

TWENTY-FIRST DAY

Thursday, February 19, 1987

The Senate of the Fourteenth Legislature of the State of Hawaii, Regular Session of 1987, convened at 11:40 o'clock a.m., with the Vice President in the Chair.

The Divine Blessing was invoked by Chaplain (Retired) Ralph Willers, after which the Roll was called showing all Senators present.

The Chair announced that she had read and approved the Journal of the Twentieth Day.

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

Senator Hagino introduced a group of 50 seventh grade students from Wahiawa Intermediate School and parents, Mrs. Kanja, Mr. and Mrs. Atkins, Mrs. Catignani, and Mrs. Hancock.

Senator Nakasato then introduced a group of 25 parents from the Honolulu District, Chapter One, Parents Advisory Council (on Education) and Ms. Sharon Tulba.

Senator Kuroda then introduced Dr. Masumitsu Oishi and his wife Haruko and Mr. Paul Yempuku as follows:

"Madam Vice President, Senators, ladies and gentlemen, we have present on the floor three individuals representing a newspaper institution, the Hawaii Hochi. The Hawaii Hochi is celebrating the 75th anniversary of its founding and I'd like to just share with you a little background. The Hawaii Hochi is usually known as an island Japanese-English newspaper.

"Few people know and remember that the Hawaii Hochi played a historically significant chapter in the struggle to protect the rights of the immigrant community. The Hawaii Hochi relentlessly pursued the need for an open society which culminated in the rise of the Japanese-Americans as a potent social, economic, political force in the development of modern day Hawaii.

"Few people are aware that in the early 1960's Hawaii Hochi was on the verge of bankruptcy due to declining readership and uncertain economic conditions of a daily language paper business, and we all know that the two local English newspapers underwent difficulty during that time too.

"The person who gave new life and vitality to the Hawaii Hochi was philanthropist Mr. Konosuke Oishi and his son, Dr. Masumitsu Oishi, owner and publisher of the Shizuoka Shinbun in Japan

and the benefactor of the present day Hawaii Hochi.

"The president of Hawaii Hochi, Mr. Paul Yempuku, is originally a Kahuku resident who went to Japan when he was six years old, graduated from Waseda University, returned after World War II joining the Hawaii Hochi staff in 1959 and, rising through the ranks, became president in 1967.

"Mr. Yempuku, with the support of Dr. Oishi, brought the Hawaii Hochi up to its present high stature and also began the publication of the Hawaii Herald, an all-English journal of Japanese-American culture and current events, and also the Aloha Paradise Guide, an all-Japanese tourist publication.

"To share a little information with you on the person who built and developed the Hawaii Hochi, Mr. Fred Kinzaburo Makino, we will be distributing a pamphlet to all Senators for your edification. We do have also, in addition to the certificate to Mr. Yempuku and Dr. Oishi, a certificate which is addressed to Mr. Fred Kinzaburo Makino. At the Saturday observation of the 75th anniversary this certificate was presented in all our behalf when the bust of Mr. Makino was unveiled at the Hawaii Hochi."

Dr. and Mrs. Masumitsu Oishi and Mr. Paul Yempuku rose to be recognized and were presented the Senate Certificate of recognition by Senator Kuroda. Senators A. Kobayashi and McMurdo presented leis to Dr. Oishi and Mr. Yempuku and Senator Hagino a corsage to Mrs. Oishi.

At 11:49 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:53 o'clock a.m.

SENATE CONCURRENT RESOLUTION

S.C.R. No. 14, entitled: "SENATE CONCURRENT RESOLUTION CONCERNING THE PROTECTION AND PRESERVATION OF KAPIOLANI PARK TO ENSURE A FREE PUBLIC PARK AND RECREATION GROUND FREE FROM COMMERCIAL ENTERPRISE," was offered by Senators B. Kobayashi, Hagino, McMurdo, Yamasaki, Menor, Matsuura, Chang and Mizuguchi.

