

TWENTY-FOURTH DAY

Thursday, March 3, 1994

The Senate of the Seventeenth Legislature of the State of Hawaii, Regular Session of 1994, convened at 11:35 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend William Kaina, Kawaihāo Church, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Twenty-Third Day.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 177 to 200) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 177, dated January 24, 1994, transmitting the 1993 Annual Report of the Aloha Tower Development Corporation, was placed on file.

Gov. Msg. No. 178, submitting for consideration and confirmation to the State Boxing Commission of Hawaii, the nomination of TED CANDIA, term to expire June 30, 1998, was referred to the Committee on Executive Appointments.

Gov. Msg. No. 179, submitting for consideration and confirmation to the Credit Union Review Board, the nomination of LANE H. SHIBATA, term to expire June 30, 1998, was referred to the Committee on Executive Appointments.

Gov. Msg. No. 180, submitting for consideration and confirmation to the Defender Council, the nominations of ROBYN AU and LYNN HIGASHI HIATT, terms to expire June 30, 1998, was referred to the Committee on Executive Appointments.

Gov. Msg. No. 181, submitting for consideration and confirmation to the Hawaii Advisory Commission on Drug Abuse and Controlled Substances, the nominations of GABRIELLE B. BATZER and THOMAS H. KAAIAI JR., terms to expire June 30, 1995; and ANNA RILEY M. HORNE and VERONICA B. YAMANOHA, terms to expire June 30, 1998, was referred to the Committee on Executive Appointments.

Gov. Msg. No. 182, submitting for consideration and confirmation to the Drug Product Selection Board, the nomination of JAMES K. ASATO, term to expire June 30, 1998, was referred to the Committee on Executive Appointments.

Gov. Msg. No. 183, submitting for consideration and confirmation to the Elevator Mechanics Licensing Board, the nominations of THADDEUS R. TOMEI and DANIEL J. TUCKER, terms to expire June 30, 1998, was referred to the Committee on Executive Appointments.

Gov. Msg. No. 184, submitting for consideration and confirmation to the Environmental Council, the nominations of HENRY C.K. MAUNAKEA, LINDA KAWAI'ONO DELANEY and LORRAINE H. AKIBA, terms to expire June 30, 1998, was referred to the Committee on Executive Appointments.

Gov. Msg. No. 185, submitting for consideration and confirmation to the Board of Hearing Aid Dealers and Fitters, the nomination of MICHAEL L. JAMES, term to

expire June 30, 1998, was referred to the Committee on Executive Appointments.

Gov. Msg. No. 186, submitting for consideration and confirmation to the State Council on Mental Health, the nomination of CAROL JEAN GILLILAND, term to expire June 30, 1996, was referred to the Committee on Executive Appointments.

Gov. Msg. No. 187, submitting for consideration and confirmation to the Motor Vehicle Repair Industry Board, the nominations of BUSTER M. KOMORI and STUART C. LAU, terms to expire June 30, 1998, was referred to the Committee on Executive Appointments.

Gov. Msg. No. 188, submitting for consideration and confirmation to the Board of Directors, Natural Energy Laboratory of Hawaii Authority, the nomination of SOPHIE ANN M. AOKI ROBERTSON, term to expire June 30, 1998, was referred to the Committee on Executive Appointments.

Gov. Msg. No. 189, submitting for consideration and confirmation to the Board of Examiners in Naturopathy, the nominations of JOHN L. BURKE, JR., and CHARLES H. TURNER, terms to expire June 30, 1998, was referred to the Committee on Executive Appointments.

Gov. Msg. No. 190, submitting for consideration and confirmation to the Board of Examiners of Nursing Home Administrators, the nominations of TSUNEKO APAKA and DALE CHIKUAMI HAHN, terms to expire June 30, 1998, was referred to the Committee on Executive Appointments.

Gov. Msg. No. 191, submitting for consideration and confirmation to the Board of Dispensing Opticians, the nomination of ARVID T. HARA, term to expire June 30, 1998, was referred to the Committee on Executive Appointments.

Gov. Msg. No. 192, submitting for consideration and confirmation to the Commission to Promote Uniform Legislation, the nomination of JOHN A. CHANIN, term to expire June 30, 1998, was referred to the Committee on Executive Appointments.

