

FORTY-NINTH DAY

Wednesday, April 3, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:40 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Major William Muleh of The Salvation Army, after which the Roll was called showing all Senators present with the exception of Senator Solomon who was excused.

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

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

Senator A. Kobayashi introduced the kindergarten class from Punahou School, "the proud and industrious Wilcox E eager beavers with my friend Courtney Oliva," who were accompanied by their teachers: Mrs. Marilyn Blaisdell Ane and Mrs. Patty Anderson; and parents: Mrs. Debbie Cogan, Mrs. Margaret Hunter, Mrs. Cathy Lau, Mrs. Lucinda Pyles, Mrs. Susan Thom, and Mrs. Marcy Sugihara.

Senator Matsuura, on behalf of the Big Island Senators, introduced a group of 18 students from Honokaa, Kau, Pahoa, and Waiakea High Schools who are participating in the Hawaii District Legislative Experience Program. The students were accompanied by student coordinators: Ms. Julie Sakasegawa and Ms. Beth Choi; faculty advisors: Mr. Jim White and Ms. Netlie Yokoyama; and Mr. Wallace Aki, district personnel specialist, DOE.

At 11:47 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.

Senator Hagino then made the following introductions and remarked:

"Mr. President, we are indeed honored this morning to have several outstanding citizens of the state.

"First, I would like to introduce to you and members of this body Professor Hampton L. Carson.

"Professor Carson is a professor of genetics at the University of Hawaii, Manoa Campus. He came to Hawaii from Washington University with which he was affiliated until his retirement there. With his valuable background, he dedicated 15 years to his post at the University of Hawaii. This June, at the age of 70, he will retire from his position there.

"In honor of his retirement, an international symposium will be held this June at the Ala Moana Americana Hotel, entitled 'International Genetics, Speciation, and the Founder Principle.' Thirty prominent scientists from around the world have accepted invitations to participate in the symposium, and Oxford University Press will publish selected papers in a special volume on Dr. Carson's theories of speciation.

"Professor Carson has been a vanguard in the field of evolutionary biology and is considered to be a very important figure in this scientific discipline.

"He is known to his colleagues and students as an incredible human being, who, while being an eminent figure, is quick to recognize their accomplishments as well.

"Professor Carson was selected as a recipient of the Leidy Medal for his original contributions to the fields of evolutionary biology and genetics and, specifically, for his work on evolutionary patterns among Hawaiian *Drosophila*. His work is one of the most important studies of the 20th century biology which led him to develop the 'species flush' hypothesis.

"As a recipient of the Leidy Medal awarded by the Academy of Natural Sciences for 1985, and presented at a special ceremony, the Academy also invited him to conduct two seminars while in Philadelphia. This award is given every three years to the most outstanding publisher, explorer, discoverer or researcher in natural science. The Academy cited Professor Carson's work as 'one of the most important studies of 20th century evolutionary biology.'

"At this time, I would like to introduce to you Professor Hampton Carson and his wife Meredith, accompanied by Professor Ken Kaneshiro, director of the Hawaiian Evolutionary Biology Program at the University of Hawaii."

Professor Carson rose to be recognized and was presented with the congratulatory certificate by Senator Hagino and a lei by Senator A. Kobayashi.

Senator Hagino continued:

"Mr. President, 1984 was a very good year for Wahiawa. Several weeks ago we recognized residents of the district for excelling in football. Well, today, we are honoring some other residents who have achieved successes of equal height.

"Governor George Ariyoshi proclaimed

November 18-24, 1984, as Family Week in Hawaii. The Child and Family Service co-sponsored with the Honolulu Advertiser, the first annual Hawaii Family of the Year recognition in celebration of the National Family Week, and conducted a statewide search for a representative family that fosters individual growth among its members, encourages family teamwork, and nurtures a commitment to community service.

"The outcome of that statewide search was the selection of the Ferry and Louis Kim family as the 1984-85 Family of the Year.

"Together with their six children, their spouses, and 17 grandchildren, they comprise a family unit that exemplifies the true ohana spirit of togetherness in love, respect, and concern for each other, and a willingness to include those outside of the family.

"Ferry and Louis have their roots in Wahiawa where they grew up before they married over 39 years ago. They saw to it that everyone of their six children received a college education and are proud of their successful careers.

"Girded by the teachings of their faith which provides a strong focal point in their lives, a caring home environment, and uncompromised values fostered by wise parents, the Kim family has worked as a team, always being available to lend a helping hand, rendering valued community service. Their charitable deeds have benefited many people in many ways.

