

THIRTY-SEVENTH DAY

Friday, March 16, 1984

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1984, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Sister Sandra Galazin, M.M., Catholic Commission for Peace and Justice, after which the Roll was called showing all Senators present with the exception of Senators Kuroda and Machida who were excused.

The Chair announced that he had read and approved the Journal of the Thirty-Sixth Day.

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

Senator Mizuguchi introduced a group of 66 fifth grade students from Waiiau Elementary School, their teachers, Mrs. Shirley Sakaguchi and Mrs. Diane Kikuchi, and mothers, Mrs. Schmidt and Mrs. Sue Kanemoto.

Senator Soares introduced a group of 50 kindergarten and first grade students from Kamiloiki Elementary School, and their teachers, Ms. Dorothy Suzuki, Ms. Amy Tanaka and Ms. Shirley Ferguson.

Senator Henderson introduced three friends, Mr. Jon Jurevic, Mr. Gary Pola and Mr. Rick Pay who were also sitting in the gallery.

Senator Uwaine introduced a group of 56 second grade students from Lunailo School, their teachers, Miss Allison Char and Mrs. Eileen Komeya, accompanied by parents, Mrs. Yonemura and Mrs. Wahinepio.

Senator Chang then introduced the following and stated:

"Mr. President, I am proud and honored to introduce to the Senate some of Hawaii's most gifted and world-renowned athletes.

"Representative David Hagino and I are presenting 34 Olympians to the Legislature today. Seventeen athletes are being presented to the House at this very moment.

"On the floor with us today, I have the pleasure to recognize:

In the sport of Volleyball - Ms. Barbara Perry (1968), Mr. Jon

Stanley (1968), Ms. Vernada Thomas (1964), and Ms. Gail O'Rourke Wong (1964);

In the sport of Weightlifting - Mr. Richard Tom (1948, 1952) and Mr. Richard Tomita (1948, 1952);

In the sport of Diving - Ms. Keala O'Sullivan Watson (1968);

In the sport of Kayaking - Ms. Virginia Moore (1968);

In the sport of Yachting - Mr. Mike Rothwell (1976); and

In the sport of Swimming, for what many consider Hawaii's own sport, we have a remarkable representation of sixteen former Olympians. Among them are Ms. Pokey Watson Richardson (1964, 1968); Mr. Alan Stack (1948, 1952); Mr. Richard Tanabe (1956); Ms. Carin Cone Vanderbush (1956); Mr. Ken Walsh (1968); and Mr. Frank Walton (1948).

"Mr. President, there will be an opportunity later today for all of the Senators to meet all 34 of the Olympic athletes that have been presented to the Legislature."

Senator Kawasaki added his remarks as follows: "Mr. President, I'd just like to express the regret of the Senate that we could not also meet a friend most of knew who is no longer with us, the late Harold Sakata, also known as Tosh Togo and 'Oddjob' from the movie 'Goldfinger.' I wish he could have been here too."

Senator Holt also added his remarks as follows: "Mr. President, I notice that Ken Walsh is in this honored group and, until today, I didn't even know that he was a former Olympian. I thought we were honoring another Ken Walsh.

"I find it hard to believe he was an Olympic swimmer because on a recent trip to Molokai with Harry Kojima and myself, Ken accompanied us and when we were about to leave shore he brushed me aside and headed for the bigger boat. Actually, Ken is a cameraman and a good friend. Congratulations!"

Senator Abercrombie also added his remarks and stated: "Mr. President, just one comment on a gentleman on purism, on the other side at this

moment, Tommy Kono.

"For those who may not know him, I'm sure the Olympians do, not only was Tommy a world champion and Olympic champion in different categories of weightlifting and a coach for Olympic teams, but he was a nominee for the Sullivan Award as the outstanding amateur athlete in the country, I believe a record -- ten times.

"As we know, oftentimes the Sullivan Award may be given to someone who has had particular notice that year and never again. Yet, Tommy was recognized over and over and over again and, in the view of many, was the strongest man ever lived, pound for pound, the kind of title that was given to 'Sugar' Ray Robinson in the ring.

"I think it's a real honor not only to have all these Olympians here but I wanted to make special mention of my old and dear friend, Tommy Kono, for the record."

