

THIRTY-FIFTH DAY

Wednesday, March 12, 1986

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1986, convened at 10:38 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Chaplain Robert S. Bezanson Jr., Colonel, United States Army, after which the Roll was called showing all Senators present with the exception of Senator Toguchi who was excused.

The President announced that he had read and approved the Journal of the Thirty-Fourth Day.

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

Senator Matsuura introduced Ms. Sheri Nagata, a family friend from California, whose parents are one of the largest strawberry farmers in that state.

Senator Chang introduced a group of 16 eighth grade students from the American history class of Kawanakoa Intermediate school, accompanied by their teacher, Mr. Al Domalavage.

Senator Soares introduced William Cobb Jr., son of Senator Steve Cobb, and Jamie Harada, students of Niu Valley Intermediate School and participants of the school's "Day at the Legislature Program."

STANDING COMMITTEE REPORT

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 512-86) recommending that House Bill No. 1493, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Judiciary.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 1493, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VICTIMS," passed Second Reading and was recommitted to the Committee on Judiciary.

ORDER OF THE DAY

THIRD READING

Senate Bill No. 2048-86, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, S.B. No. 2048-86, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Holt and Toguchi).

RE-REFERRAL OF HOUSE BILLS

The President made the following re-referral of House bills that were received:

House Bills	Referred to:
No. 274 Judiciary	Committee on
No. 526, H.D. 1 and Means	Committee on Ways
No. 1708-86, H.D. 2 and Means	Committee on Ways

At 10:44 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:49 o'clock a.m.

RE-REFERRAL OF A HOUSE BILL

The President re-referred House Bill No. 1493, S.D. 1, to the Committee on Judiciary, then to the Committee on Ways and Means.

At 10:54 o'clock a.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate stood in recess to meet in Joint Session with the House of Representatives, in accordance with House Concurrent Resolution No. 78.

JOINT SESSION

The Joint Session of the Senate and the House of Representatives was called to order at 11:15 o'clock a.m., by the Honorable Henry H. Peters, Speaker of the House of Representatives, in tribute and honor of Governor George R. Ariyoshi on the occasion of his 60th birthday.

The Speaker remarked:

"The Legislature is meeting this morning in joint session for a very special reason. I am very proud to share the honors of presiding over this session which convenes to honor our governor on his birthday.

"Governor, we wanted you to know that this is a small tribute compared to your outstanding contributions to our state and to all of us who love Hawaii. As you celebrate your birthday, we look with ever increasing admiration upon your distinguished career and with deep affection and Aloha, wish you a Happy Birthday!"

The Speaker then welcomed and introduced Governor Ariyoshi's family to the members of the Joint Session:

The First Lady of Hawaii, Mrs. Jean Ariyoshi, who was presented with a lei by Representative Okamura; the Governor's mother, Grandma Ariyoshi, who was presented with a lei by Representative Hagino; his daughter, Lynn Takemoto, who was presented with a lei by Representative Souki; son-in-law, Rick Takemoto, who was presented with a lei by Representative Hashimoto; brother, James Ariyoshi, and wife, Rita; sister, Mrs. Betty Nakamura, and husband, Masa; and sister, Mrs. June Otake.

The Speaker also introduced the Honorable John Waihee, Lieutenant Governor of Hawaii.

At this time, the Clerk of the House read the Certificate of Recognition from all of the members of the House of Representatives to the Honorable George R. Ariyoshi, in honor of his 60th birthday.

The Clerk of the Senate then read the Certificate of Recognition from all of the members of the Senate to the Honorable George R. Ariyoshi, in honor of his 60th birthday.

The Speaker then recognized Representative Kawakami for brief remarks, as follows:

"Mr. Speaker, on behalf of the Democratic Majority of the House, I rise to offer our birthday congratulations to our honoree, the Honorable George Ryoichi Ariyoshi.

"When the governor took office in 1974, he offered a challenge to Hawaii in his inaugural address and said, 'Nothing is gained, no one is served by those who sit idly by, wringing their hands and bemoaning their lot.' The governor carried the challenge one step further, and encouraged 'a constructive attitude,' and invited 'all to come in and present their ideas for a better Hawaii, with the thought of working together with government to attain our mutual goals.'

"Mr. Speaker, as members of the Majority, we are proud of the achievements we have forged with the governor in making this great state move forward. We have preserved that unique quality of life that makes Hawaii a special place.

"Looking back over the past 12 years under the governor's leadership, the state witnessed a national recession and labor problems which have had a chilling effect on our economy. These were the years in which the demands on government became even more compelling, while the abilities

and the willingness of our citizens to pay for these services did not rise commensurately. These were the years of inflated dollars and reduced purchasing power. These were the years during which many decisions were made which affected the lives of all our citizens for decades to come. And these were the years in which the government of this state said loudly and clearly with George Ariyoshi at the forefront, 'We will be the masters of our fate and the shapers of our destiny.'

