

SENATE JOURNAL - 1st DAY

THE
SEVENTEENTH LEGISLATURE
STATE OF HAWAII
REGULAR SESSION OF 1993
JOURNAL OF THE SENATE

FIRST DAY

Wednesday, January 20, 1993

In accordance with the provisions of Section 10 of Article III of the Constitution of the State of Hawaii, the Senate of the Seventeenth Legislature of the State of Hawaii, Regular Session of 1993, was called to order at 10:00 o'clock a.m., by the Honorable James Aki, Temporary Chairman of the Senate.

At this time, the members of the Senate and guests rose to sing the National Anthem and "Hawaii Pono" led by Mrs. Mary Ellen Ululani Alfapada and Mr. Craig Darryle Hauole Alfapada of Nanakuli.

The Divine Blessing was then invoked by Father Thomas Killackey, M.M., Pastor, Waianae Sacred Heart Parish, who was escorted to the rostrum by Senators Tungpalan, Solomon and Koki.

Nominations now being in order for a temporary clerk, Senator Holt nominated T. David Woo Jr., seconded by Senator Hagino.

Senator Chang moved that the nominations be closed, seconded by Senator Mizuguchi and carried.

The Chair declared T. David Woo Jr. as Temporary Clerk of the Senate.

Senator Matsuura then moved that a committee of three Senators be appointed by the Chair as a Committee on Credentials to examine the certificates of election of the newly elected members of the Senate and to submit a report of its findings to the Senate, seconded by Senator George and carried.

The Chair thereupon appointed Senators Iwase, Tungpalan and Reed to serve on such committee.

At 10:19 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:22 o'clock a.m.

SPECIAL COMMITTEE REPORT

Senator Iwase, for the Committee on Credentials, presented a report (Spec. Com. Rep. No. 1) as follows:

"The Honorable James Aki
Temporary Chairman of the Senate
The Seventeenth State Legislature
State Capitol
Honolulu, Hawaii 96813

Dear Chairman Aki:

Your Committee on Credentials begs leave to report that it has examined the Certificates of Election of the Senate of the Seventeenth Legislature of the State of Hawaii, Regular Session of 1993, and finds that the

following persons have been legally elected and are fully qualified to sit as members of the Senate.

The newly elected Senators whose respective terms of office will expire on November 5, 1996 are:

Second Senatorial District

Richard M. Matsuura

Third Senatorial District

Andrew Levin

Fifth Senatorial District

Joe Tanaka

Eighth Senatorial District

Donna Ikeda

Ninth Senatorial District

Matthew Matsunaga

Eleventh Senatorial District

Ann Kobayashi

Twelfth Senatorial District

Carol Fukunaga

Fourteenth Senatorial District

Milton Holt

Fifteenth Senatorial District

Norman Mizuguchi

Sixteenth Senatorial District

Rey Gaulty

Twentieth Senatorial District

Brian Kanno

Twenty-Fourth Senatorial District

Stanley Koki

Twenty-Fifth Senatorial District

Mary George

Respectfully submitted,

/s/ Randy Iwase
/s/ Eloise Tungpalan

/s/ Rick Reed"

Senator Matsuura moved that Special Committee Report No. 1 be adopted, seconded by Senator George and carried.

The Committee on Credentials was thereupon discharged with thanks.

The Chair, at this time, appointed Senators Levin, Grauly and Fukunaga to escort Chief Justice Herman Lum of the Hawaii State Supreme Court to the rostrum to administer the oath of office to the newly elected members of the Senate.

The Senators escorted Chief Justice Lum to the rostrum and were thereupon discharged with thanks.

Chief Justice Lum administered the oath of office to the newly elected members of the Senate who were standing at their respective desks.

The Roll was then called by the Temporary Clerk showing all Senators present.

Nominations for officers of the Senate being next in order, Senator Nakasato placed in nomination the name of Senator James Aki for President of the Senate, seconded by Senator A. Kobayashi.

Senator Iwase moved that the nominations be closed, seconded by Senator Matsunaga.

At this time, Senator Mizuguchi rose to remark as follows:

"Mr. President, the vote on this motion should not be misinterpreted but rather interpreted as a call for leadership in the Senate to provide a structure and process that will enable all of us to find the solutions and to address the dire needs of the people of our state. This is not a time for dissension merely to make this point, but a time to call upon members to put aside their need for titles and look instead to the needs of the people. Only by working together, under a structure which represents all constituencies, will we be able to achieve the results we must achieve for the people's sake."

The motion to close the nominations was then put by the Chair and carried unanimously and the Temporary Clerk was directed to cast a unanimous ballot for Senator Aki as President of the Senate.

