

THIRTY-FIRST DAY

Wednesday, March 16, 1994

The Senate of the Seventeenth Legislature of the State of Hawaii, Regular Session of 1994, convened at 11:32 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Barbara Cramer, Christ Lutheran Church of Mililani, after which the Roll was called showing all Senators present with the exception of Senator Matsuura who was excused.

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

Senator Iwase introduced the 1994 State High School Girls' Soccer Champions from Mililani High School. The team's captains and coach were presented leis by various Senators.

At 11:40 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:42 o'clock a.m.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 104 to 113) were read by the Clerk and were referred to committees:

Senate Concurrent Resolution

No. 104 "SENATE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF TAXATION TO ADOPT RULES TO EXPAND DISCLOSURE ON SALES AND TRANSFERS OF REAL PROPERTY SUBJECT TO THE CONVEYANCE TAX."

Offered by: Senator Matsuura.

Referred to: Committee on Ways and Means

No. 105 "SENATE CONCURRENT RESOLUTION REQUESTING THE COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES OF THE UNIVERSITY OF HAWAII TO EXAMINE THE NATURE OF MULTIPLE-INCOME FARM FAMILY ENTERPRISES AND THE ROLE THESE ENTERPRISES PLAY IN HAWAII'S AGRICULTURAL SECTOR."

Offered by: Senator Hagino.

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

No. 106 "SENATE CONCURRENT RESOLUTION CONFIRMING THE USE OF THE HOMES REVOLVING FUND TO PROVIDE A PORTION OF THE STATE'S EQUITY CONTRIBUTION FOR THE PAWAA PROJECT."

Offered by: Senator Mizuguchi, by request.

Referred to: Committee on Housing, then to the Committee on Ways and Means

No. 107 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY TO DETERMINE ALTERNATIVES FOR THE ESTABLISHMENT OF FLEXIBLE ARRANGEMENTS IN THE WORKPLACE TO SOLVE ELDER-CARE PROBLEMS."

Offered by: Senator Mizuguchi.

Referred to: Jointly to the Committee on Labor and Employment and the Committee on Human Services

No. 108 "SENATE CONCURRENT RESOLUTION PRESERVING THE REPUBLIC AND THE CONSTITUTION OF THE UNITED STATES OF AMERICA."

Offered by: Senator Aki, by request.

Referred to: Committee on Government Operations, Environmental Protection and Hawaiian Programs, then to the Committee on Judiciary

No. 109 "SENATE CONCURRENT RESOLUTION URGING ALL EMPLOYERS IN THE STATE EMPLOYING TWO OR MORE EMPLOYEES TO VOLUNTARILY PROHIBIT SMOKING IN THE WORKPLACE."

Offered by: Senator Matsunaga.

Referred to: Committee on Labor and Employment

No. 110 "SENATE CONCURRENT RESOLUTION URGING THE GOVERNOR TO NEGOTIATE ON BEHALF OF THE STATE OF HAWAII TO DEVELOP A SECURE RESIDENTIAL DRUG TREATMENT CENTER AT THE BARBERS POINT NAVAL AIR STATION."

Offered by: Senators Koki, Grauly.

Referred to: Committee on Planning, Land and Water Use Management, then to the Committee on Judiciary

No. 111 "SENATE CONCURRENT RESOLUTION REQUESTING THE PROCLAMATION OF AN ARCHAEOLOGY WEEK FOR THE STATE OF HAWAII."

Offered by: Senators Tungpalan, Kanno.

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

No. 112 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE AUDITOR TO REPORT ON SALES, LEASES, AND EXCHANGES OF PUBLIC LAND TRUSTS WITHIN THE LAST DECADE."

Offered by: Senators Tungpalan, Aki, Kanno, Kobayashi, B., Koki, Levin, Matsunaga, Matsuura, McCartney, Solomon.

Referred to: Jointly to the Committee on Planning, Land and Water Use Management and the Committee on Government Operations, Environmental Protection and Hawaiian Programs

No. 113 "SENATE CONCURRENT RESOLUTION SUPPORTING INITIATIVES TO FOSTER THE PROLIFERATION OF INTERNATIONAL TRADE ACTIVITIES BETWEEN PACIFIC RIM NATIONS IN THE STATE OF HAWAII."

