

TWENTY-SEVENTH DAY

Thursday, March 8, 1990

The Senate of the Fifteenth Legislature of the State of Hawaii, Regular Session of 1990, convened at 11:37 o'clock a.m. with the Vice President in the Chair.

The Divine Blessing was invoked by the Reverend Donald R. Asman, Manoa Valley Church, after which the Roll was called showing all Senators present with the exception of Senator Wong who was excused.

The President announced that he had read and approved the Journal of the Twenty-Sixth Day.

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

Senator Menor introduced a group of fourth grade students from Honowai Elementary School in Waipahu and their chaperones, Mrs. Sasaki and Mrs. Nakamatsu, seated in the Senate gallery.

Senator Hagino then made the following introduction:

"Mr. President, in my ten years in the Legislature the presentation that I am about to make excites me the most and I am very thrilled and honored to make this presentation. I think it is fitting that we have students up in the gallery and I hope they are paying attention because the deeds of these people that I am about to introduce are something that will go down in the history of Hawaii as something that really brought Hawaii together in 1976.

"Mr. President and fellow Senators, in the past, the origins of the Hawaiian people were documented merely in the mele and chants handed down from one generation to the next, leaving room for imagination, doubt, and speculation as to how and from where they came.

"Three men -- Herb Kane, Dr. Ben Finney and Tommy Holmes -- were architects of a dream into which they breathed life and thus provided the vehicle to make that dream a reality. With the founding of the Polynesian Voyaging Society, the concept of the Hokule'a, envisioned by these three, would eventually ride the crest of mounting enthusiasm, reaching new heights with each voyage. Little did anyone realize, that the new and tested vessel that was launched as a project to observe the bicentennial celebration of our nation, would one day epitomize the heroism and fortitude of explorers and discoverers of the past and present, who rise to the challenges they are given.

"On this very day, March 8, in 1975 the Hokule'a entered the waters of Hawaii and captured the hearts and imagination of all of us.

"On her maiden voyage which took the Hokule'a and her crew to and from Tahiti in 1976, a native of Micronesia, Mau Pailug, introduced non-instrument navigation to the crew. Using those navigational skills that allowed them to sail East-bound into prevailing winds, they were able to prove that the early Polynesians were purposeful sailors and colonizers, and did not accidentally drift to land and settle there.

"In 1978, a second voyage was attempted but abandoned, when crew member Eddie Aikau, a lifeguard at Waimea Bay, was tragically lost at sea in a brave attempt to swim to land in a valiant effort to seek help for his crewmates when the Hokule'a was swamped in fiercely turbulent waters.

"In 1980, after extensive training with the Micronesian navigator Mau Pailug, an individual named Nainoa Thompson, became the first Hawaiian since ancient times to navigate without instruments. Devastated by the loss of Eddie Aikau, Nainoa was determined to complete a second voyage to Tahiti as a tribute to him because he felt that it would have been Eddie's wish to see the voyage completed.

"The voyage of rediscovery during 1985-87, covered three times the distance of the earlier voyages and retraced major movements of the Polynesian groups and during this voyage, the crew witnessed amazing feats of accurate non-instrument navigation by Nainoa Thompson, similar to those of his mentor Mau on the first voyage, that were comparable to the accomplishments using modern day navigational instruments.

"The achievements of the Hokule'a and her crews are now emblazoned in our history books, having gained scientific, cultural, and educational goals. The gallant crews who endured the pain and adversities and have basked in the jubilation over their accomplishments, are deeply bonded by the fervent and spiritual nature of their experiences, emerging as extraordinary mariners with a profound sense of identity.

"None of these remarkable events that are now part of our heritage would have come to pass, had not a group called the Polynesian Voyaging Society launched this eminent voyaging canoe, the Hokule'a, on this very day, 15 years ago. We wish her a very Happy Birthday or 'Hauoli La Hanau.'

"Mr. President, fellow Senators, it is with extreme pride and gratitude that I present to you today, the president of the Polynesian Voyaging Society, Mr. Myron Thompson, and his son, the esteemed navigator of the Hokule'a, Nainoa Thompson."