Gov. Msg. No. 193, submitting for consideration and confirmation to the Board of Certification of Operating Personnel in Water Treatment Plants, the nomination of CARL K. KAIAMA, term to expire June 30, 1998, was referred to the Committee on Executive Appointments.

Gov. Msg. No. 194, submitting for consideration and confirmation to the Western Interstate Commission for Higher Education, the nomination of LAWRENCE WAKUI, term to expire June 30, 1998, was referred to the Committee on Executive Appointments.

Gov. Msg. No. 195, dated January 28, 1994, transmitting a report prepared by the University of Hawaii pursuant to Act 296, SLH 1991, as amended by Act 300, SLH 1992, verifying the status of all general-funded budgeted items appropriated to the University of Hawaii, was placed on file.

Gov. Msg. No. 196, dated February 9, 1994, transmitting "A Special Report to the Legislature on the Youth Gang Response System," prepared by the Office of Youth Services, was placed on file.

Gov. Msg. No. 197, dated February 15, 1994, transmitting reports prepared by the Department of Business, Economic Development and Tourism pursuant to Act 289, SLH 1993, on provisos in the Legislative Budget Bill pertaining to the Department, was placed on file.

Gov. Msg. No. 198, advising the Senate of the withdrawal of the nomination of KEITH W. AHUE to the Kahoolawe Island Reserve Commission, under Gov. Msg. No. 165, dated February 18, 1994, was placed on file.

In accordance with Gov. Msg. No. 198, the nomination listed under Gov. Msg. No. 165 was returned.

Gov. Msg. No. 199, dated February 9, 1994, transmitting the 1993 Annual Report prepared by the Department of Business, Economic Development and Tourism's Molokai Office, was placed on file.

Gov. Msg. No. 200, submitting for consideration and consent to the Circuit Court of the Second Circuit, the nomination of SHACKLEY F. RAFFETTO for First Judge, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, for a term of ten years, was referred to the Committee on Executive Appointments.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 45 to 50) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 45, transmitting H.B. No. 2, which passed Third Reading in the House of Representatives on February 23, 1994, was placed on file.

On motion of Senator Chang, seconded by Senator Reed and carried, H.B. No. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed First Reading by title and was referred jointly to 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 Ways and Means.

Hse. Com. No. 46, transmitting H.B. No. 2882, which passed Third Reading in the House of Representatives on February 23, 1994, was placed on file.

On motion by Senator Chang, seconded by Senator Reed and carried, H.B. No. 2882, entitled: "A BILL FOR AN ACT RELATING TO THE RESEARCH CORPORATION OF THE UNIVERSITY OF HAWAII," passed First Reading by title and was referred to the Committee on Higher Education, Culture and Arts and Historic Preservation, then to the Committee on Ways and Means.

Hse. Com. No. 47, transmitting H.B. No. 3144, which passed Third Reading in the House of Representatives on February 23, 1994, was placed on file.

On motion by Senator Chang, seconded by Senator Reed and carried, H.B. No. 3144, entitled: "A BILL FOR AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS," passed First Reading by title and was referred to the Committee on Labor and Employment, then to the Committee on Ways and Means.

Hse. Com. No. 48, transmitting H.B. No. 3424, which passed Third Reading in the House of Representatives on February 23, 1994, was placed on file.

On motion by Senator Chang, seconded by Senator Reed and carried, H.B. No. 3424, entitled: "A BILL FOR AN ACT RELATING TO DEPOSITS OF PUBLIC FUNDS," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 49, transmitting H.B. No. 3550, which passed Third Reading in the House of Representatives on February 23, 1994, was placed on file.

On motion by Senator Chang, seconded by Senator Reed and carried, H.B. No. 3550, entitled: "A BILL FOR AN ACT RELATING TO USE TAX," passed First Reading by title and was referred to the Committee on Government Operations, Environmental Protection and Hawaiian Programs, then to the Committee on Ways and Means.

Hse. Com. No. 50, informing the Senate that the Speaker on February 24, 1994, modified the conferees on the part of the House for the consideration of amendments proposed to certain House and Senate bills to reflect changes in committee assignments to the following bills:

H.B. No. 830, H.D. 1 (S.D. 2):

Representatives Lee, Tajiri, co-chairmen, Beirne, Hagino, Pepper, Tanimoto.

