

THE
FIFTEENTH LEGISLATURE
STATE OF HAWAII
REGULAR SESSION OF 1989
JOURNAL OF THE SENATE

FIRST DAY

Wednesday, January 18, 1989

In accordance with the provisions of Section 10 of Article III of the Constitution of the State of Hawaii, the Senate of the Fifteenth Legislature of the State of Hawaii, Regular Session of 1989, was called to order at 10:00 o'clock a.m., by the Honorable Richard S.H. Wong, Temporary Chairman of the Senate.

At this time, the members of the Senate, guests and audience rose to sing the National Anthem and "Hawaii Pono" led by Al Harrington, Clayton and Alan Naluai, and Cathy Foy.

The Divine Blessing was then invoked by the Reverend Kim On Chong, retired chaplain, Mid-Pacific Institute, Honolulu, who was escorted to the dais by Senators Aki, Chang and Holt.

Nominations now being in order for a temporary clerk, Senator Yamasaki nominated T. David Woo Jr., seconded by Senator McMurdo.

Senator Solomon moved that the nominations be closed, seconded by Senator Nakasato and carried, and the Chair declared T. David Woo Jr. as Temporary Clerk of the Senate.

Senator Hagino then moved that a Committee of three be appointed by the Chair as a Committee on Credentials to examine the certificates of election of the newly elected members of the Senate and to submit a report of its findings to the Senate, seconded by Senator George and carried.

The Temporary Chairman thereupon appointed Senators Hagino, Aki and George to serve on such committee.

At 10:10 o'clock a.m., the Chair declared a recess, subject to the call of the Chair. At this time, the members of the Senate and their guests were entertained by Al Harrington with Clay and Alan Naluai.

The Senate reconvened at 10:25 o'clock a.m.

SPECIAL COMMITTEE REPORT

Senator Hagino, for the Committee on Credentials, presented a report (Spec. Com. Rep. No. 1) which was read by the Temporary Clerk as follows:

"The Honorable Richard S.H. Wong
Temporary Chairman of the Senate
The Fifteenth State Legislature
State Capitol
Honolulu, Hawaii 96813

Dear Chairman Wong:

Your Committee on Credentials begs leave to report that it has examined the Certificates of Election of the

Senate of the Fifteenth Legislature of the State of Hawaii, Regular Session of 1989, and finds that the following persons have been legally elected and are fully qualified to sit as members of the Senate.

The newly elected Senators whose respective terms of office will expire November 6, 1990 are:

Eighth Senatorial District

Mike McCartney

Twenty-Second Senatorial District

Eloise Y. Tungpalan

The newly elected Senators whose respective terms of office will expire November 3, 1992 are:

First Senatorial District

Andrew Levin

Second Senatorial District

Richard Matsuura

Fourth Senatorial District

Mamoru Yamasaki

Ninth Senatorial District

Stanley T. Koki

Tenth Senatorial District

Mary George

Eleventh Senatorial District

Donna Ikeda

Twelfth Senatorial District

Steve Cobb

Fourteenth Senatorial District

Ann H. Kobayashi

Fifteenth Senatorial District

Mary-Jane McMurdo

Eighteenth Senatorial District

Milton A.I. Holt

Twentieth Senatorial District

Richard S.H. Wong

Twenty-First Senatorial District

Norman K. Mizuguchi

Twenty-Third Senatorial District

Mike Crozier

Respectfully submitted,

Gerald T. Hagino

James Aki

Mary George"

Senator Hagino moved that Special Committee Report No. 1 be adopted, seconded by Senator George and carried.

The Committee was thereupon discharged with thanks.

The Chair, at this time, appointed Senators Crozier, Levin, McCartney and Koki to escort Associate Justice Edward H. Nakamura of the Hawaii State Supreme Court to the dais to administer the oath of office to the newly elected members of the Senate.

The Senators escorted Justice Nakamura to the dais and were thereupon discharged with thanks.

Justice Nakamura then administered the oath of office to the newly elected members of the Senate who were standing at their respective desks.

At this time, the Roll was called showing all Senators present.

Nomination of officers of the Senate being next in order, Senator Cobb placed in nomination the name of Senator Richard S.H. Wong as President of the Senate, seconded by Senator A. Kobayashi.

Senator Ikeda then moved that the nominations be closed, seconded by Senator B. Kobayashi. The motion to close the nominations was put by the Chair and carried unanimously, and the Temporary Clerk was directed to cast a unanimous ballot for Senator Wong as President of the Senate.