The honorees who were seated on the Senate floor rose to be recognized and were presented the congratulatory Senate certificate and leis.

Senator Hagino also recognized and introduced the following Hokule'a crew members who were seated in the gallery: Mrs. Lillian Kruse representing her son John, Scott Sullivan, Kiki Hugo, Jerry Mueller, Harry Ho, Kahu Kealanahele, Buddy McGuire, Gilbert Ane', Nalani Minton, Elisa Yadao and Billy Richards.

Senator Solomon, on behalf of Senator Holt and herself, introduced Mrs. Jacqueline Clibbett Chun as follows:

"Mr. President, it is definitely an honor for us to recognize Jacqueline Chun. Jacqueline is a member of the First All-USA College Academic Team. She is an outstanding undergraduate student at the University of Hawaii, Manoa, majoring in English and Art with a 3.89 GPA.

"Jacqueline Chun is a non-traditional student and is an inspiration to other women who are resuming their education, as well as to her spouse and teenage children.

"The national newspaper, USA Today, sponsors the All-USA College Academic Team, the selection to which is based on 'outstanding blend of scholarship, initiative, creativity, leadership and their willingness to use that talent to benefit others.'

"As I said earlier, Mr. President, Jacqueline Chun in 1990 was one of the twenty students selected nationwide to

the All-USA College Academic Team."

Mrs. Chun, present on the floor of the Senate, rose to be recognized and was presented the congratulatory Senate certificate by Senator Solomon and Senator Holt presented her with a lei.

Senator Chang introduced members of the Hawaii State Commission on the Status of Women as follows:

"Mr. President, this is indeed an auspicious combination of honorees that we have today, esteemed explorers, an outstanding woman. On behalf of Senator Ann Kobayashi, chairman of the Senate Women's Caucus, and as the only male auxiliary member of that caucus, it's my privilege to introduce a group of persons for this honor.

"The Hawaii State Commission on the Status of Women has been instrumental and pivotal in implementing programs in education, counseling, political rights, equal treatment in employment for women, and in creating public awareness and understanding of women as workers, homemakers and community volunteers. The commission has coordinated research planning, programming and action on the opportunities, needs, problems and contributions of women in Hawaii.

"The Governor of Hawaii has proclaimed 1990 as the Year of Hawaii's Women and in recognition thereof and in celebration of the 20th anniversary of the commission, which was originally established on May 15, 1964 and became a permanent statutory body in 1970.

"I'd like to introduce the officers and commissioners that are with us today: La-li Hing, chair; Janice Higashi, secretary; Sharon Yamada, treasurer; Wallette Pellegrino, commissioner from Maui; Lois Evor, commissioner; and Marsha Joyner, commissioner. They are joined by other commissioners, ex-officers, staff and friends in the gallery. May I ask all of them to rise and be recognized."

Senator Levin then recognized and introduced Ms. Carol Pectora, a constituent from the Big Island, who was also seated in the gallery with the women introduced by Senator Chang.

At 11:53 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:58 o'clock a.m.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 69 to 71) were read by the Clerk and were placed on the calendar for further consideration on Friday, March 9, 1990:

Senate
Concurrent
Resolution

No. 69 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO DEVELOP GUIDELINES AND PROCEDURES TO IMPLEMENT AN OUTREACH TEACHER CERTIFICATION PROGRAM FOR NONCERTIFICATED SPECIAL EDUCATION TEACHERS."

Offered by: Senator Yamasaki.

No. 70 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO PREPARE A STATEWIDE

ENVIRONMENTAL IMPACT STATEMENT ON THE USE OF HERBICIDES FOR ROADSIDE MAINTENANCE AND TO DEVELOP AND IMPLEMENT PUBLIC NOTIFICATION AND DISCLOSURE PROCEDURES TO WARN PASSERSBY OF POSSIBLE HAZARDS BEFORE, DURING, AND AFTER ROADSIDE SPRAYING."

Offered by: Senators McMurdo, Blair, Fernandes Salling, Ikeda, Levin.

