

SIXTY-THIRD DAY

Thursday, April 30, 1987

The Senate of the Fourteenth Legislature of the State of Hawaii, Regular Session of 1987, convened at 12:01 o'clock a.m., with the Vice President in the Chair.

The Divine Blessing was invoked by The Honorable Ron Menor, State Senator, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Sixty-Second Day.

At 12:04 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:50 o'clock a.m.

The following executive order was then read by the Clerk and was placed on file:

"EXECUTIVE ORDER

WHEREAS, Section 10 of Article III of the Constitution of the State of Hawaii provides that an extension of not more than fifteen days of any session may 'be granted by the presiding officers of both houses at the written request of two-thirds of the members to which each house is entitled or may be granted by the governor';

WHEREAS, pursuant thereto, the presiding officers of both houses extended the 1987 regular session of the Fourteenth Legislature of the State of Hawaii has been extended; and

WHEREAS, the governor has been requested to grant a further extension and it appears that such a further extension is necessary;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of Hawaii, pursuant to the power vested in me by Section 10 of Article III of the Constitution of the State of Hawaii, do hereby further extend the 1987 regular session of the Fourteenth Legislature of the State of Hawaii for a period of two hours following 1:00 a.m., April 30, 1987.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 30th day of April, 1987.

/s/ John Waihee
JOHN WAIHEE
Governor of Hawaii

APPROVED AS TO FORM:

/s/ Warren Price
WARREN PRICE, III
Attorney General"

At 12:51 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:57 o'clock a.m. with the President in the Chair.

At this time, the following executive order was read by the Clerk and was placed on file:

"EXECUTIVE ORDER

WHEREAS, Section 10 of Article III of the Constitution of the State of Hawaii provides that an extension of not more than fifteen days of any session may 'be granted by the presiding officers of both houses at the written request of two-thirds of the members to which each house is entitled or may be granted by the governor';

WHEREAS, pursuant thereto, the presiding officers of both houses extended the 1987 regular session of the Fourteenth Legislature of the State of Hawaii has been extended; and

WHEREAS, the governor has been requested to grant a further extension and it appears that such a further extension is necessary;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of Hawaii, pursuant to the power vested in me by Section 10 of Article III of the Constitution of the State of Hawaii, do hereby further extend the 1987 regular session of the Fourteenth Legislature of the State of Hawaii for a period of one hour following 3:00 a.m., April 30, 1987.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 30th day of April, 1987.

/s/ John Waihee
JOHN WAIHEE
Governor of Hawaii

APPROVED AS TO FORM:

/s/ Warren Price
WARREN PRICE, III
Attorney General"

At 2:58 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 3:30 o'clock

a.m.

ORDER OF THE DAY

MATTERS DEFERRED FROM
WEDNESDAY, APRIL 29, 1987Senate Concurrent Resolution No. 135, H.D.
1:

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 135 and S.C.R. No. 135, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO DO A STUDY ON THE FEASIBILITY OF ESTABLISHING A KANEHOE BAY AUTHORITY," was finally adopted.

House Concurrent Resolution No. 204, H.D.
1:

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, H.C.R. No. 204, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO SUBMIT A REPORT ON THE IMPLICATIONS OF THE CURRENT HAWAII STATE HOSPITAL CONSTRUCTION PLAN ON THE OVERALL FUTURE STATE MENTAL HEALTH BUDGET," was adopted.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1513) recommending that Senate Resolution No. 89, S.D. 1, be adopted.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the report of the Committee was adopted and S.R. No. 89, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE DEPARTMENT OF EDUCATION'S PROCEDURES AND CRITERIA IN IDENTIFICATION OF SPECIAL EDUCATION STUDENTS," was adopted.

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1514) recommending that House Concurrent Resolution No. 116, H.D. 1, be adopted.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the report of the Committee was adopted and H.C.R. No. 116, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE APPOINTMENT OF A JOINT LEGISLATIVE INTERIM COMMITTEE TO RECOMMEND IMPROVEMENTS TO THE EXECUTIVE

BUDGET SYSTEM," was adopted.

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1515) recommending that Senate Resolution No. 168, S.D. 1, be adopted.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the report of the Committee was adopted and S.R. No. 168, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO REVIEW THE DEPARTMENT OF HEALTH'S ADMINISTRATIVE RULES ON SOLID WASTES MANAGEMENT CONTROL," was adopted.

At 3:32 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 3:33 o'clock a.m.

FINAL READING

Conf. Com. Rep. No. 121 (H.B. No. 706, H.D. 1, S.D.2, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Nakasato and carried, Conf. Com. Rep. No. 121 was adopted and H.B. No. 706, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WAGES AND HOURS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Hagino and Ikeda).