The ballot having been so cast, Senator James Aki was declared unanimously elected President of the Senate of the Seventeenth Legislature of the State of Hawaii, Regular Session of 1993.

At this time, the President addressed the members of the Senate and guests as follows:

"Lieutenant Governor Ben Cayetano, Chief Justice Herman Lum, Mayor Frank Fasi, Mayor Stephen Yamashiro and Della, Mayor Linda Crockett Lingle, honored guests, friends, and people of Hawaii -- Aloha!

"I would also like to extend Aloha to the newest members of this honorable body, Senator Carol Fukunaga, Senator Rey Grauly, Senator Brian Kanno, Senator Matt Matsunaga and Senator Joe Tanaka.

"Please bear with me a little longer as I take a few moments to give thanks to all my constituents who have put their trust in me all these years by electing me to be their senator. I will continue to do my best for you and the wonderful state in which we live. And to my

colleagues, I say mahalo for the opportunity you have given me to be your leader. And finally to my family who stood by me all these years and gave me the support I needed, thank you very much. Faye, Mom, thank you very much.

"I rose early today and as I looked at the morning skies I was reminded that on this new day dawns an era of enormous change, not only here in Hawaii, but for our nation and the rest of the world as well. Just look at what's happening in our nation's economy and again in Iraq. Our immediate future is filled with apprehension and uncertainties.

"We meet here today at a time of great challenges and great opportunity for Hawaii. Through all of our present travail, and we know them well -- the deficit, the homeless, the unemployed, the loss of spirit and belief. For all these, I believe that we are wise enough to address our deficit without taxing ourselves into bankruptcy, strong enough to reconcile order with justice, brave enough to bring opportunity and hope to those who have neither.

"We must be the family of Hawaii. Feeling one another's pain, sharing one another's blessings, equitably, honestly, fairly, without respect to geography or race or political affiliation.

"Our ancestors taught us to work hard to give our children something better. That I pledge, as I begin my term. This will be a hardworking and realistic Senate, fully cognizant of those thousands of families and businesses struggling to survive an economy that is distressed at the moment. I have no illusion about how difficult this will be. It will require that we pass a fierce test of our resolve.

"We begin to meet our obligation today, all of us together.

"I have been deeply troubled by the negativism that has surrounded us and by the widespread distrust in government that has accompanied feelings of anger and frustration among our constituents. Today, let us pledge our efforts to wiping out this gloomy 'attitudinal virus' and to replace it with a 'can-do' attitude. Let us pledge to do what we can to restore public confidence in government and to build a positive, more vital climate along with an openness to new ideas and solutions to old problems. Let us encourage and welcome change for the betterment of our community and let us seek to make decisions by collaboration and consensus rather than confrontation and controversy. Let us dispense with labels and negativism and replace these with a renewed spirit of cooperation. Michael Jackson sings, 'Heal the world, -- make it a better place for you and for me.' Let's 'heal Hawaii' and 'make this a better place for you and for me.'

"As an unshakable team we can heal our battered economy, win back our alienated youth and heal the broken dreams of our less fortunate citizens. To achieve the dreams we have for our children, to build that better world, we, in government must be willing to admit our mistakes and learn from them. We must be willing to put our egos aside, and make tough personal sacrifices. We need to remember that we are here to serve the people. The people also have a role in our efforts. Each person must be willing to ask himself, 'What can I do,' and then, 'Do it.'

"Here are a few of my ideas on what government can do. In order to maintain full employment, we must diversify and expand our economic growth. In the coming days, we will be looking for ways to assure a

balanced approach to economic growth by working closely with the private sector. Environmental scare tactics cannot be used as screens. Instead, by enhancing our environment, by complementing our wealth of natural resources and by preserving our cultural and historical ties to the land, we should be able to develop a balanced growth program that will benefit Hawaii's people.

"I envision Hawaii as becoming the business center of the Pacific. With the interest of the Asian market and the questionable outlook of Hong Kong, we have an unprecedented opportunity to establish ourselves as the key to business in the Pacific. This means working with our private sector and developing rules that will encourage businesses to stay in Hawaii instead of looking for more ways to hamper their progress with governmental bureaucracy and higher taxes.

"Tourism is our bread and butter. Without tourism, thousands of jobs would be gone and our economy and people would suffer. Given the fiscal constraints of these times, we need to look at tourism and its marketing in creative and fiscally prudent ways that include reviewing the counties' share of the transient accommodation tax. The state will have to find another way to finance itself. Furthermore, whenever Hawaii residents travel out of state, they can serve as 'ambassadors of Aloha,' spreading the good word about Hawaii and its people. Even our students can become wonderful ambassadors as they travel the world spreading the message of Aloha with their bright smiles, sparkling eyes and generous spirits worthy of our island heritage.

