

ELEVENTH DAY

Friday, February 4, 1994

The Senate of the Seventeenth Legislature of the State of Hawaii, Regular Session of 1994, convened at 11:36 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Brother Franklin Pao, St. Louis School, after which the Roll was called showing all Senators present with the exception of Senator Solomon who was excused.

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

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 131 to 136) were read by the Clerk and were placed on file:

Gov. Msg. No. 131, dated December 30, 1993, transmitting a report prepared by the Department of Commerce and Consumer Affairs, Hawaii Real Estate Commission, Professional and Vocational Licensing Division pursuant to Act 283, SLH 1990, relating to condominium property regime, "Summary of Programs and Financial Information on the Condominium Management Education Fund."

Gov. Msg. No. 132, dated January 10, 1994, transmitting a report prepared by the Department of Commerce and Consumer Affairs, Professional & Vocational Licensing Division pursuant to Act 231, SLH 1992, relating to activity desks.

Gov. Msg. No. 133, dated January 12, 1994, transmitting the "Annual Report on the Research and Training Revolving Fund," prepared by the University of Hawaii pursuant to Section 304-8.1, HRS.

Gov. Msg. No. 134, dated January 12, 1994, transmitting a report prepared by the Department of Land and Natural Resources in response to S.C.R. No. 202 (1993), requesting the state to expedite the installation, operation, and maintenance of a system of day-use moorings.

Gov. Msg. No. 135, dated January 12, 1994, transmitting a report relating to revolving fund revenues for the Hawaii Public Broadcasting Authority, pursuant to Section 314-13, HRS.

Gov. Msg. No. 136, dated January 14, 1994, transmitting the Report on Non-General Funds, prepared by the Department of Commerce and Consumer Affairs pursuant to H.C.R. 125 (1993).

HOUSE COMMUNICATION

Hse. Com. No. 6, transmitting H.C.R. No. 24, which was adopted by the House of Representatives on February 3, 1994, was read by the Clerk and was placed on file.

By unanimous consent, H.C.R. No. 24, entitled: "HOUSE CONCURRENT RESOLUTION RATIFYING THE TWENTY-SEVENTH AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES RELATING TO THE COMPENSATION OF MEMBERS OF THE UNITED STATES CONGRESS AND WHEN ANY VARIANCES THEREIN SHALL TAKE EFFECT," was referred to the Committee on Judiciary.

SENATE CONCURRENT RESOLUTION

The following concurrent resolution (S.C.R. No. 28) was read by the Clerk and was referred to committee:

Senate Concurrent Resolution

No. 28 "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO EXPAND ITS OUTREACH EFFORTS ON THE NEIGHBOR ISLANDS."

Offered by: Senator Tanaka.

Referred to: Committee on Higher Education, Culture and Arts and Historic Preservation

SENATE RESOLUTION

The following resolution (S.R. No. 17) was read by the Clerk and was referred to committee:

Senate Resolution

No. 17 "SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO EXPAND ITS OUTREACH EFFORTS ON THE NEIGHBOR ISLANDS."

Offered by: Senator Tanaka.

Referred to: Committee on Higher Education, Culture and Arts and Historic Preservation

STANDING COMMITTEE REPORT

Senator Fukunaga, for the Committee on Legislative Management, presented a report (Stan. Com. Rep. No. 1751) recommending that S.R. No. 14 be adopted.

At 11:43 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.

By unanimous consent, action on Stan. Com. Rep. No. 1751 and S.R. No. 14, entitled: "SENATE RESOLUTION ESTABLISHING POLICIES FOR A LEGISLATIVE ACCESS CABLE TELEVISION PILOT PROJECT FOR THE SEVENTEENTH LEGISLATURE," was deferred until Monday, February 7, 1994.

ORDER OF THE DAY

RE-REFERRAL OF SENATE BILLS

The President re-referred the following Senate bills that were introduced:

Senate Bill	Referred to:
No. 2693	Committee on Higher Education, Culture and Arts and Historic Preservation, then to the Committee on Ways and Means
No. 2840	Committee on Consumer Protection
No. 2998	Committee on Consumer Protection, then to the Committee on Ways and Means
No. 3007	Committee on Health, then to the Committee on Ways and Means
No. 3011	Committee on Education, then to the Committee on Ways and Means

No. 3059 Jointly to the Committee on Planning, Land and Water Use Management and the Committee on Government Operations, Environmental Protection and Hawaiian Programs and the Committee on Agriculture, then to the Committee on Ways and Means

No. 3145 Committee on Higher Education, Culture and Arts and Historic Preservation, then to the Committee on Ways and Means

