

THE
ELEVENTH LEGISLATURE
STATE OF HAWAII
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JOURNAL OF THE SENATE

FIRST DAY

Wednesday, January 20, 1982

In accordance with the provisions of Section 10 of Article III of the Constitution of the State of Hawaii, the Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, was called to order at 10:00 o'clock a.m., Wednesday, January 20, 1982, by the Honorable Richard S.H. Wong, President of the Senate.

At this time, the members of the Senate, their guests and the entire audience rose to sing the National Anthem, followed by Hawaii's state song, "Hawaii Ponoï," led by Zulu.

The President then appointed Senators Cayetano, Saiki, and Soares to escort the Reverend David Kaupu to the dais for the invocation.

The Committee of three escorted Reverend Kaupu to the dais and was discharged with thanks.

The Divine Blessing was then invoked by Reverend David Kaupu.

The Roll was then called showing all Senators present.

At 10:15 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:24 o'clock a.m.

At this time, the President addressed the members of the Senate and guests as follows:

"Governor Ariyoshi, Lieutenant Governor King, Chief Justice Richardson, distinguished guests, members of the Senate, ladies and gentlemen.

"The Opening Day of the legislative session is traditionally one of festivities, a time of joy for us, the legislators, and for our families and friends gathered together here. I must confess that today

I feel a special sense of poignancy. Along with all the members of the Senate, I deeply feel the loss of Shadow Hirai's presence on the floor with us. It feels strange not having him here. However, I am sure that Shadow is here with us in spirit, hopefully, making sure we don't stray too far off course. God rest your soul, Shadow.

"Also, on a personal note, my son Kevin who has attended all of the Opening Day ceremonies ever since I was first elected to office is away in the Army at Fort Sam Houston in Texas, probably feeling very homesick for Hawaii.

"The beginning of the session is also a time of hope and high expectations. We stand ready and eager to address the issue and problems that will come before us in the weeks ahead. It is my sincere hope that we will be able to do our work in a productive, creative and intelligent manner.

"As President of the Senate, one of my responsibilities is to outline to you what I see as some of the more important issues confronting the Legislature during the session.

"I will endeavor to do so at this time.

"To begin, there is no legislative power--and responsibility--greater than the one we exercise over the state budget. How wisely we use that power determines in good measure the future direction of the State of Hawaii.

"This year, we are faced with a gamut of difficult budgetary concerns.

"Because of drastic cutbacks in federal funds, many state agencies and programs will have to curtail their activities--cutting back operations, consolidating programs, restricting services, reducing staffs. Many community organizations--especially in the human services area--

will be similarly affected. The process of curtailment for these public and private agencies will be a difficult and even painful one. Coming as I do from a social work background, I am personally greatly distressed by this situation.

"I think one of the most important things the Legislature will have to do this session is to address the problem of the federal cuts. We may have to provide additional state funds for some of those programs. However, I want to make one point clear. While there are many worthwhile programs, it will not be possible for the Legislature to provide funds for all of them to make up for the loss of federal funds. There is not enough money to go around for all.

"I know there has been some suggestions made for the Legislature to exceed the constitutional spending ceiling. I want to make it clear that I do not favor exceeding the ceiling and this is also the position of the Senate. The 1978 Constitutional Convention established the ceiling and it was approved by the voters. I believe we in the Legislature have a mandate to abide by it.

"One area where I feel the Legislature should give priority attention, I believe, are programs for the elderly. For too many of our elderly, growing old in America--growing old in Hawaii--means neglect, sickness, despair, and poverty. Let us pledge to do more for them; let us pledge to do right by them.

"In the foreseeable future, with diminishing fiscal resources and increasing competition for those scarce resources, elderly programs will have a harder and harder time in getting funds. As an alternative, I want the Legislature to consider the feasibility of establishing a state lottery, the proceeds of which will go to elderly programs. This is what has been established in Pennsylvania. We should give this possibility serious thought.

"At the risk of sounding like a broken record, I would like once again to ask for consideration of a hotel room tax. We are all agreed on the need to improve and enhance our tourist destination plan which is the keystone of our economy. Because of the state's tight fiscal constraints, it will be extremely difficult for the moneys to be forthcoming from the general fund. The hotel room tax provides an assured way to finance needed tourist-related improvements.

"I would also like to say a few words about time-sharing. For the past few sessions, we in the Legislature have tried to come up with workable laws to regulate this industry. Yet, problems and abuses persist. Let me say this--I think we should come up with workable legislation once and for all or we better start thinking about banning time-sharing altogether.

"An on-going and vexing problem before us is that of crime. Tightening our criminal laws, developing and enhancing programs against crime is a difficult and complex proposition. However, I know of no issue of greater concern to our people. We must exert ourselves to do whatever we can to help in the fight against crime. It is intolerable to me that our people should be fearful for themselves, their families, their homes, their possessions.