"The Ferry and Louis Kim family represent the positive social, cultural, and spiritual cornerstones upon which Hawaii's families and communities are built.

"In view of the fragmented nature of family units today, the unified efforts and bonding of this family are indeed commendable, and their recognition is certainly well-deserved.

"Mr. President, at this time, I would like to introduce to this body and you, Mr. and Mrs. Ferry Kim, their five children and families."

Mr. and Mrs. Ferry Kim rose to be recognized and were presented with the Senate certificate by Senator Hagino and leis by Senators Fernandes Salling and

Senator Hagino then continued:

"Mr. President, I have the distinct pleasure of introducing to you and this body Paul Tomiyasu, one of the Nation's Ten Outstanding Young Men in America for 1985.

"Paul is a resident of Wahiawa, where he

lives with his wife Lydia, who also serves as his interpreter.

"Paul attended the Hawaii School for the Deaf and the Blind and McKinley High School. He was selected by the United States JAYCEES as one of the Nation's Ten Outstanding Young Men in America for 1985.

"Mr. President, I might add that two years ago I was nominated by the Wahiawa chapter for this award and I never got past the district competition.

"His wife Lydia stated that Paul became involved with all the programs for the deaf out of frustration and despair over the lack of services for the hearing impaired."

Senator Hagino then read portions of the congratulatory certificate to Paul Tomiyasu.

Paul Tomiyasu and his wife Lydia rose to be recognized and were presented with the Senate certificate by Senator Hagino and leis by Senators Young and Kuroda.

Senator Hagino also introduced Mr. and Mrs. Dennis Tomiyasu, parents of the honoree; his aunt Mrs. Catherine Conchee; and friends from various organizations: Aloha United Way; Hawaii Services on Deafness; Hawaii Rainbow Ohana Association of the Kuli; Junior National Association for the Deaf; Foreign Students from the Honolulu Community College; and the Hawaii Chapter of JAYCEES and Mr. Bill Pitti, state president.

Senator Hagino also recognized Mrs. Elaine Takato of Wahiawa, winner of a Reno, Nevada, million-dollar jackpot.

At 12:06 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

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

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 287 to 289) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 287, transmitting a report on the delegation of CIP projects for the calendar period ending December 31, 1984, prepared by the Department of Accounting and General Services, pursuant to Section 103, Act 301, SLH 1983, was referred to the Committee on Ways and Means.

Gov. Msg. No. 288, submitting for consideration and consent to the First Circuit Court, the nomination of Daniel G. Heely, as Judge, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, for a term of ten

years, was referred to the Committee on Judiciary.

Gov. Msg. No. 289, transmitting a promotional brochure, "Hawaii's Foreign-Trade Zone Program: How it Can Help Businesses, Cut Expenses, and Increase Profits," prepared by the Department of Planning and Economic Development, was placed on file.

SENATE CONCURRENT RESOLUTION

S.C.R. No. 74, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REPORT CONCERNING ADMINISTRATIVE RULES ON UNDERGROUND INJECTION CONTROL, TITLE II, CHAPTER 23," was offered by Senators Henderson, Matsuura, Solomon, George, A. Kobayashi, Soares, Fernandes Salling, Abercrombie, Toguchi and Hee, and was read by the Clerk.

By unanimous consent, S.C.R. No. 74 was referred to the Committee on Health.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 93 to 98) were read by the Clerk and were disposed of as follows:

S.R. No. 93, entitled: "SENATE RESOLUTION ENCOURAGING THE RESEARCH, DEVELOPMENT, AND DEMONSTRATION OF ELECTRIC VEHICLES IN HAWAII," was offered by Senator Matsuura.

By unanimous consent, S.R. No. 93 was referred to the Committee on Energy.

S.R. No. 94, entitled: "SENATE RESOLUTION RELATING TO THE DEVELOPMENT OF A NON-NUCLEAR DEFENSIVE WEAPONS SYSTEM FOR DEPLOYMENT IN SPACE," was offered by Senators Henderson, Matsuura, Solomon, George, Soares, Aki, Fernandes Salling, Cobb, Abercrombie, Hee and Toguchi.

By unanimous consent, S.R. No. 94 was referred to the Committee on Government Operations.

S.R. No. 95, entitled: "SENATE RESOLUTION REQUESTING A REPORT CONCERNING ADMINISTRATIVE RULES ON UNDERGROUND INJECTION CONTROL, TITLE II, CHAPTER 23," was offered by Senators Henderson, Matsuura, Solomon, George, A. Kobayashi, Soares, Fernandes Salling, Abercrombie, Toguchi and Hee.

