

FORTY-THIRD DAY

Monday, March 24, 1986

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1986, convened at 11:09 o'clock a.m., with the Vice President in the Chair.

The Divine Blessing was invoked by the Reverend Yubin Narashiba of the Jodo Mission of Hawaii, after which the Roll was called showing all Senators present with the exception of Senators Solomon, Toguchi and Wong who were excused.

The Chair announced that he had read and approved the Journal of the Forty-Second Day.

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

Senator Soares introduced Dr. Richard Roy Kelley, recipient of the 1985 Marketer of the Year Award of the American Marketing Association, and read portions of the congratulatory Senate Certificate honoring him. Dr. Kelley was accompanied by his wife Linda, son Christopher, and sister Jean Rolles.

The honoree and his family rose to be recognized and were presented with leis by various Senators. Senator Soares presented Dr. Kelley the congratulatory certificate.

Senator Chang introduced a group of 54 high school participants of the 37th YMCA Youth Legislature from the Islands of Hawaii, Kauai, Maui and Oahu, representing 17 public and private schools. The following youth leaders were then recognized: Youth Governor Gavin Doi of McKinley High School; Senate President Helen Baron of Moanalua High School; Senate Attorney Desiree Ranne of Roosevelt High School; Senate Clerk Andrew Aoki of Iolani High School; Senate Sergeant-at-Arms Doug Bugado of St. Joseph's High School; Senate Chaplain Laura Fan of Iolani High School; House Speaker Staci Uesugi of Leilehua High School; House Attorney Russ Awakuni of Roosevelt High School; House Clerk Dan Patterson of Moanalua High school; House Sergeant-at-Arms Lee Hokama of Waiakea High School; and House Chaplain Craig Nishio of Kaimuki High School. The group was accompanied by 11 professional and volunteer staff advisors led by Robert Stivers.

Senator Holt then introduced a group of 20 students from a history class of Honolulu Community College, accompanied by Professor Deborah Forbis.

Senator A. Kobayashi introduced a delegation of members of the California-Nevada-Hawaii District of

Kiwanis International, accompanied by District Governor Howard M. Dull, District Lieutenant Governor "Obie" Olson, and International Trustee Noris Lusche.

At 11:18 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:24 o'clock a.m.

Senator Holt, at this time, introduced Dr. Albert Simone, incoming President of the University of Hawaii, and read portions of the Senate Certificate honoring Dr. Simone on the eve of his inauguration as the 10th president of the University of Hawaii. Senator Holt also introduced Dr. Simone's family — his wife, Carol; daughters, Laura, Deborah and Mary; and parents, Mary and Edward Simone.

The honoree and members of his family rose to be recognized and were presented with leis by Senators Young, Yamasaki, A. Kobayashi, Matsuura, Mizuguchi and Machida. Senator Holt presented Dr. Simone the congratulatory certificate.

Members of Dr. Simone's administration, who were sitting in the gallery, were also introduced and rose to be recognized.

At this time, Senator Abercrombie added his remarks on Dr. Simone as follows:

"Mr. Vice President, before you call a recess I would like the privilege of getting my personal commendation to Dr. Simone, if I might.

"Mr. Vice President and members, as you know, at one time I contemplated the opportunity for being president of the university and I always believe in strong competition, except in my own primaries, and the fact of the matter was that the search was made for a president of the university. And through all the travails and tribulations and the arguments that went on, it was quite apparent that Dr. Simone stood for his principles, made clear what his programs would be, indicated that no matter what the decision was his loyalty and his fidelity was going to be with the University of Hawaii and to its community. And I think it's to his great credit that he withstood all the storms of controversy that swirled around the selection of the president and that since that time, since his selection which will be of course formalized tomorrow, he has proved to the community, beyond the shadow of a doubt, that his selection was an excellent one.

"I think there is a new infusion of

enthusiasm, a new atmosphere of cooperation and intention to succeed at the university that's not been there for some time. I, for one, who as an alumnus of the university, twice over, had the opportunity to observe the university over the past 26 years as a student, as a teacher, and as a member and vice chairman and chairman of the Higher Education Committee, look forward with enthusiasm to his tenure as president of the university.