"Recent developments in the sugar and pineapple industries underscore the weakening position of these two industries which have historically been two of the main props of Hawaii's economy. In the long run, I am not optimistic about the future of sugar and pineapple. We have to take strong and decisive action to preserve these industries as much as possible and to pursue economic alternatives for the future. Jobs are at stake, the preservation of our agricultural lands are at stake. I consider the plight of sugar and pineapple to be an area of special concern to us this session.

"I have not attempted to present to you an exhaustive legislative agenda but merely the highlights of some issues which I feel we must face. You, the members of the Senate, will be the ones shaping the ultimate agenda, guided in large measure by our bi-partisan program.

"In doing so, I know that you will join me in our pledge to the people of Hawaii that in the days ahead, we will work hard to protect and advance the interests of our people. I look for the active involvement of all the members of the Senate--Democrat and Republican, coalition member and non-coalition member, everybody. We must all work together among ourselves in the Senate and also together with the state administration, with our colleagues in the House, with the counties, with community groups--in short, with all sectors of our community.

"We have our work cut out for us. Let's get started.

"Thank you."

Senator Yee then spoke as follows:

"Mr. President, I thank you for your remarks. I think they are very fitting and portrays the difficult times that this session will face.

"Mr. President, fellow Senators, and people of Hawaii, I would like to begin the 1982 Session of the State Legislature, our second year of bi-partisan leadership, by noting the broad challenges we must face in the coming days. Our current economic conditions will compel the Legislature to make some difficult decisions. We must adjust to the shifting federal funding policies of Washington, and the re-defining of state-federal responsibilities. I do not anticipate a session without controversy. 1982 is an election year and some do not approve of the Republican-Democrat coalition.

"May I remind this body that a public poll was taken by The Honolulu Advertiser which reported that last year's legislative session received the best favorable rating it ever had for the past several years. It was this coalition, and I am certain that this bi-partisan leadership in the Senate will continue to demonstrate that it places the public good before party politics. This should be the goal for the '80's.

"On a personal note, the Senate finds itself, for the first time in 20 years, convening without the loyal and trusted support of Shadow Hirai. His untimely death fills me with a deep sense of loss, as it does the entire body. Knowing this, Mr. President, the Republican caucus will spare no effort to see that the public's work is done and to support our newly-elected Clerk David Woo. The caucus will conduct its work openly and honestly. Faced with the complex choices ahead, we will continue to assure that we serve the public good and you can depend upon us to examine all the facts before we make a decision.

"Thank you, Mr. President."

At 10:37 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:58 o'clock a.m.

SENATE RESOLUTIONS

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

A resolution (S.R. No. 1), entitled:

"SENATE RESOLUTION HONORING THE MEMORY AND CONTRIBUTION TO THE STATE OF HAWAII OF THE LATE SEICHI 'SHADOW' HIRAI," was offered by Senators Ushijima, Anderson, Kobayashi, George, Kawasaki, Soares, Abercrombie, Henderson, Kuroda, Holt, Yamasaki, Toyofuku, Wong, Cobb, O'Connor, Saiki, Carpenter, Campbell, Uwayne, Machida, Cayetano, Yee, Mizuguchi, Ajifu and Young.

Senator Ushijima moved that S.R. No. 1 be adopted, seconded by Senator Anderson.

Senator Ushijima then spoke as follows:

"Mr. President, in moving for the adoption of the resolution, I would like to state for the Journal and the record that Seichi 'Shadow' Hirai was a dedicated and loyal Clerk of the Senate for almost 20 years; that he served with distinction, devotion, and great ability. He'll be sorely missed by all, especially the Senate."

The motion was put by the Chair and carried by a rising vote.

At this time, Messrs. Clay and Al Naluai of the Surfers, sang a rendition of the song, "He Ain't Heavy," in memory of the late Seichi "Shadow" Hirai.

A resolution (S.R. No. 2), electing Timothy David Woo, Jr., Clerk of the Senate, was offered by Senators Kuroda and Yee.

On motion by Senator Kuroda, seconded by Senator Yee and carried, S.R. No. 2 was adopted.

The President then administered the oath of office to Timothy David Woo, Jr.

At 11:10 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:56 o'clock a.m.

HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 1), transmitting House Concurrent Resolution No. 1, which was adopted by the House of Representatives on January 20, 1982, was read by the Clerk and was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried,

H.C.R. No. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO ADDRESS THE LEGISLATURE ASSEMBLED IN JOINT SESSION," was adopted.

At 11:59 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:15 o'clock p.m.

The President then extended thanks

and appreciation to Al Harrington, Zulu, Clay and Al Naluai of the Surfers, comedian Frank DeLima with Dean Shimabukuro and Dean Lum, pianist Rene Paulo, and their back-up crews for the fine entertainment provided.

ADJOURNMENT

At 12:17 o'clock p.m., on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, January 21, 1982.