No. 71 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A COMPREHENSIVE REGIONAL PLAN FOR THE HANA DISTRICT, COUNTY OF MAUI."

Offered by: Senators Solomon, Aki, Blair, Chang, Cobb, Fernandes Salling, George, Hagino, Holt, Ikeda, Kobayashi, A., Kobayashi, B., Levin, Matsuura, McMurdo, Menor, Mizuguchi, Nakasato, Tungpalan, Yamasaki.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 60 to 62) were read by the Clerk and were placed on the calendar for further consideration on Friday, March 9, 1990:

Senate
Resolution

No. 60 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO DEVELOP GUIDELINES AND PROCEDURES TO IMPLEMENT AN OUTREACH TEACHER CERTIFICATION PROGRAM FOR NONCERTIFICATED SPECIAL EDUCATION TEACHERS."

Offered by: Senator Yamasaki.

No. 61 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO PREPARE A STATEWIDE ENVIRONMENTAL IMPACT STATEMENT ON THE USE OF HERBICIDES FOR ROADSIDE MAINTENANCE AND TO DEVELOP AND IMPLEMENT PUBLIC NOTIFICATION AND DISCLOSURE PROCEDURES TO WARN PASSERSBY OF POSSIBLE HAZARDS BEFORE, DURING, AND AFTER ROADSIDE SPRAYING."

Offered by: Senators McMurdo, Blair, Fernandes Salling, Ikeda, Levin.

No. 62 "SENATE RESOLUTION REQUESTING THE DEVELOPMENT OF A COMPREHENSIVE REGIONAL PLAN FOR THE HANA DISTRICT, COUNTY OF MAUI."

Offered by: Senators Solomon, Aki, Blair, Chang, Cobb, Fernandes Salling, George, Hagino, Holt, Ikeda, Kobayashi, A., Kobayashi, B., Levin, Matsuura, McCartney, McMurdo, Menor, Mizuguchi, Nakasato, Tungpalan, Yamasaki.

ORDER OF THE DAY

REFERRALS OF HOUSE BILLS

The President made the following committee assignments of bills received on Wednesday, March 7, 1990:

House Bill Referred to:

No. 461, H.D. 1 Committee on Human Services, then to the Committee on Ways and Means

