

THIRTEENTH DAY

Monday, February 7, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:37 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Right Reverend Stephen, Orthodox Bishop of Hawaii, The Inclusive Orthodox Church, after which the Roll was called showing all Senators present with the exception of Senator Iwase who was excused.

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

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 141 and 142) were read by the Clerk and were placed on file:

Gov. Msg. No. 141, letter dated February 2, 2000, as provided in Section 9, Article VII of the Constitution of the State of Hawaii, requesting the immediate consideration and passage of S.B. No. 2878 and H.B. No. 2537, which make emergency appropriations and authorizations of \$14,039,984 from general funds to allow the Department of Health, Adult Mental Health Division, to continue to prevent the reduction or discontinuance of services to patients at the Hawaii State Hospital and to develop and provide necessary community-based services for discharged patients of the Hawaii State Hospital, under Chapter 321, HRS, for the period March 1, 2000, through June 30, 2000.

Gov. Msg. No. 142, letter dated February 4, 2000, as provided in Section 9, Article VII of the Constitution of the State of Hawaii, requesting the immediate consideration and passage of S.B. No. 2755, which makes a supplementary emergency appropriation in fiscal year 1999-2000 for asbestos property damage litigation.

ORDER OF THE DAY

ADVISE AND CONSENT

Stand. Com. Rep. No. 2008 (Gov. Msg. No. 2):

Senator Kawamoto moved that Stand. Com. Rep. No. 2008 be received and placed on file, seconded by Senator Bunda and carried.

Senator Kawamoto then moved that the Senate advise and consent to the nomination of EDWARD L. CORREA, JR., as Adjutant General, term to expire December 2, 2002, seconded by Senator Bunda.

Senator Kawamoto rose to speak in support of the nomination as follows:

"Mr. President, your Committee on Transportation and Intergovernmental Affairs heard testimony in reference to Gov. Msg. No. 2, the nomination of Brigadier General Edward L. Correa, Jr., as Hawaii's Adjutant General.

"Testimony in support of the nominee indicated that General Correa is known as an individual with a strong sense of self-discipline and commitment to excellence in fulfilling his responsibilities. He has also demonstrated his ability to be an effective military commander and administrator.

"Your committee further finds that testimony also indicated that General Correa has performed the duties of his various positions with the highest integrity, superior judgment, and utmost professionalism. Mr. President, General Correa is a soldier's soldier.

"After full consideration of the background, character, experience and qualifications of General Correa, your committee finds the nominee to be highly qualified for the position of Adjutant General, and I urge all my colleagues to support this nominee.

"Again, may I present to you Brigadier General Correa and his wife Joanna." (General Correa and his wife rose to be recognized.)

Senator Bunda also rose in support of the nominee and said:

"Mr. President, I rise in support of this nomination.

"Mr. President, General Correa, I believe, would be a lightning rod to our state, especially to those men and women who serve as reservists for our state.

"I know General Correa -- his style, his demeanor. In the early '70s I was a young officer candidate at the Hawaii Military Academy, trying to aspire to become one of him -- like a one-star or a two-star -- but that never came about, Mr. President. He was the senior TAC officer at the school. At that time, he was a young captain going to law school. I believe he was one of the first graduates at the law school.

"He was real gruff, real strict, and he really pushed us hard. But we endured his ways -- we endured his constant mental and physical torture. (Laughter.) I remember, Mr. President, running up and down that horrible hill, and we thought we had him; we thought we could beat him. But you know what? We had to keep up with him. Coming up the hill, we were all tired and he was ready to go another mile or two. But you know what, Mr. President? As graduation approached, we saw a different person in General Correa. He really cared for his troops; he cared for the school; and he cared for his country.

"Mr. President, General Correa is a gentleman, a fine general officer who loves his family. He has strong family values. He loves the military, and he's an inspirational person for all of us here in the state. He will undoubtedly make a mark in our state's history and will be a fine asset to our state.

"Mr. President, I strongly support this nomination."

Senator Chun added his remarks in support as follows:

"Mr. President, I rise in support of this nomination.

"Mr. President, I first met General Correa when he was, in another life, a member of the Labor and Industrial Relations Appeals Board, and I feel that he did a very, very good job at that position. However, to my surprise, he left that position and went on to the Department of Defense and that caused me to think, well, Why did he want to do that? But I think it was a good move.

"The next time I saw him it was not a very good or happy situation. The next time I saw him was on Kauai, right after Hurricane Iniki, and I found out that he was the military liaison and in charge of the entire operation. I saw how hard he worked. I saw how much he cares for the people of Kauai. I saw an amazing thing happen. I saw the transformation of different units, both regular military and the national guard, working together as one, to help the people of Kauai. I saw time and time again how that cooperation transformed into the benefit for all of us. I saw how the military, which he was in charge of, helped an island struggling after Hurricane Iniki to cope with the devastation and the ruin after that and work their way out so that they can hold themselves up high, survive, and not only survive, but prosper.