Offered by: Senators Tungpalan, Aki, Kanno, Koki, Levin, Matsunaga, McCartney, Solomon.

Referred to: Jointly to the Committee on Government Operations, Environmental Protection and Hawaiian Programs and the Committee on Science, Technology and Economic Development

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 76 to 82) were read by the Clerk and were referred to committees:

Senate Resolution

No. 76 "SENATE RESOLUTION REQUESTING THE DIRECTOR OF TAXATION TO ADOPT RULES TO EXPAND DISCLOSURE ON SALES AND TRANSFERS OF REAL PROPERTY SUBJECT TO THE CONVEYANCE TAX."

Offered by: Senator Matsuura.

Referred to: Committee on Ways and Means

No. 77 "SENATE RESOLUTION REQUESTING THE COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES OF THE UNIVERSITY OF HAWAII TO EXAMINE THE NATURE OF MULTIPLE-INCOME FARM FAMILY ENTERPRISES AND THE ROLE THESE ENTERPRISES PLAY IN HAWAII'S AGRICULTURAL SECTOR."

Offered by: Senator Hagino.

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

No. 78 "SENATE RESOLUTION URGING ALL EMPLOYERS IN THE STATE EMPLOYING TWO OR MORE EMPLOYEES TO VOLUNTARILY PROHIBIT SMOKING IN THE WORKPLACE."

Offered by: Senator Matsunaga.

Referred to: Committee on Labor and Employment

No. 79 "SENATE RESOLUTION URGING THE GOVERNOR TO NEGOTIATE ON BEHALF OF THE STATE OF HAWAII TO DEVELOP A SECURE RESIDENTIAL DRUG TREATMENT CENTER AT THE BARBERS POINT NAVAL AIR STATION."

Offered by: Senators Koki, Grauly.

Referred to: Committee on Planning, Land and Water Use Management, then to the Committee on Judiciary

No. 80 "SENATE RESOLUTION REQUESTING THE PROCLAMATION OF AN ARCHAEOLOGY WEEK FOR THE STATE OF HAWAII."

Offered by: Senators Tungpalan, Kanno.

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

No. 81 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE AUDITOR TO REPORT ON SALES, LEASES, AND EXCHANGES OF PUBLIC LAND TRUSTS WITHIN THE LAST DECADE."

Offered by: Senators Tungpalan, Aki, Kanno, Kobayashi, B., Koki, Matsunaga, McCartney, Solomon.

Referred to: Jointly to the Committee on Planning, Land and Water Use Management and the Committee on Government Operations, Environmental Protection and Hawaiian Programs, then to the Committee on Legislative Management

No. 82 "SENATE RESOLUTION SUPPORTING INITIATIVES TO FOSTER THE PROLIFERATION OF INTERNATIONAL TRADE ACTIVITIES BETWEEN PACIFIC RIM NATIONS IN THE STATE OF HAWAII."

Offered by: Senators Tungpalan, Aki, Kanno, Kobayashi, B., Koki, Levin, Matsunaga, Matsuura, McCartney, Solomon.

Referred to: Jointly to the Committee on Government Operations, Environmental Protection and Hawaiian Programs and the Committee on Science, Technology and Economic Development

LEADERSHIP COMMITTEE REPORTS

Senator A. Kobayashi, for the Committee on Executive Appointments, presented a report (Ldr. Com. Rep. No. 2533) recommending that the Senate advise and consent to the nomination of EUGENE S. IMAI for Director of Finance, in accordance with Gov. Msg. No. 154.

In accordance with Senate Rule 36(1), action on Ldr. Com. Rep. No. 2533 and Gov. Msg. No. 154 was deferred until Thursday, March 17, 1994.

Senator A. Kobayashi, for the Committee on Executive Appointments, presented a report (Ldr. Com. Rep. No. 2534) recommending that the Senate advise and consent to the nominations of HARRIET AOKI, JAMES STONE, JANIS C. AKUNA, JOSEPH KEIFER, and WAYNE J. YAMASAKI to the Board of Directors of the Hawaii Hurricane Relief Fund, in accordance with Gov. Msg. No. 164.