"Mr. Speaker, in closing, I note that the phrase, 'Hawaii, a Very Special Place,' recently made popular, has its roots in the political career of George R. Ariyoshi which span three decades. It's been over 30 years since Governor Ariyoshi, the son of immigrants, 'the boy from Kalihi,' first went door-to-door soliciting constituent support.

"To you, governor, on your 60th birthday, best wishes for good health and prosperity for the next one hundred years to come."

"Thank you."

Representative Marumoto was then recognized by the Speaker for brief remarks on behalf of the House Minority, as follows:

"Time is life and life is time.

"Today, the Hawaiian sun shines down brilliantly on our Islands. The blue waters beckon toward beautiful beaches. Visitors are enjoying themselves. Our people are toiling at their respective chores. Babies are being born, people are dying, couples are pledging their eternal troth.

"Life is ongoing.

"However, at this particular moment, at this particular place, we are most cognizant of a milestone in one person's life; of his position; of the historic nature of this event.

"The moment is now, the man is George Ariyoshi. He is the governor. We, the members of the Legislature are gathered here at the State Capitol to give a little of our time, our life, to share this moment in order to commemorate not only six decades of life but over three decades of public service with thirteen of these years as chief of state. It is indeed a remarkable achievement for any person, one — one worthy of observance.

"We who give of ourselves to various causes and issues give you this time today. On behalf of the Republican members of the House of Representatives, we wish you, Governor Ariyoshi, a very Happy Birthday. We thank you for the time and the commitment you have generously given to the people of Hawaii. We thank your family

for the many sacrifices which elected office entails, we understand that, and we wish you all six decades more of health, happiness and life.

"Thank you."

The Speaker, at this time, turned the podium over to Senate President Wong who then recognized Senator Kuroda for brief remarks, as follows:

"Governor, Mrs. Ariyoshi, friends and colleagues of the Senate and the House, ladies and gentlemen.

"I have the distinct honor today as Senator Majority Leader to speak in behalf of the Senate Majority to publicly express some of the very unofficial and private sentiments we share on this occasion. This expression may not be as eloquent as the many private expressions that are likely to follow this ceremony; nevertheless, we begin simply by wishing you, Governor Ariyoshi, a very Happy Birthday.

"The other feelings and thoughts we share today are in part as joyous, but are also mixed with admiration, some regret and gratitude.

"We are happy for you because you are very near to a successful close of your very productive and enviable career of public service. We are happy for you because of the respect and stature you have won for the people of Hawaii.

"We admire you because, for most in the Senate Majority, you have been the only governor with whom they have worked and through that mutual effort you have won their respect. For Senators Duke Kawasaki and Mamoru Yamasaki, their feelings of esteem are also based on their service with you as a Senate colleague. You have set a standard, governor, of unquestionable integrity, honesty and consistency.

"But we also share few regrets today, regrets that things have not always been as harmonious as they could have been. Speaking frankly, your years as governor have coincided with the Wong years, sometimes referred to by some of your close associates as the 'wrong' years. Well, right or wrong, governor, at least we never bored you. We sometimes disagree on issues, we sometimes fail to approve a nominee and some of us even participated in that great experiment in the 1981-1982 sessions when we became 'Demolicans' or 'Republicrats.' (Laughter.)

"But, governor, we are also grateful today because you were always one who strongly believed in the separation of powers, and this is very important, and you accepted the Senate as we exercised our prerogative to

disagree with the executive and opposed some issues supported by your administration. You once served as Senate majority leader and although your close friend and mentor, the late Governor Jack Burns, was the executive, you yourself must have found your Senate Majority not always in agreement with the executive.

"So despite those few times we disagreed, we certainly always recognized and respected your sincerity and your consistency in dealing with issues. We have honored your austere budgeting process and supported your tight fiscal management.

"In closing, governor, I want to remind all of us that we still have a good part, the 'hard-knock' part, of the session before us. We shall continue to work together for good legislation and, incidentally, if during the next few weeks you all of sudden think that you'd like to do something nice for the Senate Majority, pass the word to the House that the lottery is okay.

"Happy Birthday, Governor Ariyoshi!

"Thank you for your outstanding service to our community. We have all benefited from your leadership — we wish you well in your future endeavors. Aloha!"

The President then recognized Senator Henderson for brief remarks on behalf of the Senate Minority, as follows:

"Governor Ariyoshi, Mr. President, Mr. Speaker, and colleagues.

"Some sixteen years ago, governor, I was appointed to the Senate and I had the privilege and pleasure of being in the body when you were serving your last Senate year. Also with me were Senators Yamasaki and Kawasaki. There's only three of us left. The attrition rate isn't too good, or maybe it's too good.