"Mr. President, I'll be very candid. I think the people of Kauai owe General Correa a huge debt of gratitude because of his work on behalf of the people. And because of that, and also because I know him as a person and his hard work and his love for the people, I wholeheartedly agree with the nomination, and I ask all of my colleagues to support it.

"Thank you very much."

Senator Buen also rose in support of the nominee and stated:

"Mr. President, colleagues, I too am strongly supporting General Correa. As I've said in the Senate Transportation and Intergovernmental Affairs Committee, I don't know General Correa personally, but I do know his mother, Sister Correa. And if he is like his mother -- gentle, wonderful, a wonderful person, always thinking of putting family first -- and I heard that General Correa is just like that -- putting family first, putting his men and women first -- then I ask this body, I ask my colleagues for a unanimous confirmation of General Correa.

"Thank you, Mr. President."

Senator Anderson rose for a conflict ruling as follows:

"Mr. President, I'd like to get a ruling on a possible conflict. I do know both the nominee's mother and his wife. Also, his sister-in-law works in my office, so I'd like a ruling of a potential conflict.

"Also, with all the good things that everyone said, before I vote 'aye,' I'd like you to know that one of the other qualifications is that Portuguese boys have lots of patience. (Laughter.)

"Thank you very much."

The Chair ruled that Senator Anderson was not in conflict.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (D. Ige, Iwase, Sakamoto).

Senator Taniguchi on behalf of Senator D. Ige, for the Committee on Education and Technology, requested a waiver of the 72-hour Notice of a Public Hearing for S.B. No. 2041, and the Chair granted the waiver.

Senator M. Ige rose on a point of personal privilege as follows:

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

"Mr. President, tomorrow there's going to be a measure regarding cruise ships before the Transportation Committee, and I just want to know how it was referred there and not to the Economic Development Committee who handled the bill last year? In fact, we were the lead committee. So how is it that it was by-passed and now being heard by the Transportation Committee?"

The President responded:

"If the chair would like a request for re-referral, there is a process by which the chair could follow."

Senator M. Ige continued:

"Unfortunately, Mr. President, reading the rules, we're beyond the 48-hour notice."

The Chair inquired:

"Was it the 5-day notice?"

Senator M. Ige replied:

"I think it's a 24 or 48-hour notice, and there's no rule for the chair to appeal that because Leadership Committees are exempt because of that 48-hour rule. So how does that happen now?"

"Number one, I'm not the chair, so I shouldn't be asking for the re-referral. All I'm saying is that as a member I feel slighted that we did most of the work last year. We had the priority over that measure. And I'm just standing here thinking, Why don't we have that measure? And I want to know why it was referred there and not to Economic Development? Is it that you don't have . . . I won't finish that sentence. But why wasn't it?"

The Chair responded:

"It may have been an oversight on my part. I'm not too sure."

Senator M. Ige continued:

"Mr. President, then, may I ask for a deferral of that measure and a re-referral if possible, so we have time till next Friday? Or maybe . . ."

The Chair interjected:

"I may take it under advisement."

Senator M. Ige persisted:

"Maybe I can ask the chairman of transportation if it's okay."

The President interjected again:

"I'll discuss this matter with your chair."

Senator M. Ige then said:

"Mr. President, then may I request a very short recess."

At 11:53 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.

Senator M. Ige rose again and said:

"Mr. President, on personal privilege, what was the resolve?"

The Chair answered:

"The result is that if you had come to see me personally, we could resolve this matter, but after the session I'll confer with you and the two chairs."

Senator M. Ige continued to inquire:

"So what about the hearing, Mr. President? Personal privilege, again. What about the hearing, tomorrow?"

The Chair responded:

"I will be talking to the two chairs who will be responsible for this particular bill, right after the session."

Senator M. Ige persevered:

"I respect that, Mr. President, but the hearing is tomorrow. Could I ask the chair what time is that meeting?"

The President replied:

"Let's conclude the business and we can get this matter resolved after the session is over."

Senator M. Ige then said:

"Okay, I'll succumb to the wishes of the Minority Leader here. Thank you."

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

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

"The headline in this morning's paper is very disturbing, talking about the Japanese economy and the fact that the economy may be falling back into recession, particularly since all of our great pundits in our state tell us how closely tied we are to the Japanese and Asian economies, and that we really can't do anything on our own.

"But there are a couple of points, Mr. President, in the story that bears repeating and remembering by our members. First of all, the head of Japan's Economic Planning Agency, Mr. Taichi Sakaiya, has now predicted a sharp decline in the fourth quarter economic estimates of Japan, basically because of fallen consumer and business spending. But the interesting point is, Mr. President, as recently as January 20, Mr. Sakaiya professed confidence that the world's second largest economy had achieved positive growth in the fourth quarter, and he indicated that all conditions that remained were improving, that the economy was turning around, that the worst was behind us, and everything was good for a sustained long term recovery.