- No. 463, H.D. 1 Committee on Judiciary, then to the Committee on Ways and Means
- No. 484, H.D. 1 Committee on Labor and Employment, then to the Committee on Ways and Means
- No. 628, H.D. 1 Committee on Government Operations, then to the Committee on Ways and Means
- No. 690, H.D. 2 Committee on Housing and Hawaiian Programs, then to the Committee on Ways and Means
- No. 1159, H.D. 1 Committee on Judiciary
- No. 2002, H.D. 2 Committee on Transportation
- No. 2014, H.D. 1 Committee on Transportation
- No. 2020 Committee on Judiciary
- No. 2051 Committee on Judiciary
- No. 2052, H.D. 1 Committee on Judiciary
- No. 2054, H.D. 1 Committee on Judiciary
- No. 2057, H.D. 1 Committee on Judiciary, then to the Committee on Ways and Means
- No. 2076, H.D. 1 Committee on Judiciary
- No. 2088 Committee on Judiciary
- No. 2103, H.D. 1 Committee on Government Operations, then to the Committee on Ways and Means
- No. 2131, H.D. 1 Committee on Consumer Protection and Commerce
- No. 2156, H.D. 1 Committee on Health, then to the Committee on Ways and Means
- No. 2183, H.D. 1 Committee on Judiciary
- No. 2184, H.D. 1 Committee on Judiciary
- No. 2188 Committee on Judiciary
- No. 2191, H.D. 1 Committee on Judiciary
- No. 2202 Committee on Judiciary
- No. 2204, H.D. 1 Committee on Judiciary
- No. 2206, H.D. 1 Committee on Judiciary
- No. 2207, H.D. 1 Committee on Judiciary
- No. 2215, H.D. 2 Committee on Higher Education, then to the Committee on Ways and Means
- No. 2218, H.D. 2 Committee on Higher Education, then to the Committee on Ways and Means
- No. 2233, H.D. 1 Committee on Energy and Natural Resources
- No. 2258, H.D. 2 Committee on Legislative Management, then to the Committee on Ways and Means
- No. 2262, H.D. 1 Committee on Energy and Natural Resources, then to the Committee on Ways and Means
- No. 2264, H.D. 2 Committee on Energy and Natural Resources, then to the Committee on Ways and Means
- No. 2267, H.D. 2 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
- No. 2270, H.D. 2 Committee on Higher Education, then to the Committee on Ways and Means
- No. 2271, H.D. 2 Committee on Culture, Arts and Historic Preservation, then to the Committee on Ways and Means
- No. 2273, H.D. 2 Committee on Culture, Arts and Historic Preservation, then to the Committee on Ways and Means
- No. 2279, H.D. 2 Committee on Housing and Hawaiian Programs, then to the Committee on Ways and Means
- No. 2293, H.D. 2 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
- No. 2296, H.D. 2 Committee on Tourism, Recreation and Planning, then to the Committee on Ways and Means
- No. 2299, H.D. 1 Committee on Education, then to the Committee on Ways and Means
- No. 2309 Committee on Judiciary
- No. 2338, H.D. 1 Committee on Government Operations
- No. 2358, H.D. 2 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
- No. 2360 Committee on Judiciary
- No. 2361, H.D. 1 Committee on Consumer Protection and Commerce
- No. 2362, H.D. 1 Committee on Consumer Protection and Commerce
- No. 2367, H.D. 2 Committee on Transportation
- No. 2392, H.D. 1 Committee on Consumer Protection and Commerce
- No. 2393, H.D. 1 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
- No. 2398, H.D. 1 Committee on Judiciary
- No. 2400 Committee on Judiciary
- No. 2411, H.D. 1 Committee on Consumer Protection and Commerce
- No. 2448, H.D. 1 Committee on Education
- No. 2458, H.D. 2 Committee on Housing and Hawaiian Programs, then to the Committee on Ways and Means
- No. 2478 Jointly to the Committee on Education and the Committee on Transportation
- No. 2489, H.D. 1 Committee on Labor and Employment, then to the Committee on Ways and Means
- No. 2491, H.D. 1 Committee on Energy and Natural Resources