By unanimous consent, S.R. No. 95 was referred to the Committee on Health.

S.R. No. 96, entitled: "SENATE RESOLUTION REQUESTING THE

DEPARTMENT OF EDUCATION TO STUDY THE FEASIBILITY OF TEACHING BRAILLE TO ALL LEGALLY BLIND STUDENTS," was offered by Senators Abercrombie and Toguchi.

By unanimous consent, S.R. No. 96 was referred to the Committee on Education.

S.R. No. 97, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO UNDERTAKE A FEASIBILITY STUDY FOR THE ESTABLISHMENT OF A MAJOR PUBLIC INFORMATION AND EDUCATION PROGRAM," was offered by Senator Hagino.

By unanimous consent, S.R. No. 97 was referred to the Committee on Economic Development.

S.R. No. 98, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REVIEW AND REPORT ON THE NEWSWRITING AND YEARBOOK PUBLICATIONS CURRICULUM AND PROGRAMS OFFERED IN PUBLIC SECONDARY SCHOOLS," was offered by Senators Toguchi, Kuroda, Young, Chang, Matsuura, Kawasaki, Soares, Henderson, Machida, McMurdo, A. Kobayashi, Fernandes Salling and Aki.

By unanimous consent, S.R. No. 98 was referred to the Committee on Education.

STANDING COMMITTEE REPORT

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 944) recommending that the Senate advise and consent to the nominations of the following:

Richard T. Subiaga to the Civil Service Commission, in accordance with Gov. Msg. No. 145;

Clarence M. Takashima to the Civil Service Commission, in accordance with Gov. Msg. No. 189;

Melvyn T. Murakami to the Civil Service Commission, in accordance with Gov. Msg. No. 228;

Herbert M. Dias and Ronald N. Hirano to the Board of Trustees of the Deferred Compensation Plan, in accordance with Gov. Msg. No. 146;

Robert M. Fukunaga to the Hawaii Employment Relations Board, in accordance with Gov. Msg. No. 147;

Roy E. King, Jr., to the Board of Trustees, Hawaii Public Employees Health Fund, in accordance with Gov. Msg. No. 148;

Jean H. Nakagawa to the Board of Trustees, Hawaii Public Employees Health Fund, in accordance with Gov. Msg. No. 230; and

Roy Yonahara, Alvin J. Nishimoto, Isaac J. Kaopua, Sr., Linda F. Agosto, Mary Jean Lindsey, and Christy A. Kawabata to the Advisory Commission on Manpower and Full Employment, in accordance with Gov. Msg. No. 229.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 944 and Gov. Msg. Nos. 145, 189, 228, 146, 147, 148, 230, and 229 was deferred until Thursday, April 4, 1985.

ORDER OF THE DAY

RE-REFERRAL OF RESOLUTIONS

The President made the following re-referral of resolutions:

Senate
Concurrent
Resolution Referred to:

No. 51 Committee on Education,
then to the Committee on Ways and Means

Senate
Resolutions Referred to:

No. 65 Committee on Education,
then to the Committee on Ways and Means

No. 83 Committee on Labor and
Employment

Senator Young then rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, Governor George Ariyoshi announced yesterday the proposal to make available 2,300 housing units valued at \$183.9 million for Navy personnel and their families.

"The proposal is intended to be an enticement in Hawaii's bid to become the homeport for the Missouri battleship group.

"The ship would have 4,500 military personnel on board and 569 military and civilian employees on land. There would be an estimated 2,000 spouses and 1,750 children.

"I fear certain decisions are being made by people who personally will not be affected by the homeporting of the battleship group in Hawaii. The real impact of homeporting will be felt by the residents of the Leeward communities — Pearl City, Ewa, Ewa Beach, Makakilo, Barbers Point and the Waianae Coast.

"Mr. President, the schools in the Leeward area are in dire need of repair. The facilities are inadequate. Thanks to Representative Morgado and Senator Toguchi, Waipahu Intermediate School may now have renovation work done. However, can our neighborhood schools accommodate 1,750 more students with the existing facilities?

"The feat of providing 2,300 housing units for the military is to be accomplished through use of various state, city, and private monies.

"As chairperson of the Senate Committee on Housing and Community Development, I am particularly cognizant of the grave housing crisis experienced by our own residents.