Conf. Com. Rep. No. 122 (H.B. No. 445, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Nakasato, seconded by Senator Blair and carried, Conf. Com. Rep. No. 122 was adopted and H.B. No. 445, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISLOCATED WORKERS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 7 (Cobb, Henderson, Ikeda, A. Kobayashi, B. Kobayashi, Menor and Reed). Excused, 1 (George).

Conf. Com. Rep. No. 123 (H.B. No. 444, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Nakasato, seconded by Senator Mizuguchi and carried, Conf. Com. Rep. No. 123 was adopted and H.B. No. 444, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT SECURITY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (George).

At 3:33 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 3:34 o'clock a.m.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 197 to 205) were read by the Clerk and were disposed of as follows:

S.R. No. 197, entitled: "SENATE RESOLUTION INFORMING THE HOUSE AND GOVERNOR THAT THE SENATE IS READY TO ADJOURN SINE DIE," was offered by Senators Hagino and Henderson.

On motion by Senator Blair, seconded by Senator Henderson and carried, S.R. No. 197 was adopted.

S.R. No. 198, entitled: "SENATE RESOLUTION RETURNING ALL BILLS, CONCURRENT RESOLUTIONS, AND RESOLUTIONS TO THE CLERK'S DESK," was offered by Senators Hagino and Henderson.

On motion by Senator Blair, seconded by Senator Henderson and carried, S.R. No. 198 was adopted.

S.R. No. 199, entitled: "SENATE RESOLUTION RELATING TO THE PRINTING OF THE JOURNAL OF THE SENATE," was offered by Senators Hagino and Henderson.

On motion by Senator Blair, seconded by Senator Henderson and carried, S.R. No. 199 was adopted.

S.R. No. 200, entitled: "SENATE RESOLUTION AUTHORIZING THE PRESIDENT TO APPROVE THE JOURNAL OF THIS SENATE FOR THE SIXTY-THIRD DAY," was offered by Senators Hagino and Henderson.

On motion by Senator Blair, seconded by Senator Henderson and carried, S.R. No. 200 was adopted.

S.R. No. 201, entitled: "SENATE RESOLUTION AUTHORIZING THE PRESIDENT TO DESIGNATE THE EMPLOYEES WHO WILL WORK AFTER ADJOURNMENT," was offered by Senators Hagino and Henderson.

On motion by Senator Blair, seconded by Senator Henderson and carried, S.R. No. 201 was adopted.

S.R. No. 202, entitled: "SENATE RESOLUTION AUTHORIZING THE

PRESIDENT TO EXPEND FUNDS AFTER ADJOURNMENT," was offered by Senators Hagino and Henderson.

On motion by Senator Blair, seconded by Senator Henderson and carried, S.R. No. 202 was adopted.

At 3:35 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 3:36 o'clock a.m.

S.R. No. 203, entitled: "SENATE RESOLUTION RECOGNIZING WITH GRATITUDE EACH OF THE MINISTERS OF RELIGION WHO OPENED A DAY OF THE SENATE, FOURTEENTH LEGISLATURE, 1987, STATE OF HAWAII, WITH AN INSPIRATIONAL INVOCATION," was offered by Senators Hagino and Henderson.

On motion by Senator Blair, seconded by Senator Henderson and carried, S.R. No. 203 was adopted.

S.R. No. 204, entitled: "SENATE RESOLUTION REGARDING COMPLETION OF THE WORK OF THE FOURTEENTH LEGISLATURE SUBSEQUENT TO THE ADJOURNMENT THEREOF," was offered by Senators Hagino and Henderson.

On motion by Senator Blair, seconded by Senator Henderson and carried, S.R. No. 204 was adopted.

S.R. No. 205, entitled: "SENATE RESOLUTION EXPRESSING DEEPEST APPRECIATION TO THE MEMBERS OF THE VARIOUS MEDIA FOR THEIR COVERAGE OF THE ACTIVITIES OF THE FOURTEENTH LEGISLATURE, REGULAR SESSION OF 1987," was offered by Senators Hagino and Henderson.

On motion by Senator Blair, seconded by Senator Henderson and carried, S.R. No. 205 was adopted.

At this time, Senator Henderson rose to address the members of the Senate as follows:

"Mr. President, fellow members, ladies and gentlemen.

"It is indeed with mixed feelings that I rise to say goodbye to my colleagues in the Senate. My 17 years as the senator from the First District have given me a tremendous experience in state government, and they are years which I will always value. You know, the only other senator here today that was here when I was first appointed is our fearless chairman of Ways and Means, Senator Yamasaki. Now, I don't want to imply that Senator Yamasaki is as old as I am, but this to me signals that the

time has come to step aside and give someone else a chance to learn the way of politics, and to represent the people of this great state.