- No. 2501, H.D. 1 Committee on Consumer Protection and Commerce
- No. 2508, H.D. 1 Committee on Judiciary
- No. 2530, H.D. 1 Committee on Consumer Protection and Commerce
- No. 2533 Committee on Consumer Protection and Commerce
- No. 2600, H.D. 1 Committee on Judiciary
- No. 2602 Committee on Health, then to the Committee on Ways and Means
- No. 2614 Committee on Judiciary
- No. 2616, H.D. 1 Committee on Judiciary
- No. 2637, H.D. 1 Committee on Health
- No. 2645, H.D. 2 Committee on Health, then to the Committee on Ways and Means
- No. 2691, H.D. 1 Committee on Health
- No. 2787, H.D. 2 Committee on Energy and Natural Resources, then to the Committee on Ways and Means
- No. 2789, H.D. 2 Committee on Labor and Employment, then to the Committee on Ways and Means
- No. 2793, H.D. 2 Committee on Labor and Employment
- No. 2800, H.D. 2 Committee on Labor and Employment
- No. 2810, H.D. 1 Committee on Judiciary
- No. 2817, H.D. 1 Committee on Judiciary
- No. 2818, H.D. 1 Committee on Judiciary
- No. 2820, H.D. 1 Committee on Judiciary
- No. 2839 Committee on Judiciary
- No. 2843, H.D. 1 Committee on Judiciary
- No. 2844 Committee on Judiciary
- No. 2845 Committee on Judiciary
- No. 2864, H.D. 1 Committee on Human Services, then to the Committee on Ways and Means
- No. 2871, H.D. 2 Committee on Judiciary, then to the Committee on Ways and Means
- No. 2874, H.D. 2 Committee on Judiciary
- No. 2878, H.D. 1 Committee on Agriculture
- No. 2879 Committee on Agriculture
- No. 2880 Committee on Agriculture
- No. 2881 Committee on Agriculture
- No. 2884, H.D. 2 Committee on Labor and Employment, then to the Committee on Ways and Means
- No. 2888, H.D. 2 Committee on Housing and Hawaiian Programs, then to the Committee on Ways and Means
- No. 2889, H.D. 1 Committee on Labor and Employment, then to the Committee on Ways and Means
- No. 2890, H.D. 1 Committee on Housing and Hawaiian Programs, then to the Committee on Ways and Means
- No. 2891, H.D. 2 Committee on Labor and Employment, then to the Committee on Ways and Means
- No. 2895, H.D. 1 Committee on Ways and Means
- No. 2899 Committee on Health, then to the Committee on Ways and Means
- No. 2902, H.D. 1 Committee on Health, then to the Committee on Ways and Means
- No. 2903 Committee on Health
- No. 2907 Committee on Human Services
- No. 2908 Committee on Human Services, then to the Committee on Ways and Means
- No. 2909, H.D. 1 Committee on Housing and Hawaiian Programs, then to the Committee on Ways and Means
- No. 2924, H.D. 1 Committee on Labor and Employment
- No. 2926, H.D. 2 Committee on Labor and Employment, then to the Committee on Ways and Means
- No. 2939 Committee on Housing and Hawaiian Programs, then to the Committee on Ways and Means
- No. 2941, H.D. 1 Committee on Housing and Hawaiian Programs, then to the Committee on Ways and Means
- No. 2943 Committee on Ways and Means
- No. 2944, H.D. 1 Committee on Ways and Means
- No. 2947, H.D. 1 Committee on Ways and Means
- No. 2949, H.D. 2 Committee on Ways and Means
- No. 2986, H.D. 2 Committee on Business Development and Pacific Relations, then to the Committee on Ways and Means
- No. 3013, H.D. 2 Committee on Labor and Employment
- No. 3081, H.D. 2 Committee on Transportation
- No. 3082, H.D. 1 Committee on Consumer Protection and Commerce
- No. 3095, H.D. 2 Committee on Tourism, Recreation and Planning, then to the Committee on Ways and Means
- No. 3098, H.D. 2 Jointly to the Committee on Labor and Employment and the Committee on Education, and then to the Committee on Ways and Means
- No. 3100, H.D. 1 Committee on Agriculture, then to the Committee on Judiciary
- No. 3114, H.D. 2 Committee on Tourism, Recreation and Planning, then to the Committee on Ways and Means
- No. 3142, H.D. 1 Committee on Education, then to the Committee on Ways and Means
- No. 3165, H.D. 1 Committee on Tourism, Recreation and Planning, then to the Committee on Ways and Means

No. 3169, H.D. 1 Committee on Transportation

No. 3174, H.D. 2 Committee on Culture, Arts and Historic Preservation, then to the Committee on Ways and Means

No. 3265 Committee on Corrections, then to the Committee on Judiciary

No. 3349, H.D. 1 Committee on Culture, Arts and Historic Preservation, then to the Committee on Ways and Means

No. 3356, H.D. 2 Committee on Corrections, then to the Committee on Ways and Means

No. 3380, H.D. 1 Committee on Consumer Protection and Commerce

No. 3385 Committee on Human Services, then to the Committee on Ways and Means

No. 3407 Committee on Judiciary

No. 3410, H.D. 1 Committee on Judiciary

No. 3442, H.D. 2 Committee on Energy and Natural Resources

Senator B. Kobayashi rose to speak on a point of personal privilege as follows:

"Mr. President, yesterday, there appeared an article in the Star Bulletin. The title is 'State Feud Erupts over School Budget Items,' and it states that the school superintendent, the chairman of the Board of Education and the House Finance Committee had traded words. It said among other things that both sides disagree on almost everything, including the total the Finance Committee is recommending in its supplemental budget for the schools.

"Today on our desks is the supplemental budget and it seems to me that there is no disagreement about that because we have the numbers here, starting on page 36.

