

THIRTY-SIXTH DAY

Wednesday, March 18, 1992

The Senate of the Sixteenth Legislature of the State of Hawaii, Regular Session of 1992, convened at 11:42 o'clock a.m. with the Vice President in the Chair.

The Divine Blessing was invoked by the Reverend Lily Lue Stearns, Kapolei United Church of Christ.

At 11:44 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:45 o'clock a.m. with the President in the Chair.

The Roll was then called showing all Senators present with the exception of Senators Chang, Hagino, Ikeda, Iwase, A. Kobayashi, B. Kobayashi, Koki, Nakasato and Solomon who were excused.

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

Senator Blair then introduced to the members of the Senate Muscular Dystrophy Poster Child Joselyn Wright and her family: parents Mr. and Mrs. Charles Wright, brother Derrick, sisters Tina and Laquita, who were accompanied by Mr. Richard Sugita, former sergeant-at-arms of the State House of Representatives, and members of the Muscular Dystrophy Association staff - director Sandy Schuer, Diana Schwinghammer, John Minard and Pam Schuester.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 383 to 387) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 383, transmitting H.C.R. No. 3, which was adopted by the House of Representatives on March 17, 1992, was placed on file.

By unanimous consent, H.C.R. No. 3, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO INSPECTIONS OF ADULT RESIDENTIAL CARE HOME FACILITIES," was referred to the Committee on Health and Human Services.

Hse. Com. No. 384, transmitting H.C.R. No. 4, which was adopted by the House of Representatives on March 17, 1992, was placed on file.

By unanimous consent, H.C.R. No. 4, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO AMEND ITS ADMINISTRATIVE RULES REGARDING THE ADMISSION POLICIES OF ADULT RESIDENTIAL HOME CARE PATIENTS," was referred to the Committee on Health and Human Services.

Hse. Com. No. 385, transmitting H.C.R. No. 10, H.D. 1, which was adopted by the House of Representatives on March 17, 1992, was placed on file.

By unanimous consent, H.C.R. No. 10, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF HUMAN SERVICES TO INCORPORATE THE 'ADULT RESIDENTIAL CARE HOMES (ARCH) PROVIDERS' BILL OF RIGHTS' IN THEIR DEPARTMENTAL RULES," was referred to the Committee on Health and Human Services.

Hse. Com. No. 386, transmitting H.C.R. No. 30, H.D. 1, which was adopted by the House of Representatives on March 17, 1992, was placed on file.

By unanimous consent, H.C.R. No. 30, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A PLAN TO BE DEVELOPED TO PERMIT THE UTILIZATION OF NURSES IN ADULT RESIDENTIAL CARE HOMES," was referred to the Committee on Health and Human Services.

Hse. Com. No. 387, transmitting H.C.R. No. 118, which was adopted by the House of Representatives on March 17, 1992, was placed on file.

By unanimous consent, H.C.R. No. 118, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO CONSIDER ALTERNATIVES TO THE REQUIREMENTS FOR BID AND PERFORMANCE BONDS FOR CERTAIN GOVERNMENT CONTRACTS," was referred to the Committee on Employment and Public Institutions.

STANDING COMMITTEE REPORTS

Senator Mizuguchi, for the Committee on Employment and Public Institutions, presented a report (Stand. Com. Rep. No. 2308) recommending that H.B. No. 2783, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Tungpalan, seconded by Senator Reed and carried, the report of the Committee was adopted and H.B. No. 2783, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM TRAINING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Employment and Public Institutions, presented a report (Stand. Com. Rep. No. 2309) recommending that H.B. No. 3121, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Tungpalan, seconded by Senator Reed and carried, the report of the Committee was adopted and H.B. No. 3121, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Employment and Public Institutions, presented a report (Stand. Com. Rep. No. 2310) recommending that H.B. No. 3123, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Tungpalan, seconded by Senator Reed and carried, the report of the Committee was adopted and H.B. No. 3123, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMPENSATION TO THE CRIMINAL INJURIES COMPENSATION COMMISSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Matsuura then rose to speak on a point of personal privilege as follows:

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

"I owe my good friend the Senator from Kalihi and all the Hawaiians an apology for my remarks about Captain Cook.

"This is an explanation for my comment yesterday. When all of you were talking about green blood and orange blood, etc., I made a stupid comment about Captain Cook.

"What made me think about that comment was the incident I experienced in 1953 when I was on my way to ROTC summer camp, Camp Gordon, in Augusta, Georgia. On the train from Chicago to Atlanta, Georgia, I met a Hawaiian on the train. He and I became good friends. We had to catch a bus from Atlanta to Augusta so we got our luggage and we ran to the taxi stand. A taxi came by and the driver was black. As soon as he pulled up, we put our luggage in the cab. He asked us to wait. He asked me whether I was white or black. I said I was white. He asked me to wait and said I couldn't get into his cab. I asked why and he said he could only take black passengers. He explained that a white driver could take a black or white passenger. I told him, 'Nah, nah, nah, nah, I'm not white, I'm black.' The Hawaiian guy was dark so he could have passed for black. The driver said he could not take a chance because if I happen to be white, he would lose his license. The cab driver went and got the train conductor from the terminal. He was white. He looked at me curiously but asked the Hawaiian, 'What kind of blood do you have?' My friend said he has white man's blood. The conductor looked at my friend and asked him what he meant. My friend said, 'My ancestors ate Captain Cook.'

"That is how I remember the history about Captain Cook. I thought I should explain that.

"Anyway, this whole true story has a tragic ending because we had to wait for a white driver to arrive and that took a few minutes and we missed our bus to Augusta, Georgia."

Senator Fernandes Salling responded:

"I think maybe one way of putting to rest the question of who ate Captain Cook is for Senator Eloise Tungpalan, myself and Senator Solomon to start making arrangements for 'kalua Matsuura.'"

Senator Matsuura answered:

"Taste's pretty good!"

Senator Cobb then added:

"I can't resist, when I came in I heard the voice of the great Matsuura.

"I remember about 14 years ago I had a run-in with the then Speaker of the House Henry Peters and I had to remind him finally on the floor of the body that the dispute really started 200 years ago when his ancestors started eating my ancestors and I thought it was time that it came to a stop. But I think if we're going to have a 'kalua Matsuura' we should invite the distinguished Representative from Nanakuli to attend to sample the wares and see whether or not it passes muster."

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

"Mr. President, I rise on a point of personal privilege to announce the winners of yesterday's door decoration contest very quickly.

"Representative Mike O'Kieffe brought around the judges resolution yesterday. They sort of gave us a bottle of wine because they thought my office had really worked, but it wasn't really a prize.

"The grand prize went to Senator Koki's very fine team; first prize to Senator Nakasato's team; second prize to Senator McCartney's team; third prize to Senator Mizuguchi's team; fourth prize to Senator Iwase's team; and honorable mention went to the 'Best Political Statement,' none other than our distinguished Senator who claims to be Irish-Portuguese-Hawaiian and whatever else, Senator Crozier. Thank you."

At 11:54 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:55 o'clock a.m.

ORDER OF THE DAY

RE-REFERRAL OF HOUSE BILL

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

House Bill Referred to:

No. 2896, H.D. 1 Jointly to the Committee on Education and the Committee on Judiciary

ADJOURNMENT

At 11:57 o'clock a.m., on motion by Senator Tungpalan, seconded by Senator Reed and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, March 19, 1992.