The ballot having been so cast, Senator Wong was declared unanimously elected as President of the Senate of the Fifteenth Legislature of the State of Hawaii, Regular Session of 1989.

At this time, the President introduced John Michael Kainoa Fernandes Salling, infant son of Senator Lehua Fernandes Salling.

The President then addressed the members of the Senate and guests as follows:

"Governor Waihee, Lieutenant Governor Cayetano, Justice Nakamura, former Governor Ariyoshi and Mrs. Ariyoshi, distinguished guests, members of the Senate, ladies and gentlemen - Aloha and greetings to all of you.

"My fellow Senators, I would like to acknowledge with gratitude your support and confidence in me by electing me as your President. You do me great honor and I pledge my fullest effort to merit your trust. Mahalo.

"Before proceeding with my remarks, I would like to just pause briefly to recognize our new colleagues in the Senate. Would you please rise as I call your name ... Senator Mike Crozier ... Senator Stan Koki ... Senator Andy Levin ... a young member of the Senate, Senator

Mike McCartney. I know this is a very special day for you, your families and your friends.

"Gentlemen, welcome to the Senate. I look forward to working with you.

"As President of the Senate, I am given this opportunity to make a few comments about the issues and challenges facing Hawaii.

"In recent years, I have given particular attention to the subject of the emerging Pacific region. Great changes are taking place throughout the region -- economic, cultural, political, and social. The key question is what role is Hawaii going to play with respect to all these changes and developments.

"That question, I submit, is what I call Hawaii's Pacific parallax. By that, I refer to the difference between the actual reality that we see with our outer eye and the vision for Hawaii's future in the Pacific community that we see with our inner eye. The challenge of the Pacific parallax is to bring together what we see with our outer and inner eyes -- to, in effect, make our vision into our reality. This will not be easy. We cannot just dream or hope, we have to work to achieve the future we want.

"One important characteristic that I think we have here in Hawaii is that we are the only state in the Nation which is bounded on all sides by far horizons. This, I hope, will challenge us to look outwards, to seek the great opportunities out there on the horizon ... the Pacific horizon ... out there waiting for us.

"I see humanity's hope for peace on the horizon. Hawaii -- with its multi-cultural heritage can take a leading role promoting world peace and developing alternative means for conflict resolution. The Peace Institute is a promising start which needs nurturing from us.

"Let's focus the Pacific parallax and make this vision a reality.

"I see opportunities for Hawaii's human resources throughout the Pacific region. We have people with skills, knowledge, and expertise which can be utilized all over the Pacific. We need to develop and strengthen the opportunities for our people.

"Let's focus the Pacific parallax and make this vision a reality.

"In my mind's eye I see the potential of telecommunications on our horizon. Telecommunications can be seen as a highway for transporting voice, data and video information around the world. Hawaii can utilize its mid-Pacific position and its role as a cross-cultural bridge to take advantage of the opportunities in this rapidly expanding field. We already have the technological infrastructure, we now need to build on it.

"Let's focus the Pacific parallax and make this vision a reality.

"In Hawaii's future, I foresee major potential in ocean resources. Surrounded by water, Hawaii is America's one true ocean state. The wise development of our ocean resources -- fisheries, ocean energy, mineral development, aquaculture -- will put Hawaii in the forefront of exploring the earth's final frontier.

"Let's focus the Pacific parallax and make this vision a reality.

"There are many other visions out there on our Pacific horizon, visions of Hawaii as a major Pacific regional business center, a world-class athletic center, a center for space exploration which will push our horizons out even farther.

"Senators, we must look carefully at our reality with our outer eye. We must deal with facts, we must make hard decisions.

"But, in doing so we must be guided by our inner eye, by our visions of what might be, of where we want to go, of what we want to be.

"Let's focus the Pacific parallax and make these visions of our inner eye the reality that we will behold with our outer eye.

"The task before us is a formidable one. To achieve our goals, to reach our destiny in the Pacific, there is much for us to do. I pray we will be up to the challenge.

"Let's turn our attention away from the horizon and take a look at a few issues a little closer to home.

