

NINETEENTH DAY

Friday, February 15, 1991

The Senate of the Sixteenth Legislature of the State of Hawaii, Regular Session of 1991, convened at 11:35 o'clock a.m. with the Vice President in the Chair.

The Divine Blessing was invoked by Sister Kathleen Marie Shields, St. Stephen's Diocesan Center, after which the Roll was called showing all Senators present with the exception of Senators Cobb and McMurdo who were excused.

The Chair announced that he had read and approved the Journal of the Eighteenth Day.

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

Senator George introduced Ms. Carmelle Cerivellione, seated in the Senate gallery, as follows:

"Mr. President, I have the pleasure this morning of introducing my shadow. Her name is Carmelle Cerivellione. She is a participant of Class 4 of the Agricultural Leadership Foundation of Hawaii. The foundation was established to develop and support effective leaders in the agricultural industry, a very important agricultural industry. The goal of the foundation is to provide experiences to promote positive problem solving, build confidence, gain access to beneficial resources, and broaden participants' prospective of statewide agriculture."

Senator A. Kobayashi then welcomed and introduced Congressmen Eni F.H. Faleomavaega and Donald Payne of the Congress of the Territory of American Samoa who were seated on the floor of the Senate. Senator Kobayashi said Congressman Faleomavaega was born and raised in Hawaii and graduated from Kahuku High School.

The gentlemen rose to be recognized and were greeted by the members of the Senate.

At this time, the Chair introduced a group of 13 students from the Hawaii Competency Base High School Diploma Program of Waianae High School and their teachers, Mrs. Neddle Waiamau-Nunuha, Mr. William Keola and Mr. Ignacio, who were seated in the gallery.

Senator Chang then introduced Mr. Alan H. Gottlieb, seated in the gallery, as follows:

"Mr. President, my intern from the Agricultural Leadership Foundation of Hawaii is Alan Gottlieb. Alan is a graduate of the University of Hawaii, Manoa, with a bachelor's in business administration and accounting. He is the vice president and general manager of Kahua Meat Company and is responsible for overseeing the procurement and deeding of cattle and the overall planning, organizing and controlling of their beef fabrication plant and multi-species slaughterhouse. He is an active member in cattle and meat industry associations in Hawaii and on the Mainland."

Senator McCartney, on behalf of Senator Koki and himself, introduced Mr. Fred Shiroma, also seated in the gallery, their intern from the Agricultural Leadership Foundation of Hawaii. Mr. Shiroma is a banana farmer from Luluku in Kaneohe.

Senator McCartney then introduced representatives of the Junior Achievement Program, seated on the floor of the Senate, as follows:

"Mr. President, I am pleased and honored today to recognize the Junior Achievement Program. As you know, this month has been proclaimed by Governor Waihee as Junior Achievement Month in Hawaii and today we have representatives from the program to be recognized by the Senate.

"Junior Achievement was set up to provide young people with practical economic education programs and experiences in the private enterprise system through a partnership with business and education communities. Junior Achievement is the oldest and largest and fastest growing business and economic nonprofit educational organization in the world.

"Junior Achievement of Hawaii was organized locally in 1957 and originated as a juvenile delinquency venture program. Since then, Junior Achievement of Hawaii has expanded into four programs and places over 200 volunteers in businesses and classrooms on five islands with an outreach of more than 600 students statewide this academic year.

"On behalf of the state Senate we'd like to congratulate and recognize Junior Achievement of Hawaii for its outstanding achievements in economic education and commend them for their commitment to community service.

"Mr. President, today we have from Junior Achievement of Hawaii: Mr. Dennis Reeves, chairman of the board; Mr. Blair Craig, president; Education Services Officer Dina Lewandowski; Ms. Marilyn Tomita from Kaimuki High School, an applied economics teacher; Mr. John Panoke, student from Kaimuki High School; Mr. Michael DeSalles, programs consultant; Superintendent of Education Charles Toguchi; Ms. Jan Ohtani, Hawaii director; and Ms. Sharon Paik, Hawaii marketing manager."

The representatives from Junior Achievement of Hawaii rose to be recognized and were presented the congratulatory Senate certificate and leis by various Senators.

At 11:46 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.

MESSAGE FROM THE GOVERNOR

The following message from the Governor (Gov. Msg. No. 155) was read by the Clerk and was placed on file:

Gov. Msg. No. 155, dated January 11, 1991, transmitting the "Status Report on the Long Term Care Service Development Fund," prepared by the Executive Office on Aging pursuant to Act 380, SLH 1989.