H.B. No. 947, H.D. 1 (S.D. 1):

Representatives Tom, chairman, Oshiro, Tanimoto.

H.B. No. 1088, H.D. 1 (S.D. 1):

Representatives Tom, chairman, Ishii-Morikami, Peters, Tanimoto.

H.B. No. 1500, H.D. 2 (S.D. 2):

Representatives Arakaki, Kanoho, co-chairmen, Beirne, Ihara, Tanimoto.

H.B. No. 1738, H.D. 2 (S.D. 1):

Representatives D. Ige, Chun, Kawakami, co-chairmen, Takumi, Tanimoto.

H.B. No. 1990, H.D. 1 (S.D. 2):

Representatives Arakaki, Tom, co-chairmen, Amaral, Lee, Tanimoto.

H.B. No. 1992, H.D. 2 (S.D. 2):

Representatives Arakaki, Say, co-chairmen, Apo, Beirne, Kawakami, Suzuki, Tanimoto.

H.B. No. 2034, H.D. 2 (S.D. 1):

Representatives Duldulao, Say, co-chairmen, Pepper, Tajiri, Tanimoto.

S.B. No. 235, S.D. 1 (H.D. 1):

Representatives Tom, Bunda, co-chairmen, Ishii-Morikami, Peters, Tanimoto.

S.B. No. 266, S.D. 1 (H.D. 2):

Representatives Lee, Say, co-chairmen, Shon, Tanimoto.

S.B. No. 417, S.D. 1 (H.D. 2):

Representatives D. Ige, Chang, co-chairmen, Isbell, Tajiri, Tanimoto.

S.B. No. 467, S.D. 2 (H.D. 2):

Representatives D. Ige, Say, co-chairmen, Chumbley, Kawakami, Tanimoto.

S.B. No. 495, S.D. 1 (H.D. 1):

Representatives Tom, chairman, Oshiro, Takamine, Tanimoto.

S.B. No. 1604, S.D. 3 (H.D. 2):

Representatives D. Ige, Say, co-chairmen, Chumbley, Kawakami, Tanimoto.

S.B. No. 1680, S.D. 2 (H.D. 3):

Representatives Isbell, Taniguchi, Say, co-chairmen, Tanimoto.

S.B. No. 1744, S.D. 1 (H.D. 2):

Representatives Arakaki, Kanoho, co-chairmen, Apo, Beirne, Morihara, Tanimoto.

S.B. No. 1824, S.D. 1 (H.D. 2):

Representatives Isbell, Taniguchi, Tom, co-chairmen, Herkes, Santiago, Tanimoto.

was placed on file.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 59 to 70) were read by the Clerk and were referred to committees:

Senate Concurrent Resolution

No. 59 "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO AUDIT GTE HAWAIIAN TEL."

Offered by: Senator Matsuura.

Referred to: Committee on Science, Technology and Economic Development, then to the Committee on Ways and Means

No. 60 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ACQUIRE LAND ALONG WAILUA RIVER."

Offered by: Senator Fernandes Salling.

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

No. 61 "SENATE CONCURRENT RESOLUTION URGING THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII TO SUPPORT FAIRNESS IN STUDENT HOUSING POLICIES ON THE MANOA CAMPUS."

Offered by: Senators Tungpalan, Aki, Baker, Fukunaga, Graulty, Ikeda, Kanno.

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

No. 62 "SENATE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY ON THE ESTABLISHMENT OF A HAWAII ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION."

Offered by: Senators Iwase, Matsunaga.

Referred to: Jointly to the Committee on Planning, Land and Water Use Management and the Committee on Science, Technology and Economic Development

No. 63 "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO EXAMINE METHODS OF IMPROVING THE MANAGEMENT OF HAWAII'S BEACHES AND SHORELINE AREAS."

Offered by: Senator Iwase.

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

No. 64 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO INCLUDE A FOREIGN LANGUAGE REQUIREMENT AS PART OF THE PUBLIC SCHOOL CORE CURRICULUM."

Offered by: Senator Nakasato.

Referred to: Committee on Education

No. 65 "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII VISITORS BUREAU AND THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO ESTABLISH A CLOSER RELATIONSHIP WITH AND SEEK FINANCIAL ASSISTANCE FROM THE UNITED STATES TRAVEL AND TOURISM ADMINISTRATION."