By unanimous consent, S.C.R. No. 14 was referred to the Committee on Tourism and Recreation.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 18 and 19) were read by the Clerk and were disposed of as follows:

S.R. No. 18, entitled: "SENATE RESOLUTION CONCERNING THE PROTECTION AND PRESERVATION OF KAPIOLANI PARK TO ENSURE A FREE PUBLIC PARK AND RECREATION GROUND FREE FROM COMMERCIAL ENTERPRISE," was offered by Senators B. Kobayashi, Hagino, McMurdo, Yamasaki, Menor, Matsuura, Chang and Mizuguchi.

By unanimous consent, S.R. No. 18 was referred to the Committee on Tourism and Recreation.

S.R. No. 19, entitled: "SENATE RESOLUTION CONCERNING STATEWIDE CENTRALIZED CARGO DISTRIBUTION PLANNING," was offered by Senators J. Wong, Fernandes Salling, Hagino, Blair, Aki, Yamasaki, B. Kobayashi, Hee, Menor, Matsuura, Reed, Ikeda, Henderson, Holt, Chang, Nakasato, Mizuguchi and Cobb.

By unanimous consent, S.R. No. 19 was referred to the Committee on Transportation.

Senator Hee, chairman of the Committee on Judiciary, then requested a waiver of the 48-hour Notice of a Public Hearing for the subjects listed on the agenda of the Senate Judiciary Committee's hearing notice for Saturday, February 21, 1987, and the Chair granted the waiver.

Senator Hee then rose on a point of personal privilege as follows:

"Madam Vice President and members of the Senate, yesterday, at the joint hearing of the Committee on Agriculture and the Committee on Planning and Environment, the Department of Health in responding to the bill relating to open cane burning, it was found out through discussion with the lobbyist for HSPA and the Department of Health that an internal memo had been circulated by Mr. Paul Aki stating that cane burning and auto emissions were indeed the two highest pollutants.

"Without getting into the specifics of the memo and without discussing the merits or demerits of the statement, the action by the Department of Health appropriately demonstrates the kind of deeds perpetrated which has brought the Department of Health under scrutiny by the public and members of the Legislature.

"It was found out, Madam Vice President, that this kind of internal memo was never intended for the public and never intended for the consumption by the Legislators and the policymakers within the state.

"It would behoove our new governor, as we begin a new beginning, that he thoroughly look into the actions of the Department of Health and to either make these things public, internal memos, or respond to the public concern when these internal memos are made public by the media. It does the state government no good to hide or hide by not disclosing the nature and/or the merits of the memo, in this case being cane burning as a pollutant, by the chief enforcement officer.

"Thank you."

Senator Reed also rose to speak on a point of personal privilege and said:

"Madam Vice President, as you know, I represent neighbor islands and the problem that I'm having is increasing neighbor island participation in this process. The 48-hour notification makes it virtually impossible to follow through with that kind of participation.

"I'm receiving at least six calls a day from people who want to submit testimony and finding it virtually impossible to accommodate them. We're doing things like taking phone calls from people, taking testimony over the phone and typing it up for them and submitting it, but even doing that, the 48-hour notice is not sufficient to notify people who are very concerned about issues and give them a chance to prepare their testimony and return it to us in time -- much less make arrangements to be here to testify personally.

"I know that it's partly 'the nature of the beast,' but if I might just ask the chairmen, wherever possible and whenever possible, if additional notice beyond the statutory minimum could be provided, I would appreciate it and I'm sure that others who have constituents on neighbor islands would also appreciate it. Thank you."

Senator Cobb, on a point of parliamentary privilege, stated:

"Madam Vice President, on a point of parliamentary privilege and in partial response to the remarks of the previous speaker.

"If you'll look at the hearing notices attached to the Senate Order of the Day, you'll find that the notices extend all the way through February 24th, 25th and even through to the 26th and March 3rd and 5th.

"In many cases, chairmen, myself included, are trying to get out the hearing notices anywhere from five to seven days in advance and in some cases as much as weeks in advance. Just by way of example, we have completed virtually the entire agenda

of notices for your Committee on Consumer Protection and Commerce all the way through the end of this month.

"As I look at this attachment to the Order of the Day, I find more and more chairmen doing that and except for added-on or deferred items to the agenda, as much as possible, I think the practice is being expanded beyond the simple 48-hour

minimum requirement. Thank you."

ADJOURNMENT

At 12:01 o'clock p.m., on motion by Senator Blair, seconded by Senator George and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, February 20, 1987.