"It is clear that government cannot solve the many issues surrounding housing alone. The public and private sector must work closely together to find innovative ways to approach the need for affordable housing, and more specifically, rental housing. Perhaps we have focused too long on the need to purchase homes. Why not look at how we can best house our families by providing affordable rental housing as well?

"And why can't we in government just make available finished lots and let the people build their own homes?

"As a former teacher, I believe that we have a responsibility to create a learning climate where our youngsters can reach their full potential. That means back to basics and paying teachers a wage commensurate to their role as fostering our most precious resource. We should also actively recruit local people interested in teaching as a career. We can start by supporting the responsibility of our teachers in the classroom. Teaching is a respected profession that should pay a fair wage.

"In these modern times, stress and pressure are common personal experiences. Each one of us has occasionally felt the need to re-group, even recuperate, from the strain and responsibility of modern living. Because of the stress-filled world in which we live, we must look toward securing a modern day 'city of refuge' that can offer to those in need an escape from the stresses of the day and to re-energize.

"Last, I would like to talk about a concern of special importance to me. It is clear and unquestionable that a wrong has been done to our native Hawaiians. How these wrongs will be redressed by the state and federal government is of the utmost importance to all of us. Some say we cannot turn back the hands of time. To them, I say time has stopped for many native Hawaiians and we in government must act to help restore to this proud race some of the dignity stolen from them. I encourage the state to continue its work regarding Hawaiian home lands and support legal action against the

federal government for breaches of the Hawaiian Home Land Trust.

"Like many of you, I come from an immigrant family. I know what it is to struggle to belong, to work to build a strong foundation for the family, to prepare ourselves for the future. I come from a strong and proud region of Oahu that has too often been a scapegoat in the past. It is populated by people who have faced and tackled tough problems and who have been willing to accept new ideas for the betterment of the community. From the people of Waianae, I have learned the true meaning of the 'ganbare' spirit, a Japanese word that means the courage and determination to keep on trying, to 'hang in there tough' with every ounce of energy to get the job done. In Hawaiian we say 'imua.' With positive attitudes and the willingness to resolve the issues of our society, we can begin knocking down the walls to the problems of our society and take the first steps toward the accomplishment of our many worthy goals. The longest of journeys begins with but one small step.

"So great and complex are the problems facing Hawaii today, that I believe nothing less than our best is good enough to solve them.

"I call on all members of the Senate to seize this opportunity to help shape a special place for our keiki o ka aina. With a spirit of cooperation, the desire to work by consensus, and with a commitment to work together for the people of Hawaii, we can face the tough challenges ahead of us and openly seek workable solutions and alternatives to the problems and issues brought before this Legislature. Let's do it -- let's do it now. Thank you."

Senator George, Minority Leader of the Senate, then responded as follows:

"Mr. President, colleagues, distinguished friends:

"I think it's safe to say that longevity is one topic on which no one here would question my credentials.

"Today I'd like to consider two aspects of longevity in office. The first is memory -- recollections of political history, of the approaches, the emotions and the political considerations that went into the solutions chosen then to solve the problems of that day.

"The other aspect of longevity is perspective. Nobody appreciates Monday morning quarterbacks, but occasionally we ought to revisit yesterday from the vantage point of today's experience and knowledge.

"Deja vu time. For as long as I can remember, the problems of this state have been virtually the same. And, sadly, not only have we not dealt with any of the problems to a degree where we can file them as solved, it's pretty safe to say that many of them have just gotten worse.

"You have reminded us of the long list of today's problems, Mr. President, but I can testify that pretty much this same sorry litany was before government a quarter-century ago. I know, because that, Mr. President, is when I first joined government. (Along with the mayor of the City and County of Honolulu, a quarter-century ago.)

"It has always cost more to live here than on the Mainland. The biggest change I see is that many of the people who used to just talk about looking for better pay or a cheaper community are really going -- or gone."

"Our people have always been protective of their neighborhoods. It's only recently that we started to call

this NIMBY. We have always worried about environmental assaults on our water quality.

"For a long time people in this state have been critical of our educational system. Remember how we used to change superintendents of education? About as often as we changed our underwear.

"Juvenile crime. Not enough prison space. Persistent drug use, changing only the choice of which drug to abuse.

