

NINTH DAY

Wednesday, January 29, 1992

The Senate of the Sixteenth Legislature of the State of Hawaii, Regular Session of 1992, convened at 11:55 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Lee Kiefer, Institute for Human Services, after which the Roll was called showing all Senators present with the exception of Senators Chang, George, Holt and Reed who were excused.

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

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 108 and 109) were read by the Clerk and were placed on file:

Gov. Msg. No. 108, dated December 30, 1991, transmitting the annual report of activities under the Job Training Partnership Act prepared by the Hawaii Job Training Coordinating Council for Program Year July 1, 1989 - June 30, 1990.

Gov. Msg. No. 109, dated December 30, 1991, transmitting the Hawaii Youth Correctional Facility Status Report prepared by the Office of Youth Services, Department of Human Services, in response to Act 151, SLH 1991.

DEPARTMENTAL COMMUNICATION

Dept. Com. No. 18, from the Office of the Auditor dated January 28, 1992, transmitting a report, "Study of the Division of Community Hospitals," Report No. 92-6, in response to Section 35, Act 296, SLH 1991," was read by the Clerk and was placed on file.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 23 and 24) were read by the Clerk and were referred to committees:

Senate Concurrent Resolution

No. 23 "SENATE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF STATE PLANNING TO DEVELOP A PLAN TO LOCATE NEW AND EXPAND EXISTING INDUSTRIES ON ISLANDS OTHER THAN OAHU."

Offered by: Senators Iwase, Aki, Cobb, George, Hagino, Holt, Ikeda, Kobayashi, A., Kobayashi, B., Koki, Levin, Matsuura, McCartney, Mizuguchi, Nakasato, Yamasaki.

Referred to: Committee on Planning, Land and Water Use Management

No. 24 "SENATE CONCURRENT RESOLUTION URGING THE PRESIDENT AND THE CONGRESS OF THE UNITED STATES TO HONOR AND FULFILL THE FEDERAL TRUST OBLIGATIONS TO NATIVE HAWAIIANS."

Offered by: Senators Solomon, Aki, Tungpalan, Crozier, Fernandes Salling, Holt, Chang, Hagino, Ikeda, Iwase, Kobayashi, A., Kobayashi, B., Levin,

Matsuura, McCartney, Mizuguchi, Wong, R., Yamasaki.

Referred to: Committee on Housing and Hawaiian Programs

SENATE RESOLUTION

The following resolution (S.R. No. 21) was read by the Clerk and was referred to committee:

Senate Resolution

No. 21 "SENATE RESOLUTION REQUESTING THE OFFICE OF STATE PLANNING TO DEVELOP A PLAN TO LOCATE NEW AND EXPAND EXISTING INDUSTRIES ON ISLANDS OTHER THAN OAHU."

Offered by: Senators Iwase, Aki, Cobb, George, Hagino, Holt, Ikeda, Kobayashi, A., Kobayashi, B., Levin, Matsuura, McCartney, Mizuguchi, Nakasato, Yamasaki.

Referred to: Committee on Planning, Land and Water Use Management

Senator Crozier, chairman of the Committee on Housing and Hawaiian Programs, and members of the committee, having requested a waiver of the 48-hour Notice of a Public Hearing on S.C.R. No. 24, the President granted the waiver.

Senator Cobb then rose to speak on a point of personal privilege and stated:

"Mr. President, yesterday, I received a memo on the securing of the Punchbowl entrance to the Senate parking lot in the Capitol building. I find it odd that this memo would come out the day after a court injunction was granted, at least for 10 days, halting all construction on the Capitol. But I think it would have been better if some advance notice had been given of this closing because I, like other Senators, attempted to use the Punchbowl entrance to come to work and found it closed with no advance notice, no sign on the road, no posting, no indication at all that it was closed until you came right up to the entrance where there was some yellow tape indicating that the gate was down.

"I think, Mr. President, until the injunction is resolved I question why this entrance should be closed and I think anytime in the future when an entrance or egress is to be closed or altered, that advance public notice would be most helpful, not only to members of the Legislature but members of the public who would be using it. Such was not the case.

"Second, Mr. President, I received a letter from the Hawaii Academy of Plaintiffs' Attorneys concerning the CAIR auto insurance reform proposal that is before the Legislature. In the letter, signed by Mr. Robert Toyofuku, they had checked with many sources in the private sector and the Insurance Division of the DCCA regarding a possible pull-out by USAA auto insurance. I was informed of that possible pull-out or pending pull-out while attending a State Farm reception at the Ala Moana Hotel. The reason I am raising this is it goes to the issue of truth in lobbying because Mr. Toyofuku's letter makes it emphatically clear that there is no such contemplative pull-out by USAA. Therefore, I think it's incumbent upon the opponents, more specifically State Farm, to either verify this pending pull-out or to retract such allegations; but we as Legislators can only rely on the

truth of what is told to us by lobbyists and when that information is false I think it needs to be called to account publicly and the issue resolved before we make decisions. That's why I'm doing so today. Thank you."

ADJOURNMENT

At 12:02 o'clock p.m., on motion by Senator Solomon, seconded by Senator Koki and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, January 30, 1992.