

THIRTY-NINTH DAY

Monday, March 29, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:48 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Charles Couch, Calvary Chapel, West Oahu, after which the Roll was called showing all Senators present.

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

At this time, the following introductions were made to the members of the Senate:

Senator Chun Oakland, with the assistance of Senators Ihara, Sakamoto, Iwase, Taniguchi and Buen, introduced and congratulated the Queen of the 47th Annual Cherry Blossom Festival, Lori Shizuko Murayama, and her court: First Princess and Miss Congeniality, Dori Takata; Princess Janice Nakatani; Princess Jennifer Oyama; Princess Alison Tasaka; and Miss Popularity, Taryn Matsuda. Accompanying the young ladies was Keith Kamisugi, President of the Honolulu Japanese Junior Chamber of Commerce.

Senator Taniguchi, in recognition of Project DANA's Tenth Anniversary, introduced and commended the following volunteers from Project DANA: Shim Kanazawa, founder; Clifford Takishita; Rusty Nakagawa; Ayako Taketa; Grace Zukeran; and Betty Okamoto.

At this time, the Chair appointed Senators Chun Oakland, Iwase and Matsunaga to escort Queen Lori Murayama to the podium to address the members of the Senate.

Queen Lori addressed the members of the Senate and their guests as follows:

"Forgive me, I didn't have anything prepared today. So, as one might say, I'm just going to wing it.

"Thank you, first of all. It's been an honor to be here in front of the body that perpetuates our State. It's a really great honor, so I thank you for that.

"I guess you could say we've been honored twice this week -- first, to be in front of you all, and secondly, to be the 47th Cherry Blossom Court.

"This year, we plan to do many things. Although it's not really set in stone yet, we have great plans for this year. One of our missions is definitely to perpetuate our culture and our heritage, to get the community involved. Our second plan is to definitely get into the youth, to teach them, and to become a good role model for them as well. And finally, to empower women -- I know that First Princess Dori's plan is definitely to empower women.

"Thank you."

At 12:05 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:11 o'clock p.m.

MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 251, informing the Senate that on March 25, 1999, he signed into law Senate Bill No. 1639 as Act 2, entitled: "MAKING AN EMERGENCY APPROPRIATION FOR KAPOLEI HIGH SCHOOL," was read by the Clerk and was placed on file.

ORDER OF THE DAY

THIRD READING

H.B. No. 850, H.D. 1, S.D. 1:

Senator Kanno moved that H.B. No. 850, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Taniguchi.

Senator Iwase rose in support of the measure with reservations as follows:

"Mr. President, I'm rising to speak in support of the bill with reservations.

"Mr. President, the purpose of this bill is to extend amnesty for uninsured motorists, purportedly to encourage these uninsured motorists to buy auto insurance.

"Mr. President, the last time we dealt with auto insurance, we had statistics showing about somewhere between 15 to 20 percent of the automobile drivers weren't insured. And so, one of the discussions that occurred when we enacted the reforms three years ago, four years ago, was that by reducing the premiums and providing amnesty, people would buy auto insurance because uninsured motorists pose a problem for our state. It is unfair, therefore, for the 80 percent who are presently struggling to pay for auto insurance to continue to pay when we continue to extend the amnesty provisions.

"Moreover, Mr. President, and with sympathy to those who are having difficulty and therefore cannot buy auto insurance, if the auto insurance costs are not affordable because the reforms have not provided the affordability that was promised, then perhaps the better answer is to eliminate no-fault altogether as insurance and let people choose, or to enact a choice bill which was before this body four years ago, to let people choose whether or not they want to buy no-fault insurance or buy some form of a modification of that, or to elect not to buy auto insurance at all.

"But at this point in time, Mr. President, we ought to not continue to extend this amnesty. Thank you."

Senator Slom rose in opposition to the measure and stated:

"Mr. President, I rise to speak in opposition to this bill.

"I'd like to reflect some of the comments that my colleague just made about the amnesty provisions, but I'd like to go a little bit further. First of all, we've had two amnesty periods already, and now we're having a third and probably we'll have a fourth and a fifth. It makes a mockery of what we're doing here in terms of laws.

"The Honolulu Police Department testified against this bill very vehemently. As my colleague mentioned, really what we should be doing is giving people a choice or ending the mandatory requirement for insurance, if that's what we're concerned about. In addition to that, we don't make any distinction in this bill between those who have any kind of hardship or special case scenario or anything else. We just continue the amnesty.

"So, if we're going to continue to do that, as I say, it really makes a mockery of trying to have a law that punishes those of us who are the good citizens and pay the bills and do the things we're supposed to do.

"Thank you, Mr. President."

Senators Bunda and Sakamoto requested their votes be cast "aye, with reservations," and the Chair so ordered.

Senator Kawamoto then rose and said:

"As one who favored a choice bill, with reservations, please."

The Chair so ordered.

At this time, Senators Chun, Buen, Matsunaga, also requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, H.B. No. 850, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Anderson, Slom).

H.B. No. 1548, H.D. 1, S.D. 1:

Senator Nakata moved that H.B. No. 1548, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator M. Ige.

Senator Anderson requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, H.B. No. 1548, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WASTEWATER REUSE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1203, H.D. 1, S.D. 1:

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.B. No. 1203, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COLLECTION OF TAXES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1061, H.D. 2, S.D. 1:

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.B. No. 1061, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GRANTS AND SUBSIDIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1086, S.D. 1:

On motion by Senator D. Ige, seconded by Senator Sakamoto and carried, H.B. No. 1086, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 12:17 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:18 o'clock p.m.

