

## ELEVENTH DAY

Thursday, February 4, 1993

The Senate of the Seventeenth Legislature of the State of Hawaii, Regular Session of 1993, convened at 10:49 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Lieutenant Tim Bartlett of the Kaneohe Salvation Army, after which the Roll was called showing all Senators present.

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

Senator Solomon introduced to the members of the Senate the Honorable Matiu Tarawa, Paramount Chief of Tearawa Matatua and Aotea Canoes, New Zealand, who was seated in the gallery. Senator Solomon added that Paramount Chief Tarawa participated in the Onipa'a commemoration.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 143 to 146) were read by the Clerk and were placed on file:

Gov. Msg. No. 143, dated January 12, 1993, transmitting the 1992 Annual Report of the Employment and Training Fund Program, prepared by the Department of Labor and Industrial Relations pursuant to Section 383-128, HRS.

Gov. Msg. No. 144, dated January 15, 1993, transmitting the Special Report on Time Share in 1992, prepared by the Department of Commerce and Consumer Affairs in response to H.C.R. No. 240 (1992).

Gov. Msg. No. 145, dated January 15, 1993, transmitting the 1992 Annual Report of the Regulated Industries Complaints Office, prepared by the Department of Commerce and Consumer Affairs pursuant to Section 26-9(m), HRS.

Gov. Msg. No. 146, dated January 25, 1993, transmitting the 1993 Report to the Governor on Tourism Training, prepared by the Tourism Training Council, Department of Labor and Industrial Relations.

## DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 12 and 13) were read by the Clerk and were placed on file:

Dept. Com. No. 12, letter from the Department of Human Services, Hawaii Housing Authority, dated January 25, 1993, relating to the Hale Kokua Interim Update Report of November 1992.

Dept. Com. No. 13, from the Department of Agriculture dated February 4, 1993, transmitting the Agricultural Market Development Report, Calendar Year 1992.

## 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. 17                      Committee on Judiciary, then to the Committee on Ways and Means

No. 162                      Committee on Consumer Protection, then to the Committee on Judiciary

No. 260                      Jointly to the Committee on Consumer Protection and the Committee on Housing

No. 612                      Jointly to the Committee on Housing and the Committee on Planning, Land Water Use Management, then to the Committee on Ways and Means

No. 937                      Committee on Consumer Protection, then to the Committee on Judiciary

No. 1164                      Jointly to the Committee on Education, Labor and Employment and the Committee on Judiciary, then to the Committee on Ways and Means

No. 1200                      Committee on Planning, Land and Water Use Management, then to the Committee on Ways and Means

No. 1253                      Committee on Consumer Protection, then to the Committee on Judiciary

No. 1254                      Committee on Consumer Protection, then to the Committee on Judiciary

No. 1361                      Jointly to the Committee on Government Operations, Environmental Protection and Hawaiian Programs and the Committee on Judiciary, then to the Committee on Ways and Means

No. 1623                      Committee on Judiciary, then to the Committee on Ways and Means

No. 1779                      Committee on Consumer Protection, then to the Committee on Judiciary

Senator Solomon then rose on a point of personal privilege and said:

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

"Mr. President, the editorial page of the Star-Bulletin on February 3, Wednesday, advanced the idea of Representative Ron Menor to kill two birds with one stone, i.e., build a prison in Hamakua which would improve the problem of unemployment caused by the decline of sugar production and fulfill the need for additional prison facilities.

"I sincerely thank Representative Menor for sympathizing with the plight of the Hamakua residents.

"Public Safety Director George Sumner said that he liked Rep. Menor's idea and pointed out that instead of expanding Kulani Correctional Facility, which is isolated, it would be better to have a prison as part of a community such as in Hamakua.

"However, Mr. President, the important point here is to find a location where the neighbors would accept such a facility and that considerable input from the residents is imperative in site selection. A prison is a permanent structure and although it will help the unemployment situation immediately, we must also think of the long term social and economic impact on the community, presently there in Hamakua.

"I feel that any solution that will help the Hamakua Coast should be considered as long as it is agreeable with the local residents.

"At this time, Mr. President, I urge our Public Safety and Corrections Committee chair to be sure that if he does consider such a program that he also include the input of the community there on the Hamakua Coast. Thank you."

Senator Koki responded as follows:

"Mr. President, on the same topic as the previous speaker, I went to the Big Island yesterday and toured all of their facilities. One of the things that Director Sumner was very clear on was to be sure to bring about the collective input of the community. We also invited some of the Hawaii council people to tour the facilities. I think we are going to have a type of input that is going to be beneficial to the community as a whole. Thank you."

Senator Solomon then said:

"Mr. President, again on a point of personal privilege, although I realize that a point of personal privilege is not to be used as a forum for debate, I feel compelled to make a response. First, I want to thank the chairman for taking collective input into consideration, however, Mr. President, I think it's equally important that the chairman should at least have the courtesy to notify the Senator representing the district, which is myself, before any decisions are made. I'm hoping that this courtesy will be extended as we proceed with our deliberations here this session. I'm not a member of the Corrections Committee, I feel that an issue such as this magnitude and the kind of long term impact on the existing communities need to be further discussed not only in regards to myself but should include all of the Big Island legislators, both the House and the Senate. Thank you."

The Chair then remarked:

"Senator Solomon, the Chair would like to encourage all members of the Senate, especially the respective committee chairs, to consult with members of districts that are affected. Whenever you are proposing any kind of hearings or meetings, it would be best if the chairs would make it a point to consult with members of the districts that are affected. That is a good point, Senator Solomon."

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

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

"In the interest of good communication within this body, it might be wise for all Senators to reconsider decisions relative to not sitting on committees chaired by Republicans."

#### ADJOURNMENT

At 10:57 o'clock a.m., on motion by Senator Ikeda, seconded by Senator Reed and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, February 5, 1993.