In accordance with Senate Rule 36(1), action on Stand. Com. Rep. No. 2534 and Gov. Msg. No. 164 was deferred until Thursday, March 17, 1994.

Senator A. Kobayashi, for the Committee on Executive Appointments, presented a report (Stand. Com. Rep. No. 2535) recommending that the Senate advise and consent to the nominations of MARTHA BURT, LEONARD P. PARESA, JR., GARY L. BLAICH, TONA DONIGAN, DUAYNE IKEDA, ERIC B. ROLSETH, GABRIELLE B. BATZER, and JOHN L. NOLAND to the State Council on Mental Health, in accordance with Gov. Msg. No. 166.

In accordance with Senate Rule 36(1), action on Stand. Com. Rep. No. 2535 and Gov. Msg. No. 166 was deferred until Thursday, March 17, 1994.

Senator A. Kobayashi, for the Committee on Executive Appointments, presented a report (Stand. Com. Rep. No. 2536) recommending that the Senate advise and consent to the nomination of MILTON H. KAKAIO to the Motor Vehicle Industry Licensing Board, in accordance with Gov. Msg. No. 167.

In accordance with Senate Rule 36(1), action on Stand. Com. Rep. No. 2536 and Gov. Msg. No. 167 was deferred until Thursday, March 17, 1994.

ORDER OF THE DAY

RE-REFERRAL OF SENATE CONCURRENT RESOLUTION

The President re-referred the following Senate concurrent resolution that was offered:

Senate
Concurrent
Resolution Referred to:

No. 82 Committee on Government
Operations, Environmental Protection and Hawaiian
Programs

RE-REFERRAL OF SENATE RESOLUTION

The President re-referred the following Senate resolution that was offered:

Senate
Resolution Referred to:

No. 61 Committee on Government
Operations, Environmental Protection and Hawaiian
Programs

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

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

"Early this morning I received two phone calls from the Big Island asking of my help to establish a Ho'oponopono process so that our ka'ais can return to their proper place. I would like to read a letter that was sent to me by one of these individuals.

'Certain events that have occurred in this investigation of the missing na ka'ais have caused me to speak out about the treatment of our Hawaiian kupuna. First of all, it appears that the investigation is focussing on the descendants of the Liloa and Lono'ikamakahiki. This is ironic because descendants are supposed to be involved in the repatriation efforts of their kupuna.

'Yesterday I spoke with a very well known kupuna who told me that his telephone was being wiretapped and that he was under FBI investigation. He is about 80 years old and has health problems. He has helped many people through his Hawaiian healing method, so it bothers me to see such innocent Hawaiian people being tormented to the point that it is making them very ill. This is no laughing matter. I do not believe our kupuna deserve this kind of treatment. Therefore, I offer these suggestions to aid in the investigation of this very sensitive matter:

'That a Ho'oponopono team be created composed of Hawaiians who can establish trust amongst our people. These individuals have the capacity to understand and work with the problem collectively, with respect and kindness, to gather the information by confidential means. Only through Ho'oponopono will we resolve this Hawaiian issue;

'That people immediately contact this team, people who have knowledge of the taking of the ka'ais; and

'That Governor John Waihee and Princess Kekaulike Kawananakoa use their influence to support the process of Ho'oponopono.

'We all need to heal, and possibly through this means, the Hawaiian people would be able to settle this matter once and for all. It is hoped that our people will hear of this letter. Let us not take each other down, but work together by implementing our traditional Hawaiian process of resolving this Hawaiian problem through Ho'oponopono.'

"Another of the callers made this statement and he will be faxing a letter to me later. He started by saying: 'The Bishop Museum is missing the ka'ais, but the ka'ais are not missing the Bishop Museum.'

"I would like to ask the President to allow this chair of Higher Education, Culture and Arts and Historic Preservation to be able to meet with individuals on the Big Island this weekend to ask for their support in establishing the Ho'oponopono process. Whoever, in this body, would like to join me, I ask for their support. Aloha."

ADJOURNMENT

At 11:49 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., Thursday, March 17, 1994.