RE-REFERRAL OF HOUSE BILL

The Chair re-referred the following House bill that was received:

House Bill Referred to:

No. 150, H.D. 2 Jointly to the Committee on Education and Technology and the Committee on Ways and Means and the Committee on Judiciary

Senator Chun Oakland, for the Committee on Health and Human Services, requested a waiver pursuant to Senate Rule 20 for S.C.R. Nos. 42, 112, 113, 119 and 121; and S.R. No. 50, and the Chair granted the waiver.

Senator Slom rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"I, like many of my colleagues I'm sure, are very saddened today with the news that we apparently have lost Baywatch. Day after day, for weeks on end, Mr. President, we've been following the news and hoping against hope that this intellectual series would come to our fair shores. What boobs, Mr. President, what boobs made this decision to relinquish the opportunity for us to have this TV series here? I just don't understand it. You know, we tried so hard. The Legislature tried to throw money at them. The Governor personally lobbied. The media had an unrelenting campaign. And yet, it looks like the decision was made not here, but in Los Angeles by the Teamsters Union. I'm very saddened by that.

"Of course, we also are losing the Biotech edge that we had at the University of Hawaii because we didn't lobby for that, because we didn't throw money at that, because we didn't keep our promises, because the Governor didn't get personally involved. And we go out and we look for other businesses across the country and industries that don't exist here, while denying existing businesses an improved business climate or tax reduction. And we wonder why we lose them.

"What boobs, Mr. President. We should take care of the things that we have, first, and make them better, before we move on.

"Thank you."

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

"Mr. President, I rise on a point of personal privilege.

"I agree with the Minority Floor Leader, but I think, Mr. President, it's a shame that I have to constantly get up on a point of personal privilege because the economy is so bad, and then read in the editorial that we make brave noises and that education has got to be first and foremost, and the economy is low. Hell, we know that. Everything that comes up . . . I think what we have here is a group of people that are a little deaf. I don't make strange noises or noises for political causes that make it where we're going to move forward for no reason. We come up with solutions.

"We have education, for instance. Charter schools, vouchers, tax credits -- you folks may not like those ideas, but the people do. And there's nothing wrong with those kinds of deals. I had a woman call my office and said, 'Why don't we go ahead and charge the private schools?' Well, my daughter has two children going to private schools. She pays taxes for public schools. She needs all the help she can get from us if we can go ahead and help our grandchildren, because our public schools are in sad shape.

"The federal government just said we had \$15 million, and we're going to put it where? -- in the general fund. And yet, the other day when Representative McDermott was on, somebody said, 'Hell, 70 percent of those kids belong to military parents. They're not ours. The federal government should take care of them.' Then why don't we take those federal dollars and take care of the schools if the percentage is so high of students from the military?"

"Let me go into another one -- streamlining of government. I've been talking about that. There's nothing wrong with a unicameral system. I'm not worried about my political future. I said get rid of 25 people. To make it where people could understand, I said visualize that second floor with no Senators, no staff, no equipment. In reality, it's 25 less people. I'm running this time. I would just as soon take a chance on being a senator or a representative. That means what? That I have to run against Representative Goodenow? So if they dump me, they pick up him. If they dump him, they pick up me. That's the chance that we all take. And that's cutting government."

"I've said regulatory reform. The Governor wants to go ahead on administrative rules. Four years, SWAT team. Two years is what we set. Make sure that all rules and regs drop dead in two years, unless a department can justify them. And what's wrong with that? Four years to find out an impact on businesses that's taking them down the tubes. How many more businesses can we lose? And yet, we just voted this morning for more rules and regs."

"Gambling. I just watched on television the group against gambling. Well hell, there's only two states that don't have gambling, and even Utah says that we can have horse racing for sportsmanship. But if this group is so strong and it's so vital for you folks to listen to them, then why aren't the other states listening?"

"I went and asked for some statistics this morning for people, since we passed years ago that alcohol would be legal. It's costing us \$500 billion in gambling, yearly, but in our pathological deal it's another, what is it, five million problem? That's not too bad. When we passed alcohol, we had 14 million Americans that had problems, and it's costing us over \$100 billion a year. I don't see anybody changing that law. Why don't we change that if it's so bad? But what you do every year is you try to figure out how we can get more money from alcohol. We tax it more. That's your solution to everything -- tax, not to get rid of anything. Just tax it."

"I don't see anyone that turns around and says, son or daughter or whatever, how about joining me in a game of poker or dice in the evening. But most of us have told our children, would you like a sip of wine; how about a little beer? But we don't ask them to gamble. And the law says 21. But that's the way to stimulate the economy."

"What we have here is people saying that we have to raise taxes and that we have people who will stand up and say brave things. Well, that's not quite true. I've had people come to my door with people on welfare and needing help because they're single parents and everything else. They don't care where they're getting the money from. They just tell them, see the Senator. Well, we have a realistic way of trying to control government, a realistic way of trying to look at helping the economy. It's not something that we just think up. And if you think that we just play games over here, you must be deaf and blind because you folks really don't look at the situation and you don't listen. What you do is walk out every year to say that we're just mouthing off."

"I thank you for listening, Mr. President, and I wish that we would seriously consider all of the different things that we don't need to raise taxes on, but we can help our economy and make sure that we move forward and that we don't blame Asia and others for the problems that we can go ahead and help solve."

"Thank you very much."

ADJOURNMENT

At 12:28 o'clock p.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, March 30, 1999.