"The state House operating budget for education is \$17.3 million less than the governor recommended. The governor asked for a total of \$25.5 million for education. The House added \$9 million for education. The House differed from the governor in the use and amount of Federal Impact Aid. The bottom line is the difference of \$17.3 million.

"The House proposal actually decreases state general funds for education by almost \$1.1 million. While adding \$9 million in general funds to education, the House decreased general funds by approximately \$10.1 million due to Federal Impact Aid. If you will look on page 36, EDN 105 and EDN 107, you will see massive increases in federal funds.

"Now, we already have a problem with federal funds being over-estimated. Our Federal Impact Aid monies arrive in bits and pieces throughout the year and cannot be calculated even one year ahead of time. Historically, Federal Impact Aid has been dropping measurably every year. This year we expect large cuts in the Pentagon budget. When that happens, Federal Impact Aid can be expected to drop even more than it has. Federal Impact Aid is a line item in the Pentagon budget and as you can imagine, Federal Impact Aid in the Pentagon's priority is very low compared to weapons systems and personnel.

"Let me give you some figures. In fiscal year 1987-88 Hawaii received approximately \$28 million in Federal

Impact Aid. The next year, in fiscal year 1988-1989, we received approximately \$23.4 million in Federal Impact Aid. This year, in fiscal year 1989-1990, we expect to receive approximately \$20.6 million in Federal Impact Aid. That is a decrease in just two years of approximately \$7.4 million.

"In short, I think we have before us at least an answer to the disagreement between the various sides about how much is in the House budget. It is lower by \$17.3 million.

"And I will remind people in this body that last year when we passed our supplemental budget we passed for the first time in the memory of the budget officer of DOE a budget for fiscal year 1991, next fiscal year, a budget lower than what the governor recommended. Because the House cuts were so large last year, we were not able to cover all of the cuts made by the House with the Senate budget. We were able to increase the governor's recommendations for FY '90 by a few million dollars, but for FY '91, the second year of the fiscal biennium, we did not even meet the governor's recommendations for the education budget. So we are already starting with one foot in the hole, in terms of the education budget. To that, we would have to add to the decreases in the House education recommendations for FY '91.

"That, I think, is the situation we face today. Thank you."

Senator Solomon also rose on a point of personal privilege and remarked:

"Mr. President, at this time, I'd like to congratulate all the women students throughout the University of Hawaii system who have come forth publicly on issues such as sexual harassment and the disparity of numbers pertinent to female faculty and administration.

"Be assured, Mr. President, that your Committee on Higher Education will continue to monitor their efforts. I have already contacted Dr. Doris Ching and have asked her to send me a copy of the administration's policy statement relating to sexual harassment and what is the due process procedure available for both male and female students in seeking resolve.

"Thank you, Mr. President."

Senator McCartney also rose on a point of personal privilege and stated:

"Mr. President, I'd like to thank the chairman of the Education Committee for clarifying what is actually going on with the budget and want to publicly assure that he has my full support in working towards restoring those funds, and I think that it's going to take the commitment of all of us to do this. If we are going to be able to achieve the goal of creating an educational system second to none, we not only need to restructure our school system and decentralize it but we need to provide the resources in order to give the people in the field the tools to educate our children.

"As I stated yesterday, the percentage of state money going into education has declined significantly over the last ten years. Ten years ago, 25 percent of our state budget went toward education; today, only 17 percent. We rank 47th, nationally, in per capita expenditure on education. We rank 49th, nationally, in terms of having student-teacher ratio or class size. So there's a lot of work that needs to be done.

"I'd like to publicly thank our education chairman for working hard on this. You have my full support and I

hope all of us can support him in the months to come. Thank you."

Senator Cobb, also on a point of personal, said:

"Mr. President, on the same matter, rising on a point of personal privilege.

"If you really want to reform the budget process and insure that the money is spent, get rid of Chapter 37 -- repeal it; trash it; because this is the only state in the nation where the governor has more power than the President of the United States to impound funds. And the budget that we pass is nothing more than a legislative wish list which can be changed, transferred, altered or withheld at will, commencing on the day after we go home.