"I pledge my full and complete cooperation with him, wish him well, and can only say to his mom and dad and his family, how, if you are proud to be here with your son today, believe me, we are all proud to have him as president of the University of Hawaii.

"As I indicated to you, Al, just before, just follow the short guy in green in the procession tomorrow and he'll get you right up there to be inaugurated. Thank you."

At 11:30 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:33 o'clock a.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 270 and 271) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 270, submitting for consideration and confirmation to the Board of Certification for Practicing Psychologists, the nomination of Jean Adair-Leland, Ph.D., term to expire June 30, 1990, was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 271, submitting for consideration and confirmation to the Board of Public Broadcasting, the nominations of:

Thomas K. Sing, term to expire June 30 1989; and

Neil Jacob Kamo'okele Hannahs and Elroy J. Chun, terms to expire June 30, 1990;

was referred to the Committee on Education.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 368 to 370) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 368, transmitting House Concurrent Resolution No. 59, H.D. 1, which was adopted by the House of Representatives on March 21, 1986, was placed on file.

By unanimous consent, action on H.C.R. No. 59, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONGRESS OF THE UNITED STATES OF AMERICA TO ENACT LEGISLATION REQUIRING THE FEDERAL AVIATION ADMINISTRATION (FAA) TO REGULATE HELICOPTER FLIGHT PATTERNS AND TO CLARIFY EXISTING FEDERAL LAWS RELATING TO NOISE," was referred to the Committee on Transportation.

Hse. Com. No. 369, returning Senate Bill No. 1595-86, which passed Third Reading in the House of Representatives on March 21, 1986, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1595-86, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL RESOURCE SUBZONES," was placed on the calendar for further consideration on Tuesday, March 25, 1986.

Hse. Com. No. 370, returning Senate Bill No. 1678-86, which passed Third Reading in the House of Representatives on March 21, 1986, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1678-86, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NOTIFICATION OF OWNERS OF PROPERTIES INCLUDED WITHIN AND ADJOINING AREAS BEING DESIGNATED GEOTHERMAL RESOURCE SUBZONES," was placed on the calendar for further consideration on Tuesday, March 25, 1986.

STANDING COMMITTEE REPORTS

Senator Toguchi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 624-86) recommending that House Bill No. 2166-86, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toguchi, seconded by Senator Solomon and carried, the report of the Committee was adopted and H.B. No. 2166-86, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BLIND OR VISUALLY HANDICAPPED CONCESSIONAIRES," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 27, 1986.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 625-86) recommending that House Bill No. 1830-86 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report

of the Committee was adopted and H.B. No. 1830-86, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED VEHICLES," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 27, 1986.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 626-86) recommending that House Bill No. 2626-86, H.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and H.B. No. 2626-86, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VEHICLE WEIGHT," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 27, 1986.

ORDER OF THE DAY

THIRD READING

MATTER DEFERRED FROM FRIDAY, MARCH 21, 1986

House Bill No. 2004-86, S.D. 1:

By unanimous consent, action on H.B. No. 2004-86, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGENT ORANGE," was deferred until Tuesday, March 25, 1986.

THIRD READING

House Bill No. 2028-86:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, H.B. No. 2028-86, entitled: "A BILL FOR AN ACT RELATING TO BONDING OF SOLAR ENERGY DEALERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Chang, Solomon, Toguchi and Wong).

House Bill No. 1975-86:

On motion by Senator Hagino, seconded by Senator Fernandes Salling and carried, H.B. No. 1975-86, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATION OF OATH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Chang, Solomon, Toguchi and Wong).

House Bill No. 1973-86, H.D. 1:

On motion by Senator Hagino, seconded by Senator Fernandes Salling and carried, H.B. No. 1973-86, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FORM OF SUMMONS AND CITATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Chang, Solomon, Toguchi and Wong).

At this time, Senator Hagino, on behalf of the members of the Senate, extended Happy Birthday wishes to Senator Kuroda who was then given a lei by Senator Fernandes Salling.

Senator Yamasaki, chairman of the Committee on Ways and Means, requested a waiver of the 48-hour Notice of a Public Hearing on H.B. No. 2284-86, H.D. 2, and the Chair granted the waiver.

ADJOURNMENT

At 11:37 o'clock a.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, March 25, 1986.