Offered by: Senator Nakasato.

Referred to: Committee on Tourism and Recreation

No. 66 "SENATE CONCURRENT RESOLUTION ENCOURAGING THE HAWAII VISITORS BUREAU AND THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO SPONSOR A TOUR OPERATORS FAIR."

Offered by: Senator Nakasato.

Referred to: Committee on Tourism and Recreation

No. 67 "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO APPROPRIATE ADDITIONAL FUNDS TO THE UNITED STATES TRAVEL AND TOURISM ADMINISTRATION."

Offered by: Senator Nakasato.

Referred to: Committee on Tourism and Recreation

No. 68 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY THE NEED FOR LICENSING OF MECHANICS IN THE REFRIGERATION AND AIR CONDITIONING INDUSTRY."

Offered by: Senator Iwase.

Referred to: Jointly to the Committee on Consumer Protection and the Committee on Legislative Management

No. 69 "SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENTION CENTER AUTHORITY TO ASSESS THE MARKET POTENTIAL AND POSSIBLE SITES FOR A SATELLITE CONVENTION FACILITY IN WEST HAWAII."

Offered by: Senator Tanaka.

Referred to: Committee on Tourism and Recreation

No. 70 "SENATE CONCURRENT RESOLUTION EXPRESSING LEGISLATIVE SUPPORT FOR THE RECOMMENDATIONS OF THE HUI 'IMI TASK FORCE REPORT BY AUTHORIZING THE REINSTATEMENT OF THE HUI 'IMI TASK FORCE."

Offered by: Senator Chang.

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

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 47 to 54) were read by the Clerk and were referred to committees:

Senate Resolution

No. 47 "SENATE RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO AUDIT GTE HAWAIIAN TEL."

Offered by: Senator Matsuura.

Referred to: Committee on Science, Technology and Economic Development, then to the Committee on Ways and Means

No. 48 "SENATE RESOLUTION URGING THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII TO SUPPORT FAIRNESS IN STUDENT HOUSING POLICIES ON THE MANOA CAMPUS."

Offered by: Senators Tungpalan, Aki, Baker, Fukunaga, Grauly, Ikeda, Kanno.

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

No. 49 "SENATE RESOLUTION REQUESTING A FEASIBILITY STUDY ON THE ESTABLISHMENT OF A HAWAII ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION."

Offered by: Senators Iwase, Matsunaga.

Referred to: Jointly to the Committee on Planning, Land and Water Use Management and the Committee on Science, Technology and Economic Development, then to the Committee on Legislative Management

No. 50 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO INCLUDE A FOREIGN LANGUAGE REQUIREMENT AS PART OF THE PUBLIC SCHOOL CORE CURRICULUM."

Offered by: Senator Nakasato.

Referred to: Committee on Education

No. 51 "SENATE RESOLUTION REQUESTING THE HAWAII VISITORS BUREAU AND THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO ESTABLISH A CLOSER RELATIONSHIP WITH AND SEEK FINANCIAL ASSISTANCE FROM THE UNITED STATES TRAVEL AND TOURISM ADMINISTRATION."

Offered by: Senator Nakasato.

Referred to: Committee on Tourism and Recreation

No. 52 "SENATE RESOLUTION ENCOURAGING THE HAWAII VISITORS BUREAU AND THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO SPONSOR A TOUR OPERATORS FAIR."

Offered by: Senator Nakasato.

Referred to: Committee on Tourism and Recreation

No. 53 "SENATE RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO APPROPRIATE ADDITIONAL FUNDS TO THE UNITED STATES TRAVEL AND TOURISM ADMINISTRATION."

Offered by: Senator Nakasato.

Referred to: Committee on Tourism and Recreation

No. 54 "SENATE RESOLUTION REQUESTING THE CONVENTION CENTER AUTHORITY TO ASSESS THE MARKET POTENTIAL AND POSSIBLE SITES FOR A SATELLITE CONVENTION FACILITY IN WEST HAWAII."

Offered by: Senator Tanaka.