"The challenge is there for us to improve our educational system. Many proposals for educational reform have been put forth. The Governor is advancing a number of educational initiatives. The recently released Berman Report has stimulated widespread public attention. Clearly, education merits our serious consideration. I call for a strong commitment to improving education in Hawaii, fixing up the physical facilities, enhancing our libraries, acquiring more teaching tools such as laboratory equipment, computers and other items. We need especially to concentrate our total efforts towards strengthening the curriculum. We need to develop a well-educated citizenry -- people with skills, people who are well-rounded in their knowledge of the world around them, people who can think and reason effectively, people who are prepared not only to make a living but to make a life.

"Housing remains a vexing problem in our state. I would like to see positive action in the state's housing efforts. Particularly, I would like to see affordable housing -- in the \$100,000 range -- made available for our moderate income people.

"Also, in an advanced and supposedly enlightened society such as ours, the plight of the homeless is a deeply disturbing one to me. I call on stronger state action to help these people.

"The health and physical well-being of our people is an area of profound interest to me. I am especially concerned about the poor, the young, the elderly. Governor Waihee, I applaud your recent proposals for expanded health care for our people. I look forward to seeing your proposals in greater detail.

"With state revenues coming in at better than anticipated levels, I believe the time is appropriate for a review of our tax system -- with tax reform a definite option. Also, we should seriously consider a substantial tax rebate back to the people.

"As time goes on, the transportation and traffic problems here on Oahu become progressively more burdensome on our people. While we are not yet approaching gridlock, the situation is serious. We must try to address the problems confronting us and consider all possible alternatives, including mass transit.

"There are many other issues and challenges facing us. We will be taking these up during this legislative session.

Time does not permit me to comment on all of them at this time but they will emerge in the days and weeks ahead.

"I must tell you that two recent events have especially inspired me to do my utmost this session. Earlier this month I was privileged to participate in the kick-off ceremony for the Bicentennial of Chinese Immigration to Hawaii. When I think back on how my own forebears struggled to build a future, a future to which I am heir, I am inspired to continue their work for the sake of my own children and grandchildren. I know that all of us -- whatever our cultural and ethnic backgrounds -- can look back on our own respective pasts and be similarly inspired.

"I was also deeply moved the other day while participating in the honoring of Dr. Martin Luther King Jr. I must acknowledge that Dr. King is one of my heroes. His great dream of justice, equality and peace has been my dream. I hope that in some small way -- whether working on voter registration in the South back in the 1960s or working right here in the Legislature -- I am helping to bring Dr. King's dream a little closer to reality.

"Members of the Senate, the challenge awaits you. The people of Hawaii expect your best efforts. Let us begin our work with resolve and dedication. I look forward to a productive 1989 legislative session.

"Mahalo and Aloha."

Senator George, Minority Leader, then responded as follows:

"Mr. President, colleagues, distinguished guests and friends:

"This morning it is again my privilege to remind my colleagues that there IS a loyal opposition, and to articulate what we feel to be the legislative responsibilities of the minority.

"We have put together a yardstick against which legislative actions should be measured. Generally, we think legislative decisions should stand up to the same criterion any prudent person uses in making personal choices; the test of common sense.

"That basic premise shouldn't be too hard to get agreement on. While it's frequently in short supply when lawmakers gather, common sense, like apple pie, Mother Teresa and Sesame Street, is hard to put down.

"So here are the notches on the common sense yardstick against which the minority will measure each collective decision:

"First: Does it address a real problem? The folk wisdom in this first test is, 'If it ain't broke, don't fix it.'

"Next, should we afford it? No, I haven't forgotten the half a billion bucks, or better, that offers itself as such a splendid temptation. But let me remind you of the grasshopper and the ant. We're in the summer of our economic splendor; the wherewithal is bountiful and all prospects are pleasant. As I remember the fable, however, the grasshopper who squandered the summer bounty didn't make it through the winter. We all know why the prudent ant weathered the hard times. Common sense reminds us not to be grasshoppers, spending our substance lavishly on the foolish premise that the economic sun is always going to shine on us.

"If you don't find Aesop persuasive, how about a lesson from ancient history? Remember how Joseph got to be prime minister of Egypt? He foretold the lean years that would follow a period of prosperity, saved a bundle during each of the fat years and when hard times came Egypt got through them nicely.

"There seems to be no doubt that Hawaii is luxuriating in the fat years; basking in our economic summer. Half a billion glittering reasons make this hard to contradict. But common sense suggests that this wealth should be examined with a weather eye on the future.

"Several for instances. There are long-range benefits in using a sizable chunk of the surplus to reduce the heavy annual cost of servicing our state debt. We ought to make appropriate return to our citizens. They were overtaxed to provide this bounty; it seems only fair to let the public decide directly how best to spend it -- or save it. We ought to be very careful that we measure the long-term support commitment of any project proposed for launching through the present surplus.

