

## NINTH DAY

Monday, January 28, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:00 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend George Kendall, Chaplain (Ret.), USAF, Pastor of First Christian Church of Honolulu, after which the Roll was called showing all Senators present with the exception of Senators Cobb, Holt, Machida, McMurdo, Solomon and Toguchi who were excused.

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

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

Senator Chang introduced Mr. David Happe and stated that "Mr. Happe is a sophomore at St. John's University, majoring in business administration with a minor in government. He is no stranger to us; last year he served for a month with the Senate Ways and Means Committee and this year has assisted the Senate by conducting research into various manuals of parliamentary authority and recommending an alternative for the Senate's use."

Senator Kawasaki then introduced Mr. Clement Judd of the Hawaii Hotel Association.

At this time, Senator Abercrombie rose on a point of personal privilege and remarked as follows:

"Mr. President, I have just had the opportunity to participate in another aspect of our form of government, the separation of powers, to wit, the courts of the State of Hawaii, where I witnessed some people, among them the Waikiki Improvement Association exercising its usual brand of intelligence in trying to stop the painting of a mural on the walls of the Ilikai condominium on Ala Moana Boulevard.

"They tried to get a temporary restraining order today involving the painting of that mural with respect, in part, to having an attractive hazard. An attractive hazard apparently is something the Waikiki Improvement Association is against and, under those circumstances, I wonder when they will be able to get the hookers off of Kuhio Avenue.

"Pending that, Mr. President, I invite members of the body to go down to Ala Moana Boulevard to see the mural in action, if you will, because it's being painted right now; and there is a petition down there at the present time which the members are

invited to sign which would indicate that individual members of the Legislature might be in favor of this particular kind of decorative art in our modern context where we have so much blank concrete staring at us.

"Judge Chun this morning, Mr. President, made clear that he thought the Legislature and the City Council was the place to determine the regulations, that is to say, the statute language with respect to what constitutes a sign. And Judge Chun made it clear that his capacity to judge art was somewhat lacking. He again referred to the Legislature, which I know will amuse all of us here.

"Thank you."

The Chair then made the following announcement:

"Members of the Senate, the Chair would like to announce that bill introduction will commence tomorrow.

"You may submit bills and resolutions for introduction to the Assistant Clerk beginning at 8:30 a.m. tomorrow morning. Please submit one signed original and three conformed copies.

"The Chair would like to mention a few reminders at this time. First, in accordance with Rule 41 of our temporary rules, short form bills are supposed to be introduced only by the President and the Minority Leader. For the members' information, the Minority Leader and I will be working together to develop a joint short form bill package.

"Second, Rule 41 also provides that an individual member is not supposed to introduce bills which only appropriate money, except for one bill for capital improvement projects in the member's district. The Minority Leader and I will seek to coordinate our efforts on money bills.

"Third, according to Rule 57, the Senate no longer has congratulatory or memorial resolutions; such sentiments are now expressed by means of certificates.

"Your cooperation in abiding by these rules will be appreciated."

Senator Abercrombie then rose on a point of clarification and stated:

"Mr. President, when you mention bills with respect to appropriation, if I remember correctly, bills were introduced by individual members that were a compendium

of appropriation items. I want to make sure that I understood you correctly. I took it from your remarks that we were not to introduce such bills."

The Chair answered: "That is correct."

Senator Abercrombie continued:

"Mr. President, my difficulty is that if it was possible to introduce a single bill which incorporated various items previously under the Rules, and we are operating under the same Rules, why is it that we not follow that same procedure?"

The Chair answered: "The procedure set down is that with reference to CIP bills. If one feels that capital improvement is needed in a particular area, not necessarily his own, he may do so. We've already made that determination to ...."

Senator Abercrombie interjected:

"Yes, I see. What about, again for clarification purposes, where there are operating expenses, for example, with equipment that are not CIP bills. Could that also be put in a single bill?"

The Chair answered: "No."

Senator Abercrombie further inquired:

"They should be separate bills?"

The Chair answered: "Yes, and I would suggest you get to the President's office or to the Minority Leader and we will discuss it."

Senator Abercrombie further asked:

"Will it be possible then to send one of our office people down to make sure that we're in?"

The Chair replied in the affirmative.

Senator Yamasaki then introduced Mr. Jun Inouye, a visitor from Fukuoka, our sister-prefecture in Japan.

#### ADJOURNMENT

At 11:17 o'clock a.m., on motion by Senator Kuroda, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, January 29, 1985.