"Governor, I've watched your career — you left the Senate and ran for lieutenant governor and of course you ran for governor and were elected three times. I look at your career and I look at my career and I think there is something similar about it and that is we've both gone as far as we're going. (Laughter.)

"But seriously, governor, we, the Senate Republicans and all of the Senate members, really want to express our best wishes to you on your 60th birthday and may you have many, many more."

The President returned the rostrum to the Speaker and the Speaker then appointed Senator Hagino and Vice Speaker Ige to present the Certificates of Recognition to Governor Ariyoshi.

The Speaker then appointed Senators Henderson, Kawasaki, Soares and Yamasaki and Representative Kawakami to escort the Honorable George R. Ariyoshi to the rostrum. The Speaker added that the appointed members were either in the Senate or the House at the same time that the governor was a member of the Senate.

Governor Ariyoshi was presented with leis by Senator Young and Representative Ikeda.

The Speaker presented to the members of the Joint Session and the guests, the Honorable George R. Ariyoshi.

The Governor addressed the Joint Session as follows:

"I really didn't come prepared to say anything this morning, but I would like to express my appreciation to all of you for the very, very warm gesture of friendship and best wishes.

"As I sat here and listened and thought about some of the words that were spoken here, my mind drifted back a little bit, and I would like to take a few minutes to share some of my thoughts with you.

"By the way, I want you to know that this morning I went to the Lanakila Senior Center, because every month they have birthday days there and when I got there I was presented with a certificate giving me membership to Lanakila. They told me that I, officially, today, became a senior citizen. (Laughter.)

"As I indicated, I thought about some of the words that were uttered here and my mind drifted back to those very early years, 1954, just 33 days before the primary election of 1954, three days before the filing deadline, when I was urged to run for the then Territorial House of Representatives. I recall when Jean and I got engaged on her birthday, October 30th, and she wasn't old enough to vote for me in the primary election, but she made it in time for the general.

"I have always felt that in my work here ... that I would not be able to do my work properly unless I had the support and understanding of my family. I have been very fortunate in having that kind of understanding and that kind of support. I recall my first legislative session, 1955. Just prior to that, on February 5th, Jean and I got married. We had biennial sessions then; the next legislative session, our session started on the third Wednesday in February. That year it happened to be February 20th. Well, Lynn was supposed to be born on February 10th, and she didn't come on the 10th. As a matter of fact, Jeannie had to go into the hospital prior to that, but it was false alarm. February 10th

when Lynn was supposed to be born, there was a false alarm again and Jeannie stayed overnight in the hospital and came back and Lynn decided she would not arrive until after the Legislature started. So she was born three days after the session started ... thirteen days overdue.

"In the legislative session of 1959, our first son Todd was born on May the 4th. Our legislative session ended on May 2nd, and you know, you can't have in the journals the actions of any other day except the legislative day. But we used to stop the clock in those days, and so we have a resolution dated May 2nd congratulating us on the birth of our son, 8 pounds 11 ounces, at Queen's Hospital, but the date was not noted; Todd was not born until May the 4th. If you look at that, the Legislature is pretty good at projecting things.

"In the next legislative session Donn decided he was not going to take any chances and he was born smack in the middle of the legislative session, in March.

"I have some very fond recollections of the Legislature and I wanted to express my appreciation to many people that have been very helpful over the years.

"I, first of all, want to publicly express my gratitude to the members of my cabinet who are here today without whom I could not have functioned as governor. The jobs they hold are not very easy. They have to come and give testimony to you, and sometimes you take the liberty of really taking out after them and that's okay, that's part of the process, I understand that too, but I want the members of my cabinet to know that I hold them up in the highest esteem. A very fine group of people who have served and some who will continue to serve and I extend to them my mahalo.

"I could not stop without expressing my gratitude to the lieutenant governor. I am very fortunate for being blessed with a very fine lieutenant governor, one who has been very supportive. I don't care about loyalty to me as a person but loyalty to the principles, the ideas, the causes that we have held very dear are very important, and I want to say publicly to John Waihee how grateful I am for his support and for his hard work.

"And I want to express my appreciation to all of you — members of the Legislature — those of you who give of your time and your energy, those who make the sacrifice. I can say, as one who has sat in your chair, that it's a very tough job that you have. People take your work for granted. They assume that oftentimes, because of some of the cynicism that exists in the community that you try to do things to screw up things. Yet I know, through my personal knowledge, my

personal friendships, my personal relationships with each of you, I know how hard your job is, how difficult it is to make the right decision. We don't live in a world where everything works out by formula, and if you ask somebody to add two plus two it always comes out the same way. In the work that you do there are no definite answers. The decision that you make has to be carried out, implemented by others, human beings are involved, there are no simple formulas and I know that everyone of you, whenever you make a decision, you try to make the very best decision that you possibly can. That's the easy part of your job. But the hardest part of your job is to try to come out with what is in fact the best decision, the right decision. You have pros and cons on every issue, and you're torn apart by people who say you should go one way and others who say you should go another way. I know that in most instances, most of you try your very best to make the decision that you feel will be in the very best interest of the people of this community.

