

THIRTY-EIGHTH DAY

Monday, March 30, 2009

The Senate of the Twenty-Fifth Legislature of the State of Hawai'i, Regular Session of 2009, convened at 11:40 a.m. with the President in the Chair.

The Divine Blessing was invoked by the Honorable Fred Hemmings, Hawai'i State Senate, after which the Roll was called showing all Senators present.

The President announced that she had read and approved the Journal of the Thirty-Seventh Day.

At this time, the following introductions were made to the members of the Senate:

Senator Ige introduced and congratulated Gayle Araki on being named the 2009 Hawai'i Mother of the Year.

Senator Sakamoto honored and recognized Hawai'i's Teach for America Program, represented by Jill Baldemor, Executive Director.

At 11:51 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:57 a.m.

MESSAGE FROM THE GOVERNOR

The following message from the Governor (Gov. Msg. No. 538) was read by the Clerk and was placed on file:

Gov. Msg. No. 538, dated March 26, 2009, transmitting the Quarterly Report of the Temporary Hawaii Inter-Island Ferry Oversight Task Force on the Conditions, Protocols and Costs, prepared by the Department of Transportation pursuant to Act 2, Second Special Session of 2007.

HOUSE COMMUNICATION

The following communication from the House (Hse. Com. No. 352) was read by the Clerk and was placed on file:

Hse. Com. No. 352, informing the Senate that on March 27, 2009, the House disagreed to the amendments proposed by the Senate to H.B. No. 520, H.D. 1 (S.D. 1).

ORDER OF THE DAY

ADOPTION OF RESOLUTIONS

**MATTERS DEFERRED FROM
FRIDAY, MARCH 27, 2009**

Stand. Com. Rep. No. 1085 (S.C.R. No. 6, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 6, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING PUBLIC AND PRIVATE AGENCIES TO MAKE APPROPRIATE EXEMPTIONS FOR GRANDPARENTS CARING FOR GRANDCHILDREN TO REMAIN IN SENIOR HOUSING UNTIL SUITABLE HOUSING IS OBTAINED," was adopted.

Stand. Com. Rep. No. 1086 (H.C.R. No. 44, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 44, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION DECLARING APRIL AS CHILD ABUSE PREVENTION MONTH," was adopted.

Stand. Com. Rep. No. 1087 (H.C.R. No. 38, H.D. 1, S.D. 1):

On motion by Senator Sakamoto, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 38, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING OCTOBER AS DOMESTIC VIOLENCE AWARENESS MONTH," was adopted.

RE-REFERRAL OF HOUSE BILLS

The Chair re-referred the following House bills that were received:

H.B. No.	Re-referred to:
H.B. No. 921, H.D. 1, S.D. 1	Committee on Water, Land, Agriculture and Hawaiian Affairs, then jointly to the Committee on Judiciary and Government Operations and the Committee on Ways and Means
H.B. No. 1260, H.D. 1	Jointly to the Committee on Ways and Means and the Committee on Judiciary and Government Operations
H.B. No. 1550, H.D. 2	Committee on Ways and Means
H.B. No. 1663, H.D. 1, S.D. 1	Committee on Energy and Environment

At 11:58 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:59 a.m.

Senator Espero rose on a point of personal privilege and said:

"A few weeks ago, our state lost a wonderful person. In an unexpected, tragic sequence of events we lost a loving mother, a compassionate wife, a mentor and a teacher to our students. We wrote a certificate for Asa Shimabukuro Yamashita, and I would like to read to you some of the words from the certificate.

"In high school, Asa aspired to become a writer. 'She was an incredible storyteller,' Bryan says. She knew her authors, poets and Shakespeare. Her love of literature and the English language is why England was her favorite travel destination. She also knew all the places where they could find good books. 'How many people do you know,' Bryan asks, 'would pay \$100 for a 27-pound unabridged Oxford Dictionary that came with a magnifying glass as part of the packet?'

"Asa and Bryan were independent travelers, extensively exploring the United States and Europe together, enjoying the historical sites, people, challenges, and fulfillment along the way. Their awesome experiences strengthened their relationship and helped the couple become best buddies. Bryan says that travelling was a metaphor for life: journeying together, sharing their uncertainties and discoveries, and staying together.

"Bryan's warmest memories of Asa was their July 31, 1993 wedding and the adoption of their two daughters in 2002 and 2005. 'It was amazing,' Bryan remembers, 'all the long paperwork and huge cost.' When they finally arrived and the agency put their girls in their arms, life went from zero to 60 in one second. He and Asa went from being a couple to parents, all of a sudden having this incredible responsibility and

wonderful opportunity to nurture life. Asa was an incredibly dedicated mother. Life with daughters Katie and Tori is full of crazy goods and crazy bads. Their hobbies became their children. ‘You must love ‘em like nuts; make ‘em feel they’re center of the universe,’ Bryan says. It’s amazing how God changed their hearts. Both girls are from towns in China within a hundred miles of each other, and are the most incredible people, both very smart in different ways.

“A faithful Christian, Asa was a member of the Nu‘uanu Congregational Church. She came from a wonderful family. She was an understanding wife and a good, close loyal friend.

“Asa believed in giving back through public service, which was hard for her to do, given her dedication to her family and her work. She was the scholarship committee chair of the Farrington High School Alumni Association.

“Lastly, Asa was an educator who cared deeply about reading and trying to improve learning. She was Wai‘anae High School’s reading strategies coach and head of the English Department. The school’s Sustained Silent Reading Library was never meant to hold this kind of silence. Teacher Asa Yamashita is no longer there to fill the room that she was so instrumental in starting to help students to learn to read and love.

“At this time, Madam President, I know we do express our condolences and sympathies and prayers to the family, and I’d like to pass the mic on to Senator Sakamoto for introductions.”

At this time, Senator Sakamoto introduced Bryan Yamashita, daughters Katie and Tori, and family members of the late Asa Shimabukuro Yamashita to the members of the Senate.

Senator Sakamoto requested that the Senate adjourn on a rising vote to observe a moment of silence in honor of Asa Yamashita.

The Chair so ordered.

At 12:05 p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:08 p.m.

At this time, the Chair made the following announcement:

“The Hawai‘i Medal of Honor ceremony will be held jointly with the House tomorrow afternoon at 2:00 p.m. here in the Senate Chamber. The Senate will convene its regular session at 11:30 a.m.”

ADJOURNMENT

At 12:09 p.m., on motion by Senator Sakamoto, seconded by Senator Slom and carried, the Senate adjourned until 11:30 a.m., Tuesday, March 31, 2009, on a rising vote, observing a moment of silence in memory of Asa Shimabukuro Yamashita.