"That budget, in fact, is not worth the paper it's written on because of the power of the executive to transfer and withhold funds under Chapter 37 of Hawaii Revised Statutes. That is the power that not even the President of the United States has; the Mayor of the City and County of Honolulu doesn't have; that no other executive enjoys that kind of power.

"One of the reasons I've never been interested in serving on the Ways and Means Committee is: ... why should we spend three and a half months dissecting black widow spiders, only to see everything changed at the will of the executive the day after we go home. That's pointless.

"We don't even need to have a budget unless you fundamentally change and reform the budget process that we enact every year, and that you either abolish or fundamentally change Chapter 37 of the Hawaii Revised Statutes. Until then, everything that I see is nothing more than rhetoric. I think it's time for a little reality. I think it's time to put the spending prerogative and the power of the purse strings back where it belongs, right here in the Legislature, along with the accountability that should go with it. Thank you."

Senator B. Kobayashi then said:

"Mr. President, point of personal privilege. I wore my button today that says 'I love school lunch.' Several decades ago, I guess four decades ago, I loved school lunch. I still do.

"Among the items cut is \$2.6 million for school lunches along with \$4.8 million for class size reduction, and \$5 million for repair and maintenance of schools. Those are the three biggest items cut, and all of them I think are priority items. Thank you."

Senator Koki, also on a point of personal privilege, said:

"Mr. President, I agree with Senator Cobb and I think the fastest way of accomplishing that is to elect a Republican governor in 1990. Thank you."

Senator Yamasaki also rose on a point of personal privilege and said:

"Mr. President, I would just like to remind the members of this body that we have three branches of government -- the Judiciary, the Executive and the Legislative. Thank you."

Senator Cobb then responded:

"Mr. President, cognizant of the three branches of government and also cognizant of the remarks of the

Senator from the Ninth District. The withholding power would exist regardless of which party, which label is in office. It's not the individual. It's the authority given now, today, under Chapter 37, Hawaii Revised Statutes. A Republican governor, a Libertarian governor, non-partisan governor or a Democratic governor enjoys that power and the fundamental need is to change it so that you don't have to rely on the personalities or the whims of whoever holds the office. That's the fundamental need.

"I hope that we can find a vehicle in here with the right title so we can amend this issue on the conference table and really change the budget process. Because only once in the entire history of this Legislature have we ever had a budget where it really meant something and that was when Senator Cayetano was the chairman of Ways and Means Committee and we divided the budget into two parts, 'A' and 'B'. 'A' being mandatory to spend, and 'B' being discretionary. And that year we had a two-week extension of the Legislature in order to get that achieved.

"So our whole budget process is flawed and it's not a matter of who sits on the fifth floor. It's a matter of changing the very process and rules of the game by which we play in order to insure that budget decisions that we make here have any kind of meaning whatsoever. At the present time, they don't."

Senator Koki also responded:

"I think the Senator misunderstood my comments. If we have a Republican governor in 1990, by 1991 we will have a repeal of that chapter."

Senator McCartney then stood on a point of personal inquiry and asked:

"Mr. President, I rise on a point of personal inquiry and I'd like to ask the Senator from the Ninth District if he would yield to a question?"

The Chair posed the question to the Senator from the Ninth District and Senator Koki having answered 'no,' Senator McCartney said:

"Mr. President, then in that case, I would just put the question out. I was just going to ask him if he was going to run for governor because I was going to volunteer to work on his campaign committee, but I guess I cannot then."

Senator McMurdo also asked if the Senator from the Ninth District would yield to a question and the Chair having posed the question, the Senator responded:

"I didn't know I was going to get into this kind of trouble." (Laughter.)

Senator McMurdo then asked:

"I just wondered, do you have that in writing or is that going to be in an ad in the paper." (More laughter.)

Senator Koki answered:

"I don't make the ads. Thank you."

ADJOURNMENT

At 12:15 o'clock p.m., on motion by Senator Blair, seconded by Senator Reed and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, March 9, 1990.