Referred to: Committee on Tourism and Recreation

ORDER OF THE DAY

THIRD READING

S.B. No. 2967, S.D. 1:

By unanimous consent, action on S.B. No. 2967, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CIGARETTE AND TOBACCO TAX LAW," was deferred until Friday, March 4, 1994.

At 11:44 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:47 o'clock a.m.

RE-REFERRAL OF SENATE BILLS

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

Senate Bill Referred to:

No. 1122 Jointly to the Committee on Consumer Protection and the Committee on Ways and Means

No. 2201 Committee on Ways and Means

No. 3033 Committee on Ways and Means

No. 3171 Jointly to the Committee on Labor and Employment and the Committee on Ways and Means

No. 3193 Jointly to the Committee on Consumer Protection and the Committee on Ways and Means

Senator Tungpalan, on behalf of the Senators, extended Happy Birthday wishes to Senator Malama Solomon.

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

"Mr. President I stand on a point of personal privilege.

"For six years I have had the honor of serving in this body and representing the interests and concerns of Oahu's Windward residents.

"During that time, I have witnessed debate on a wide variety of issues. And I have come to appreciate how decisions made on this floor will affect not only those who voted for us, but also the destiny of generations yet unborn.

"That is why I want to take just a moment to discuss two issues that will soon be debated and decided in this room ... issues that will have an irreversible impact on our culture and on our future.

"The first is the legalization of gambling. At first glance, offshore gambling seems harmless enough ... a way to perhaps attract more tourists ... a way of keeping money spent in Las Vegas here in Hawaii ... a way of raising money for education or some other good cause.

"I wish it were all that simple. Unfortunately, it is not.

"First of all, no one is sure how much money will actually go into state coffers. When gambling was introduced into Atlantic City, other retail and service sector businesses saw a reduction in revenue. I don't want to be the one to tell the tour operator or Waikiki shop owner that gambling will siphon away business they now have. But that is exactly what will happen. And the result will be more tax dollars from gambling but fewer tax dollars from other businesses.

"Furthermore, unless we require all gambling enterprises be owned by local residents, most of the profits will go out of state to those who run the gambling operations.

"Shipboard gambling will not stop Hawaii's people from going to the Mainland to gamble. Only full-fledged 24-hour gambling casinos on-shore can do that. Is that what we really want?

"There are those who say that we are already gambling ... illegal gambling. So why not accept it, legalize it and tax it? Or two reasons: first of all, HPD predicts that with the introduction of legal gambling, the amount of illegal gambling also increases because gambling is considered acceptable behavior. So we're not solving the problem. We're only making it bigger.

"But second and more importantly, what are we telling our children and grandchildren? Vice is okay as long as you make money? Is that the principle we want to build our society on?

"Once gambling becomes a part of our culture, it will be hard if not impossible to eradicate.

"The same is true of another important issue ... same-sex marriage. If we allow the State Supreme Court to sanction same-sex marriage, we will abdicate our role as legislators and set in motion a cultural change that may very likely produce unforeseen and unfavorable consequences.

"We need to affirm traditional marriage in the Legislature and protect the family structure. Let's send a message to the Supreme Court to leave legislating to us.

"We are deciding a future that we will not live to see. Let's not make that decision lightly or give our responsibility over to a co-equal branch. Thank you."

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

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

"As you know, we've had numerous articles in the newspapers in regard to our tourism industry in Hawaii. There have been pros and cons of HVB as far as promoting tourism is concerned. Mr. President, your Committee on Tourism, as well as your Committee on Transportation, have been working very conscientiously in trying to make sense of what is happening to our tourism promotion.

"We have come to the conclusion that there is, Mr. President, ineffective tourism promotion -- spending \$20 million and not getting our money's worth. DBEDT does not exercise its responsibility of supervising the promotion activities of the Hawaii Visitors Bureau, but at the same time it's promoting its own projects, like Hawaii on Tour, etc. The contract between the Hawaii Visitors Bureau and DBEDT provides that HVB may not assign its duties under the contract without written authorization from DBEDT. In other words, Mr. President, the buck stops with the Office of Tourism, which is under the jurisdiction of DBEDT.