Senator Chang, at this time, also recognized the friends and members of the the families of the Olympians who were sitting in the gallery.

The Chair then requested as follows:

"Senator Chang, some of the Senators may have other engagements after the session, so, when we take a recess for the presentation of the leis perhaps it would be appropriate that the members be offered the opportunity to congratulate the honorees."

All of the Olympians were asked to rise and be recognized and were presented with the Senate Certificate and leis.

At 11:51 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

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

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 230 and 231) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 230), submitting for consideration and confirmation as Director of Commerce and Consumer Affairs, the nomination of Russel S. Nagata,

term to expire December 1, 1986, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 231), submitting for consideration and confirmation to the Board of Dental Examiners, the nomination of John E. Knight, D.D.S., term to expire December 31, 1987, was referred to the Committee on Consumer Protection and Commerce.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 50), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE PUBLIC AUTHORITY DEVICE FOR THE DEPARTMENT OF HAWAIIAN HOME LANDS," was offered by Senators Young, Holt, Machida, Soares, Fernandes Salling, Mizuguchi, Solomon, Kawasaki, A. Kobayashi, Toguchi, Cobb, B. Kobayashi, Uwaine, Henderson, Kuroda, Yamasaki, Aki, Hagino, Ajifu and Cayetano, and was read by the Clerk.

By unanimous consent, S.C.R. No. 50 was referred to the Committee on Housing and Urban Development.

SENATE RESOLUTION

A resolution (S.R. No. 58), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE PUBLIC AUTHORITY DEVICE FOR THE DEPARTMENT OF HAWAIIAN HOME LANDS," was offered by Senators Young, Holt, Machida, Soares, Fernandes Salling, Mizuguchi, Solomon, Kawasaki, A. Kobayashi, Toguchi, Cobb, B. Kobayashi, Uwaine, Henderson, Kuroda, Yamasaki, Aki, Hagino, Ajifu and Cayetano, and was read by the Clerk.

By unanimous consent, S.R. No. 58 was referred to the Committee on Housing and Urban Development, then to the Committee on Legislative Management.

STANDING COMMITTEE REPORTS

Senator Hagino, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 386-84) recommending that the Senate advise and consent to the nomination of Ronald M. Terry to the Governor's Agricultural Coordinating Committee, in accordance with Governor's Message No. 93.

In accordance with Senate Rule 33,

action on Stand. Com. Rep. No. 386-84 and Gov. Msg. No. 93 was deferred until Monday, March 19, 1984.

Senator Solomon for the Committee on Education, presented a report (Stand. Com. Rep. No. 387-84) recommending that Senate Resolution No. 53 be adopted.

On motion by Senator Solomon, seconded by Senator Toguchi and carried, the report of the Committee was adopted and S.R. No. 53, entitled: "SENATE RESOLUTION SUPPORTING THE FINDINGS AND RECOMMENDATIONS OF THE UNITED STATES SENATE COMMITTEE ON APPROPRIATIONS, SUBCOMMITTEES ON LABOR, HEALTH AND HUMAN SERVICES, EDUCATION, AND RELATED AGENCIES, NATIVE HAWAIIAN EDUCATIONAL ASSESSMENT PROJECT," was adopted.

Senator Solomon for the Committee on Education, presented a report (Stand. Com. Rep. No. 388-84) recommending that Senate Concurrent Resolution No. 44 be adopted.

On motion by Senator Solomon, seconded by Senator Toguchi and carried, the report of the Committee was adopted and S.C.R. No. 44, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE FINDINGS AND RECOMMENDATIONS OF THE UNITED STATES SENATE COMMITTEE ON APPROPRIATIONS, SUBCOMMITTEES ON LABOR, HEALTH AND HUMAN SERVICES, EDUCATION, AND RELATED AGENCIES, NATIVE HAWAIIAN EDUCATIONAL ASSESSMENT PROJECT," was adopted.