"I don't profess to say that you and I are always right but I know that when the decisions have to be made, at the time that decision has to be made, you have searched your heart, you have searched your conscience, you have attempted to do that which is in the very best interest of the people of this community, and I appreciate that very much.

"Senator Kuroda talked about us not always being together on the issues. I want you to know that that doesn't bother me one bit. I think it is very, very important for every person, each one of you to be convinced that when you make a decision, that's the decision you personally believe to be the very best, not what I believe, because you and I are different individuals. We have different experiences. It is a decision that you must feel in your own heart that it is in the very best interests of the people, I appreciate that kind of effort, and whether the position agrees or disagrees with mine is not important because most of the time we are going to be together on the things that are important for the people of this community and that is what is really important, that is what really counts.

"I truly feel very strongly about the separation of the executive and the legislative branch. It is my responsibility to make proposals to you and sometimes we don't get them through right away, and sometimes it takes several sessions for an idea to nurture, and for it to get through. But my feeling always has been that a good idea will survive, and that at some point it will get massaged and worked out. And though it is not in its original form there will still be some way that the problems will be properly addressed.

"I do not have the benefit of the public hearing process you all have. When I make a proposal and when I send it down to the Legislature, it has not been given the kind of public input that each of you gets in your committee work. I recognize that, and I accept the value of that process in which you are involved, and the public hearing process that makes it possible for the citizens of this community to come and present testimony for or against a measure. It's a process that I am not involved in. You really represent the ideal of a democratic society, an opportunity for the citizens of our community to come and to present their ideas to you, to be critical of what you do, to give you the various ramifications of any measure that appears before you. It is a very, very important process and it is that process that I recognize.

"I want you to know, not as governor, but as a citizen of this community I am truly very grateful to each of you who take the time to go out and campaign to get elected to serve in the legislative body, to put yourselves under tremendous pressure, to make the various difficult decisions that you have to make, to agonize, to anguish over some of the decisions that you have to make. I feel for you, I respect you for that, I extend to you my gratitude on behalf of Hawaii's people.

"My one plea to you as we move into the future is to always remember that what is good for us today, or what was good for us yesterday, may not necessarily be that which will be the very best for us tomorrow; that circumstances and times change and that we have to be constantly aware of the changes that are taking place not just here in Hawaii but even more importantly, the changes that are taking place outside of Hawaii in the countries in Asia and the Pacific; and the changes that are taking place in the policies of our government that affect the international arena in this part of the world.

"The other thing that I really wish that you would never ever forget is that people of this state are one people. We have talked about Hawaii being a special place and no world, no nation, no state, no community can be better than the people in the community. The strength of our community comes from our people. We have a very special group of people, different from people in any other part of the world; people who trace themselves back to many parts of the world, and whose parents, grandparents, great grandparents came from those various parts of the world. Some have come more recently from various parts of the world and various parts of the United States. All have brought with them the culture, the language, the history, the music from the places from which they came. We are a very diverse community. We are a very

different people, and this is the one place in the world where we can look at another person who is different and we can say to ourselves that that person is different, I respect him, I respect her, I understand, I appreciate the differences that exist in us.

"By each group, each person in our community retaining their own identity, we can be a very diverse community, a community of people of differences, but a people who are united because of these differences. That's the future of Hawaii. People remaining together, being together with all of the differences.

"It is my hope that as we move into the future we will understand that; that we will continue to remain a community with a great deal of diversity, but a community united; that whatever we do, we will do in the name of fairness and equity and when we do for one we do for all; that we do not try to separate our people, and do things on the basis of differences that may exist however you line these differences up in terms of ethnic background or cultural differences or even in terms of how long a person has been a part of our community.

"In my very fervent plea to you that if we can do that Hawaii will continue to remain a very, very special place. A place that will be a laboratory for human beings working together, playing together, feeling together, caring for each other.

"I want to extend to you my gratitude once again. My very fondest, my very warmest Aloha to all of you."

The Speaker then called on Ms. Yvonne Perry to lead the members of the Joint Session and audience in singing, "Happy Birthday" to Governor Ariyoshi, followed by the joining of hands and singing of "Hawaii Aloha," led by Mr. Palani Vaughn.

At 12:01 o'clock p.m., the President of the Senate declared the Joint Session adjourned.

ADJOURNMENT

At 12:10 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., Thursday, March 13, 1986.