"Mr. President, I would suggest that the words of Mr. Sakaiya and the words of the head of the administration, the Governor of the State of Hawaii, seem very similar and the conditions seem very similar, as well. They are now admitting in Japan that the earlier estimates were very badly over-estimated in terms of the return to the nation's vigor. And it may be recalled that in 1997, the then Prime Minister of Japan, Mr. Hashimoto, in an attempt to keep from going further into recession, raised taxes on the consumers of Japan which had an immediate effect which took and plunged the country into the deeper situation that it now finds itself in.

"The government then looked for another means of trying to deal with the situation, and that was to try to increase public spending and they launched a mammoth public spending program where they were building projects in areas where no one had asked for the services or anything else. That spending, Mr. President, has now pushed Japan's ratio of debt of its gross domestic product to 130 percent, the highest of any major economy in the world.

"Finally, the nation of Japan has been looking at the need to reduce debt, reduce spending, and reduce taxes. This is a message that all of us should pay attention to in this body here, because we're still talking about raising taxes, increasing spending, increasing our debt -- which at last measure was the sixth highest in terms of per capita debt in the United States of America.

"We've been told what we have to do and that basically is to reduce government, cut taxes, cut spending, and we're not listening. Our economy, in fact, for most people, most residents, most families, most small businesses, has in fact not turned around. Unless we listen to the siren call of those who keep telling us that everything is all right, don't worry about it, we will end up in the rocks, as well. We don't have to listen to them. We know what is right. We know what to do, and we still have time in which to do it in this session, and I would hope that my colleagues would put economic and business reform at the top of the priority list and that we don't talk anymore -- we act on doing it.

"Thank you, Mr. President."

Senator Anderson, also rising on a point of personal privilege, then said:

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

"First off, I'd like to say that I didn't know that the Minority Floor Leader would make those statements, but mine are pretty close.

"I noted in the Saturday paper that the media is again bringing up the Kakaako project. It just so happens that my brother told me 'never fight with anybody who buys ink by the barrel.' The media does not mind writing skewed stories or editorials, ruining families, and ruining businesses, but they surely abuse their freedom of the press.

"I just wrote a letter to the papers, Mr. President, because I followed the Kakaako project. We try very hard in this Legislature to ask people to bring families together. We want to legislate family values. Well, let me tell you, the Kakaako project, as I looked at it, was for local people, or was going to be built for local families. It would have brought us together.

"I answered an editorial that they never printed on November 15. And that's why in Saturday's paper when they mentioned that Kakaako project, it was called foul, that Andy Anderson didn't know what he was doing, that he needed a thousand more parking stalls, and that his figures were all off. Well, let me tell you, this building is not a friendly building to the visiting public. We circumvented every law there was for parking. It's not friendly to the public. Not one of our state buildings, convention centers or otherwise, are easy on the dollar or for the public access because we circumvented our laws to push construction.

"But there's a paragraph in the editorial I'd like to read. 'That stake should have the Kakaako project . . . a stake in its heart is what is needed.' And let me tell you, Andy Anderson is my brother, and I'm damn proud of him.

"Andy has many accomplishments for himself and the people of Hawaii. When I got home in 1952 from the Army, Andy was working for Kodak of Hawaii. He then purchased Waterhouse Photo and expanded it. He then started Hawaii Ranch and Farm. He created John Dominis in Kakaako. Everyone scoffed at the idea and said, 'Where would you ever build a fine dining restaurant like that? It will be a failure.' And it's not a failure, ladies and gentlemen. And when he built it, it was for the local families. Others told him they will bring bus loads of tourists. And he said, 'You bring a bus load on my land, and I'll kick you off.' The restaurant was built for everybody, not just for one group of people.

"Andy also built John Dominis in Newport Beach. During the massive construction, the headlines in the Newport Beach paper was, 'Local boy from Hawaii makes the longest single-cement pour in the history of Newport Beach.' He also renovated Michel's Restaurant. At that time, he built on Lewers Street. If you remember, a Japanese village, a house of prostitution, illegal drug dealings and other activities surrounded that area.

"These are reasons I respond to the media. They do not share the whole picture. That's why I send in letters. The media can go ahead and editorialize by sending in an editorial, but when you answer it, they refuse to print it. When we have issues on this floor that concern the people of the state, they won't print it. And I would hope that the people, from now on, would have to start looking at other resources -- internet, fax information, or anything else -- to get the information that they need.

"Thank you very much, Mr. President. I'm sorry I held everybody up."

ADJOURNMENT

At 12:05 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, February 8, 2000.