"What's before us now is a banquet, but we know - we all know - overconsumption isn't good for the body politic. We should keep striving for a lean and effective state government -- one that operates on a low cholesterol, no fat diet. That, Mr. President, is common sense.

"A third criterion on our yardstick: Is the action truly our responsibility? Is the action contemplated one that ought to be taken by the legislative branch of state government, or is it more properly administrative or judicial? Does it belong to our level of government, or could it be taken more appropriately at the federal or local level?

"Even more importantly, is it an action which really ought to be taken by individuals or groups in the private sector?

"So much for our yardstick. You can count on us to use it -- and to hope we'll all measure up.

"The minority's common sense legislative agenda, Mr. President, speaks directly to what's on the public's mind right now. We urge tax reform. Not the shell game of rearranging who gets taxed, but real tax cuts that will produce only the revenue a well-managed state needs to carry out its responsibilities. We particularly urge removal of the general excise tax on food, and on medical services. We think it's indecent to tax people for getting sick.

"We can do without those tax revenues, and we can still afford to give tax credits to citizens who need to pay for elder care, or for affordable, quality child care.

"As always, we will enthusiastically support the counties in their renewed efforts for home rule. We can't expect them to provide adequate services given the state's present meager level of revenue sharing. Both tourists and local folk depend on the counties for police and fire protection, the pleasures of beaches and parks, adequate roads, clean water, disposal of rubbish and sewage.

"We strongly applaud the current resurrection of the Republican proposal to decentralize the management of our school system. Let's not forget how many people locally have given a poor report card to public education in Hawaii. We can do better - lots better - and the cure isn't throwing more money at the schools. We all know about other school districts that spend less per capita on students and yet achieve outstanding ratings.

"I'll conclude, Mr. President, by remembering John Ballantine Gough, who said a lot of wise things, among them this most appropriate opening day observation:

'What is a minority? The chosen heroes of this earth have been in a minority. There is not a social, political or religious privilege that you enjoy today that was not bought for you by the blood and tears and patient suffering of the minority. It is the minority that have stood in the van of every moral conflict, and achieved all that is noble in the history of the world.'

"Mr. President, we're up to this century old challenge.

"Thank you."

At 10:52 o'clock a.m., the President declared a recess, subject to the call of the Chair. At this time, the members of the Senate and their guests were entertained by Al Harrington, Cathy Foy, Frank DeLima, Bla Pahinui Trio, Kumu Hula Frank Hewitt and his dancers, Don Ho and Patti, and John Todd and orchestra.

The Senate reconvened at 11:55 o'clock a.m.

The President announced that nominations were in order for the office of Vice President of the Senate.

Senator Fernandes Salling then placed in nomination the name of Senator James Aki as Vice President of the Senate, seconded by Senator Tungpalan.

Senator Matsuura moved that the nominations be closed, seconded by Senator Mizuguchi. The motion to close the nominations was put by the Chair and carried unanimously and the Temporary Clerk was directed to cast a unanimous ballot for Senator Aki as Vice President of the Senate.

The ballot having been so cast, Senator Aki was declared unanimously elected as Vice President of the Senate of the Fifteenth Legislature of the State of Hawaii, Regular Session of 1989.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 1 and 2) were read by the Temporary Clerk and were disposed of as follows:

S.R. No. 1, providing for the election of T. David Woo Jr. as Clerk, Richard K. Perkins as Assistant Clerk, and Bienvenido C. Villafior as Sergeant-at-Arms, was offered by Senators Hagino and George.

On motion by Senator Hagino, seconded by Senator George and carried, S.R. No. 1 was adopted.

The President, thereupon, administered the oath of office to the elected officers of the Senate.

S.R. No. 2, entitled: "SENATE RESOLUTION RELATING TO THE ADOPTION OF THE RULES OF THE SENATE," was offered by Senators Menor and Levin.

On motion by Senator Menor, seconded by Senator Levin and carried, S.R. No. 2 was adopted.

In closing, the members of the Senate and guests were entertained with a medley of songs by the group of entertainers and all rose and joined hands to sing "Hawaii Aloha."

The President extended appreciation and thanks to the entertainers and to Mr. and Mrs. Larry Mehau who coordinated the program.

ADJOURNMENT

At 12:10 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., Thursday, January 19, 1989.