ORDER OF THE DAY

MATTER DEFERRED
FROM MARCH 15, 1984

ADVISE AND CONSENT

Standing Committee Report No. 382-84 (Gov. Msg. No. 186):

By unanimous consent, action on Stand. Com. Rep. No. 382-84 recommending that the Senate advise and consent to the nomination of Douglas Beatty to the Board of Taxation Review, Third Taxation District, in accordance with Gov. Msg. No. 186, was deferred until Monday, March 19, 1984.

THIRD READING

House Bill No. 1422, H.D. 1, S.D. 2:

By unanimous consent, action on H.B. No. 1422, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROCESSED MILK," was deferred until Monday, March 19, 1984.

At this time, the Chair made the following observation:

"Members of the Senate, a one-day deferment has been granted by the Chair on H.B. No. 1422.

"As a matter of courtesy the Chair has honored requests for one-day deferments; however, I wish to caution members that such requests will not be permitted to be used as an undue method of delaying floor action.

"I hope that on Monday we will be prepared to vote on H.B. No. 1422. It will not drag on past Monday.

"It has been not a written policy but a policy which the Chair has tried to follow with reference to bills that have been deferred. I am prepared to defer for two days but on the third day we should be ready to vote on the measure, up or down."

Senator Cayetano then rose on a point of inquiry and stated as follows:

"Mr. President, your remarks regarding deferment, the policy you intend to follow regarding deferments of bills, I assume will also apply to advise and consent and such matters?"

The Chair answered in the affirmative and Senator Cayetano continued: "The reason I raise this point is that I notice that Governor's Message 186 has been deferred now for...."

And the Chair interjected: "Two days; today is the second day. Monday we will vote.

"The Chair would just like to ask all chairmen to look at the resolutions on the Functional Plans over the weekend to see if sometime next week we can schedule hearings on them in order to have those plans move on to the Committee on Economic Development, hopefully, by next weekend.

"That is the request from the Chair. I hope we can facilitate

matters."

Senator Abercrombie then stated and inquired as follows:

"Mr. President, I have an inquiry on that, maybe looking for some direction. You don't necessarily have an answer to this but perhaps a meeting or something would be useful on it.

"We've been through this (functional plans) for some number of years now. A great deal of work has gone into it; for example, in the education area, Senator Solomon and myself and Senator Toguchi and some others have discussed it at some length.

"Is the intention of these hearings to go through this all over again when we essentially, I mean this quite sincerely, have gone through this, chapter and verse, amended them, etc., and all the rest of it? I just wonder, what precisely are we supposed to be doing with these plans?"

The Chair answered: "My understanding is, Senator Abercrombie, that the House has transmitted those resolutions. The Education Committee, in specific answer to your question, will be having a hearing on the education functional plan on Tuesday. There has been some changes with respect to the Senate position which should be re-examined. The resolution may have to be amended to accurately reflect the Senate position."

Senator Abercrombie further inquired: "Mr. President, what I'm trying to get is that in terms of the substance of the plan, am I correct in assuming we're not going to go through all that kind of inquiry again but that the principal matter for discussion is guidelines and mandates and that kind of thing?"

The Chair answered: "My understanding, Senator Abercrombie, is that this afternoon there will be a

discussion on House Bill 177. The committee will at that time discuss whether or not these plans should be considered as guidelines or mandates.

"I urge all members of the Economic Development Committee to attend, as I am told by the chairman that there will be decision-making to specifically answer the question that Senator Abercrombie has raised on the floor as to whether the plans will be used as guidelines or mandates."

Senator Abercrombie continued: "Mr. President, Senator Cayetano points out to me something that I may have overlooked in my remarks in terms of inquiry.

"I didn't mean to imply that the plans as developed over the past four years, I guess, or so shouldn't be subject to review. I meant that a lot of this work has been done and for those members who have not been here for that, if given the opportunity to read through it, I think they would see that there is a pretty thorough job that's been done and that, hopefully, revisions will be relatively minor and not take any great length of time to accomplish.

"I think the principal argument has been as to the approach on the work that's already been done. That is the correct point of view, is it not?"

The Chair responded: "That is your point of view."

RE-REFERRAL OF HOUSE BILL

The President re-referred House Bill No. 177 which was received in the Regular Session of 1983 to the Committee on Economic Development.

ADJOURNMENT

At 12:05 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, March 19, 1984.