No. 3301 Jointly to the Committee on Human Services and the Committee on Higher Education, Culture and Arts and Historic Preservation and the Committee on Government Operations, Environmental Protection and Hawaiian Programs, then to the Committee on Judiciary

Senator McCartney rose on a point of personal privilege, as follows:

"Mr. President, I came from visiting Moanalua High School today, Senator Grauly's and your school. It is always refreshing to go into the classrooms and interact with the students. We had a refreshing discussion today. We talked about how the Senate has asked for some very significant pieces of reform relating to our expense allowance and the budget, and how only the negative things got coverage in the news and not the positive. We then began to analyze that, maybe, everybody's 'talking stink' about everybody else and that it's like a contagious thing that's happening in Hawaii. We came up, in that classroom, with an idea for a 'No Talk Stink Hawaii Day.'

"Moanalua High School would like to challenge the State Senate in a contest. We will have one special day that we'll pick, jointly, and we'll see who talks the least 'stink' about each other -- the Senate or the seniors of Moanalua High School. We'll have a contest and the losers will have to serve lunch to the other body. That might be an interesting exercise that all of us participate in, and maybe it might even be contagious to the rest of the State of Hawaii. I thought it was very interesting and refreshing.

"We also talked about the Aloha Spirit, and I promised them that I'd read this very short letter from three of the students. It's so significant and it sends a positive but firm message for all of us to remember. I would like to read it very quickly, Mr. President. It reads:

'Dear Senator McCartney,

"Let every man make known what kind of government would command his respect, and that will be one step toward obtaining it." Henry David Thoreau. Upon reading the article "On the Duty of Civil Disobedience," we, the seniors of Moanalua High School were influenced by his deep quote. This particular quote reflects the type of attitude in mutual regard between the government and society.

As leaders of our state, we feel that politicians should set an example for the people of Hawaii regarding the Aloha Spirit.

Aloha means to hear what is not said, to see what cannot be seen, and to know the unknowable.

As members of the society, we feel that the government should come out into the community to show more Aloha Spirit. Maybe the reason why the Aloha Spirit is dying is because everyone is money hungry. Even as leaders of our state, politicians are also guilty of greed. And being leaders, the community will follow your actions. That's how, in the midst of

the shuffle of money, the Aloha Spirit slowly disappears. This leads to the fact that people care more about money than they do for each other. Being greedy is not part of the Aloha Spirit.

Our solution to the problem of the Aloha Spirit dying is that politicians should put aside their material desires and come out into the community to show Aloha Spirit. For example, politicians can initiate community gatherings where people would be able to meet their representatives while voicing concerns. Or, they could sponsor an "Aloha Keiki Day" where kids from Hawaii can participate in various events promoting self-growth and the Aloha Spirit. Politicians should also participate in these special events and give moral support which builds self-esteem and a stronger value system. Then, hopefully the people of Hawaii will follow those actions and share the Aloha Spirit.

We hope that you will take into consideration these solutions to why the Aloha Spirit is dying. The Aloha Spirit is too precious a thing to let slip by us. We also thank you for your time in reading our concerns.

Sincerely,

/s/ Kim Nakao
/s/ Stacie Taira
/s/ Dana Watanabe'

"I thought, on this Aloha Friday, that was important to share. The actions of the last week have proven that we are moving forward in that direction. I think that's the good news for the week. Thank you."

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

"Mr. President, just a brief response to this morning's article in section B of the Advertiser, 'A bill lets insurance firm set rates.' They say that I'm in favor of the bill. I introduced the bill as a favor to Representative Herkes. It is a bill that was patterned after the recommendations of the State Auditor in her report. Basically, I just want to say that I cannot comment, because we have not had a hearing on the bill, as to what the commissioner has to say. We intend to have a hearing on this bill, shortly.

"Secondly, regarding the State Auditor's remarks, which are in opposition to the bill and goes on to say that our market is not healthy like other markets in the mainland and that our market is impaired, I just want to let the Senate know that we have been in contact with Mr. Robert Hunter, who was formerly the head of the National Insurance Consumer Organization. He's currently the new commissioner of the Texas Department of Insurance. We have been in communication and he has indicated that Hawaii does have a unique problem, in the sense that we are probably the only state that will be totally affected by any catastrophe because we are totally surrounded by water, and we do have a special situation. Right now, he is looking at some information that we have transmitted to him and feels that there may be some special solutions to the problem. Thank you."

ADJOURNMENT

At 11:54 o'clock a.m., on motion by Senator Chang, seconded by Senator Reed and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, February 7, 1994.