"Before I get around to the farewells, I would like to correct some of the impressions that have been created due to the news of my departure a few weeks ago.

"The first misconception was the flattering — if highly inaccurate — notion that somehow my departure signaled the decline, or even the demise, of the Republican Party in this state. Now while each of us would like to cherish the illusion of our own indispensibility, we all know very well that the world and the profession of politics and the institution of the Senate and the political party of our choice can get along very well without us very nicely.

"As you know, the number of Republicans in the Senate won't change when I leave — the governor is obliged to appoint a member of the Republican Party to take my place. So the quantity will be the same, and there are those, I understand, who hold that the quality might even be improved with my transfer to greener pastures.

"Speaking of Republican quantity, I was interested to read in one of Gregg Kakesako's pieces in the Star Bulletin that our numbers had decreased from four to five after the last election — an unusual arithmetical trick ... the GOP will take that kind of decrease any time we can get it. With creative mathematical maneuvers such as this, I'd like to encourage Gregg to leave journalism and become an accountant.

"Through my many years here I have witnessed many notable Republican measures become law. To list a few:

- A credit for the general excise tax on food and drugs,
- Raising the drinking age,
- Home rule issues,
- The creation of a separate department of corrections, and
- Judicial reform.

"Year after year these have all been included in our state GOP platform, and through our persistence we have converted enough members of your caucus to Republican principles to insure the success of these measures.

"Mr. President, the Republican caucus members will continue to be major contributors to the business of this Senate. I have great respect for their ability, their persistence in getting at the facts, and the

broad spectrum of experience and knowledge they have acquired.

"I commend to your special attention the unusual makeup of the Minority caucus. For the first time anywhere (as far as I have been able to determine) the majority of the Minority will be of feminine persuasion. I think this alone guarantees that Senate Republican input will be thoughtful, dignified, responsive, and generally a credit to the institution they serve.

"In parting, I would like to leave with you advice from my friend and mentor Doc Hill. When I first came to the Senate, he sat me down and said, 'Richard, there are three things you must always remember:

1. No matter what, the governor is always the governor.
2. Always play ball with the President of the Senate.
3. When in doubt — vote "no."

"I have followed those principles, my good President, throughout my 17 years here and I think that they have served me well.

"My friends, it has been a long and winding road. I have made many good friends in the Senate. We have had our agreements and disagreements, and I must confess that our differences of opinion are what provided me with the greatest challenge. Sometimes I persuaded you to see things as I saw them, and many times I didn't, but that is part of the business of politics. When I think back on my times here I will have fond memories, the fondest being the years of the coalition, where I learned my greatest lessons in politics.

"Finally, to the members of our Minority caucus — Mary, Ann, Rick and Donna — it has been a pleasure working with you. I realize at times it has been and will continue to be an uphill battle, but hang in there; remember, good things come in small packages.

"To all of you, good luck in all your future endeavors and much Aloha! Thank you very much."

Senator Yamasaki then rose to remark:

"Mr. President, as chairman of the Senate Ways and Means Committee, I would like to thank all of the subject matter committee chairmen and their members and also the Ways and Means Committee members for their participation in helping to provide a good Senate program in this year's session.

"I believe we have done a wonderful job for the people of this state — all of the people as well as for business. I think that

it was a great, great session and I would like to thank you all for the wonderful job that you have done to make this year's session one of the best.

"Also, to my staff of the Ways and Means Committee, I would like to thank them for their hard work during the entire budgetary process. Thank you."

At 3:40 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 3:41 o'clock a.m.

Senator Holt then remarked:

"Mr. President, on behalf of Senator Yamasaki, I would like to thank all the members of the Senate for being patient and for bearing with us tonight. Your conferees on the convention center are ready to go home. Thank you."

The Chair then addressed the body as follows:

"Members of the Senate, just a very short message from the Chair.

"We had a great session. Thank you to all of you. In particular, to all of you Senators thanks for your patience with me. I appreciate it. Let's make next year a better session, maybe, the greatest session we've ever had.

"I would be remiss if I did not introduce the man who has kept us here all night, the Governor of the State of Hawaii." (Governor Waihee was acknowledged with a round of applause.)

ADJOURNMENT

At 3:54 o'clock a.m., on motion by Senator Blair, seconded by Senator George and carried, the Senate of the Fourteenth Legislature of the State of Hawaii, Regular Session of 1987, adjourned Sine Die on a rising vote in honor of Senator Richard Henderson on his retirement from the Hawaii State Senate.