"Some estimates indicate there is a current housing shortage of approximately 30,000 units. 52% of our people must rent their homes, and with state vacancy rates of about 1%, they are faced with ever-increasing rental rates.

"My point is: We are not taking care of our own.

"Most recently within our own community, we were trying to juggle the need to provide housing for the elderly and providing athletic programs at the Hale Mohalu site in Pearl City.

"Please understand, I think it's wonderful that public and private sectors have cooperated so effectively to provide incentives which may bring the battleship group to Hawaii. We sorely need the economic benefits the homeport will create.

"What I would like to see, however, is the occurrence of this same cooperation between government and private business toward the resolution of the critical housing problem for Hawaii's residents.

"I publicly call upon the Governor to channel his energies towards this end. He has shown that thousands of housing units can be created in one fell swoop. Knowing that it can be done for the military, we must now have it accomplished for Hawaii's families.

"It is well to live in ivory towers with lofty dreams, but we must come down to earth and plant our feet firmly on human needs.

"Thank you."

Senator Abercrombie also rose on a point of personal privilege as follows:

"Mr. President, I, too, wanted to make a comment this morning with respect to the announcement that appeared in the

newspapers that has just been referred to by the chair of the Housing Committee.

"Mr. President, we are finding out about these things in the newspapers; the Legislature has not been involved to any great extent.

"I am rising on a point of personal privilege because I, myself, have gone through a period in which my integrity as a Senator was questioned, and let me say questioned in no uncertain terms as to my commitment not only to the state but in fact my commitment to a patriotic view of what is good for America with respect to impact-aid.

"And one of the factors that was not mentioned in this morning's paper, nor has it been mentioned at any time, nor has it been mentioned except in a derogatory manner in many instances by some officials, is the question of what happens when 1,750 dependents come into our school system.

"I want to state for the record, Mr. President, that I will be the first to welcome anyone into our school system so long as we understand that there are costs that have to be paid. I want to indicate to you, Mr. President, and for purposes of the record, and in relation to the remarks made by the chair of the Housing Committee, that we are looking at an additional \$6.3 million in expenditures for the school system as a result of the influx of what would amount to an entire school of children. That does not count the necessity perhaps of building facilities, the CIP costs. I'm simply talking about the cost associated with the education of the dependent children. I'm all for this, Mr. President, I've never been against it.

"What I'm saying is that proper provision has to be made to see to it that all the children, military and civilian alike, are treated equally in terms of their opportunity to get a good education. That cost money. All the rhetoric in the world will not alter that fact. What good does it do, either to the dependent child of someone in the service or children who are being raised here in Hawaii, to have an education of lesser quality than they might otherwise receive. That is true equality. It's the kind of equality we don't want to have, an equality of impoverishment with respect to our educational necessities.

"Having chaired the Education Committee in the past and having been a member or a vice chairman of that committee throughout my career in the Legislature, I'm only too acutely aware of what is involved when it comes to the expenditure of operating and

capital funds with respect to our educational system.

"Our educational system has been called into question by many in our community. It has been called into question by many of those who are residing for even a brief time in Hawaii as a result of military service. We cannot improve the morale; we cannot improve the atmosphere; we cannot regain the confidence of the public that lives here nor the public that is here, based on their service occupations, if we are unable to adequately fund our educational system.

"If indeed we are to receive a battleship group into Hawaii, I hope that it is going to be for reasons having to do with that which has been mentioned both by myself and by others, in particular the Mayor of the City and County of Honolulu Frank Fasi, that this placement is here for the strategic reasons having to do with the national security of the United States and not for any kind of a lottery, any kind of a thinly disguised bribery system, not for any kind of an unseemly race to see who can provide the most goodies, material or otherwise. That should not be the basis upon which decisions which affect the security of the United States are made.

"If that battleship group comes here because of sober decisions made with respect to the security of the United States, so be it. But it should be recognized then, not only by the taxpayers here in the State of Hawaii but the taxpayers throughout the country, there are certain costs that have to be met with that role, and that those costs should be shared as a matter of national security, and that the Federal Government should recognize that when it inserts into any community a large number of people, we want to have an atmosphere of sociability, an atmosphere of welcoming that can be best be maintained by a recognition by the Federal Government that the fiscal responsibilities are something that has to be shared.

"With impact-aid in particular, with education being so important to everyone in the community, whether they are here for a short time or here for all of their lives, as we are here, then it is a question of making sure that no one is shortchanged as a result of decisions made on the basis of national priority."

ADJOURNMENT

At 12:25 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock, Thursday, April 4, 1985.