DEPARTMENTAL COMMUNICATION

The following communication (Dept. Com. No. 25) was read by the Clerk and was placed on file:

Dept. Com. No. 25, from the Administrative Director of the Courts, Judiciary, transmitting the report "Strengthening the Use of Alternative Dispute Resolution in Hawaii's Courts," in response to H.R. No. 176 (1990).

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 13 to 15) were read by the Clerk and were referred to committees:

Senate
Concurrent
Resolution

No. 13 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY TO EVALUATE THE NEED FOR THE STATE PLANNING COUNCIL ON DEVELOPMENTAL DISABILITIES AND ITS ACCOMPLISHMENTS AND ACTIVITIES."

Offered by: Senator Wong, R.

Referred to: Committee on Health and Human Services

No. 14 "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO RESTORE AUTHORITY OVER CABLE TELEVISION RATE REGULATION TO STATE AND LOCAL GOVERNMENTS."

Offered by: Senators Cobb, Hagino, Kobayashi, B., Solomon, Tungpalan.

Referred to: Committee on Science, Technology and Economic Development

No. 15 "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO DEVELOP SPECIFIC QUALIFICATIONS AND A TRAINING PROGRAM FOR SCHOOL SECURITY ATTENDANTS."

Offered by: Senators Cobb, Hagino, Kobayashi, B., Solomon, Tungpalan.

Referred to: Committee on Education

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 16 and 17) were read by the Clerk and were referred to committees:

Senate
Resolution

No. 16 "SENATE RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO RESTORE AUTHORITY OVER CABLE TELEVISION RATE REGULATION TO STATE AND LOCAL GOVERNMENTS."

Offered by: Senators Cobb, Hagino, Kobayashi, B., Solomon, Tungpalan.

Referred to: Committee on Science, Technology and Economic Development

No. 17 "SENATE RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO DEVELOP SPECIFIC QUALIFICATIONS AND A TRAINING PROGRAM FOR SCHOOL SECURITY ATTENDANTS."

Offered by: Senators Cobb, Hagino, Kobayashi, B., Solomon, Tungpalan.

Referred to: Committee on Education

STANDING COMMITTEE REPORTS

Senator Mizuguchi, for the Committee on Employment and Public Institutions, presented a report (Stand. Com. Rep. No. 19) recommending that S.B. No. 1235, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Solomon, seconded by Senator Reed and carried, the report of the Committee was adopted and S.B. No. 1235, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Employment and Public Institutions, presented a report (Stand. Com. Rep. No. 20) recommending that S.B. No. 1236, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Solomon, seconded by Senator Reed and carried, the report of the Committee was adopted and S.B. No. 1236, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Employment and Public Institutions, presented a report (Stand. Com. Rep. No. 21) recommending that S.B. No. 1237, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Solomon, seconded by Senator Reed and carried, the report of the Committee was adopted and S.B. No. 1237, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Employment and Public Institutions, presented a report (Stand. Com. Rep. No. 22) recommending that S.B. No. 1320 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Solomon, seconded by Senator Reed and carried, the report of the Committee was adopted and S.B. No. 1320, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION INSURANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Employment and Public Institutions, presented a report (Stand. Com. Rep. No. 23) recommending that S.B. No. 1322, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Solomon, seconded by Senator Reed and carried, the report of the Committee was adopted and S.B. No. 1322, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONNEL OF THE HAWAII CIVIL RIGHTS COMMISSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Blair, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 24) recommending that S.B. No. 713 pass Second Reading, and be placed on the calendar for Third Reading.

On motion by Senator Solomon, seconded by Senator Reed and carried, the report of the Committee was adopted and S.B. No. 713, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING, REENACTING, OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES FOR THE PURPOSE OF CORRECTING ERRORS, CLARIFYING LANGUAGE, CORRECTING REFERENCES, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, February 19, 1991.

Senator Blair, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 25) recommending that S.B. No. 1167, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Solomon, seconded by Senator Reed and carried, the report of the Committee was adopted and S.B. No. 1167, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A JUVENILE JUSTICE INFORMATION SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

THIRD READING

S.B. No. 308:

On motion by Senator Solomon, seconded by Senator Reed and carried, S.B. No. 308, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, none. Excused, 7 (Blair, Chang, Cobb, George, Levin, McMurdo, Wong, R.).

RE-REFERRAL OF SENATE BILLS

The Chair re-referred the following Senate bills that were introduced:

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| Senate Bill | Referred to: |
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| No. 1001 | Committee on Science, Technology and Economic Development, then to the Committee on Ways and Means |
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| No. 1006 | Committee on Science, Technology and Economic Development, then to the Committee on Ways and Means |
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| No. 1524 | Committee on Science, Technology and Economic Development, then to the Committee on Agriculture and Environmental Protection |
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ADJOURNMENT

At 11:55 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., Tuesday, February 19, 1991.