."

Senator Solomon then rose in favor of the measure and stated:

"Mr. President, speaking in support of this bill, I would like to support the previous speaker.

"I think that her remarks are well taken. This is a crisis situation and this is a situation that cannot be taken lightly. There's been too many times in the past where the executive has used emergency appropriations as a way of getting the dollars to those that need the dollars, however, we have a fiduciary duty, here in the Legislature, to be sure that these monies are accounted for. Unfortunately, we have this situation that exists in the Departments of Health and Human Services where we sometimes can't make heads or tails as to their budget situation.

"So again, Mr. President, I'd like to urge all of my colleagues that it's time we heed the cautious words of the chairwoman of the Ways and Means Committee in urging our Senate committees to continue to work conscientiously with the respective departments to get the answers that we deserve. Thank you."

The motion was put by the Chair and carried and H.B. No. 3322, H.D. 2, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR THE PAYMENT PROGRAMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Chang, Nakasato).

#### RE-REFERRAL OF HOUSE BILLS

The President re-referred the following House bills that were received:

House Bill Referred to:

No. 2553, H.D. 2 Committee on Judiciary, then to the Committee on Ways and Means

No. 2925, H.D. 1 Committee on Labor and Employment, then to the Committee on Ways and Means

#### ADJOURNMENT

At 11:59 o'clock a.m., on motion by Senator Solomon, seconded by Senator Reed and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, March 18, 1994.