"Today's catalog of problems keeps on reading like yesterday's. Expensive and inadequate housing. Discrimination and racism. Overdependence on government money and jobs. A moribund two-party system (only the party has changed over the decades). An all-eggs-in-one-basket economy. Mistrust of government itself. Low voter participation.

"Quite a few of these problems are here and worse simply because there are more of us. And some resist solution by their very nature -- they're human problems, always complex and ever elusive.

"Yes, Mr. President. In spite of our best efforts, through some kind of inevitable social inertia, these problems persist -- tumbling out of our political closet like some skeletal apparitions we thought we'd buried long ago.

"This year, let's particularly look at those problems that government's own actions may have made worse. Could our well-meant intervention, for instance, be partly responsible for the scanty supply of affordable housing? Would we be better advised to back off and let market forces go to work?

"Enlarging government certainly hasn't provided solutions for our persisting problems. Nor has collecting and spending more money made them go away.

"Who was it that said 'the faster I go, the behinder I get?'

"As we have less and less money to work with, our partisan and personal differences grow smaller. I don't agree with those who say that we can't do much because the cupboard is bare. I would point out that if necessity is the mother of invention, financial crisis is surely the mother of innovation.

"Our constituencies have spoken. Vox Pop. The voice of the people -- the foundation of our nation and the wisdom of our democratic system. With all my perspective and despite an extensive memory bank, I can't remember a year of greater citizen unrest than the past one. And I know we all made promises based on what our public told us -- they sent us here to do the public good.

"To do that, we'd better stop thinking of the public out there as consumers. Our citizens aren't the customers of government -- they are the owners. Customers look at a range of products and decide what to buy. Citizens, through representative government, decide which things are so important that government will do them at public expense.

"The people want us to do our job -- to set priorities. Politics will get us by when there's plenty of money. Now that the well is going dry, what we've got to have is leadership.

"Opening day is a time for commitments, and promises, and ideals. Let's make the promises and speak

brightly of tomorrow. Ideals are like stars after all. We cannot reach them, but we are graced by their presence.

"But may I also suggest that when the speeches are paid we remember the simple reason why we're here: that this is a government of the people and that the people of this state rightly expect that we will do all we can to lessen their burdens, improve their communities, and provide a better future for their children.

"I know we agree on that, Mr. President. In fact, we agree on a lot more than we disagree on. So I suggest we put partisan labels aside and get on with the business before us.

"In that spirit, we, the 'numerically challenged,' are ready to roll up our sleeves and work hard, with you, to respond to the voice of the people.

"Mr. President, your minority looks forward to a productive session.

"Thank you."

At 10:50 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:56 o'clock a.m.

The President, at this time, introduced to the members of the Senate Dr. Kenneth Mortimer, the newly-appointed President of the University of Hawaii, and Mr. Rockne Freitas, Vice President for University Relations, University of Hawaii, seated on the floor of the Senate.

The President then announced that nominations were in order for the office of Vice President of the Senate.

Senator Ikeda placed in nomination the name of Senator Milton Holt for Vice President of the Senate, seconded by Senator B. Kobayashi.

Senator McCartney moved that the nominations be closed, seconded by Senator Kanno.

The motion to close the nominations was put by the Chair and carried unanimously and the Temporary Clerk was directed to cast a unanimous ballot for Senator Holt as Vice President of the Senate.

The ballot having been so cast, Senator Milton Holt was declared unanimously elected as Vice President of the Senate of the Seventeenth Legislature of the State of Hawaii, Regular Session of 1993.

SENATE RESOLUTION

The following resolution (S.R. No. 1) was read by the Temporary Clerk and was disposed of as follows:

S.R. No. 1, providing for the election of T. David Woo Jr. for Clerk of the Senate, George Animoto for Assistant Clerk of the Senate, and Bienvenido C. Villafior for Sergeant-at-Arms of the Senate, Seventeenth Legislature of the State of Hawaii, Regular Session of 1993, was offered by Senators Matsuura and George.

On motion by Senator Blair, seconded by Senator Tanaka and carried, S.R. No. 1 was adopted.

The President thereupon administered the oath of office to the newly elected Clerk, Assistant Clerk and Sergeant-at-Arms of the Senate.

At 10:59 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:18 o'clock a.m.

The President thanked Frank and Katherine Kawelo and Wally and Polei Palmeira, all of whom are from Kauai, for providing the entertainment during the recess.

In closing, the members of the Senate and guests joined hands and sang "Hawaii Aloha."

ADJOURNMENT

At 11:20 o'clock a.m., on motion by Senator Ikeda, seconded by Senator Reed and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, January 21, 1993.