"Now, we find that the Hawaii Visitors Bureau has, in fact, contracted with companies owned or controlled by Mr. Tom Kielely, providing for those companies to perform Hawaii Visitors Bureau responsibilities. Kielely's companies are to receive an excess of \$300,000 of tourism promotion funds. We have not been able to find out whether DBEDT has authorized these contracts, and if so, why? If not, why not? We have evidence of financial indulgence, waste, and the worst kinds of conflicts of interest on the part of the Hawaii Visitors Bureau. Where is DBEDT in monitoring all this?

"We must deal with the problem of increasing tourist arrivals by increasing the number of seats bound for Hawaii. Your Transportation Committee is working very conscientiously on this and we're trying to work with the airlines and air charter companies to create an aerial highway to Hawaii. This means the level of landing fees has to be related to maximizing tourist arrivals, not to supporting the Airports Division of the Department of Transportation. We must work to encourage and assist tour companies (such as Ed Hogan's Pleasant Hawaiian Holidays) in their efforts to bring visitors by air tour operations. Mr. President, where was DBEDT on these negotiations? Nowhere!

"Third, we must rationalize the ground transportation system to free it of monopoly pricing and related practices. As you know, Mr. President, early in this session we did have a hearing on that very issue.

"The bottom line is that our Airports Division is 100% larger than Los Angeles and San Francisco. Many attractions in Hawaii are at the mercy of Roberts Tours and they must pay whatever the company demands for each visitor delivered, and that's just the start.

"Mr. President, with the demise of sugar and pineapple and the fact that our diversified agriculture industries

have remained almost flat for the past two years or so and with marginal prospects for growth, there's no doubt in my mind, as your Majority Leader, that we in this Legislature, for the remainder of this session, must concentrate our efforts on trying to bring in more competition to level the playing field, so that our tourism industry can, in fact, blossom and grow. Thank you."

Senator Chang also rose and said:

"Mr. President, in brief response to the Senator from Kaneohe, I believe that we all share his concerns and I believe that the Majority, the leadership, and the committee chairmen are diligently pursuing the different issues and questions that arise for each of these proposals.

"I would take small difference with one item in his point of personal privilege. The element of gambling has been a persistent and somewhat substantial part of the many different cultures that exist in Hawaii. The proposal for shipboard gambling represents an entry of the state into what has heretofore been a private matter, and as we all can imagine, there are complexities and delicacies that arise by this precedent setting proposal.

"Similarly, with respect to the issues of same gender marriage, there are many different kinds of questions that have arisen as a result of a changing society, one in which we have both traditional populations and new populations all clamoring for recognition of their rights and privileges.

"I believe that the Judiciary chairman has embarked in the right direction by promoting full dialogue, not only with the different communities represented by these issues, but also with the members of the judiciary branch in ensuring we have a full discussion with the branch that has thrust this issue upon us.

"I'd like to assure the Senator from Kaneohe that the leadership and the committee chairmen are working diligently to address his concerns. Thank you."

Senator Reed, rising in response to the previous speaker, then said:

"Mr. President, just a brief follow-up to the previous speaker. I find the debate on these controversial issues refreshing and would like to underscore the importance of this and hope again that the Majority will debate these issues openly on the floor, rather than in caucus. Thank you."

The Chair responded:

"I'm quite sure we will. Thank you, Senator."

At this time, Senator Kanno, for the Committee on Labor and Employment, in accordance with Rule 21 of the Rules of the Senate, requested a waiver of the 72-hour notice of a public hearing on S.B. No. 3171, relating to worker's compensation.

The Chair then granted the waiver.

Senator Holt, for the Committee on Consumer Protection and the Committee on Ways and Means, also requested a waiver of the 72-hour notice of a public hearing on S.B. No. 1122, relating to taxation, and S.B. No. 3193, relating to newspapers, and the Chair granted the waiver.

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

"Mr. President, I rise to support all efforts that are being made to secure the return of the two sacred ka'ai that were taken from the Bishop Museum.

"Our Legislature has been very closely tied to these sacred ka'ais. In 1991, we passed legislation which allowed for the repatriation of these two ka'ai to the Royal Mausoleum. The monies were transferred to the Office of Hawaiian Affairs and it was matched, in fact, by this organization, so we have great interest in securing these ka'ais, which unfortunately were taken. We still continue our support of the return of the ka'ais, and your committee, Mr. President, will be looking into the matter of the disappearance and personally talking to people who may have knowledge of their being taken.

"I would like to encourage those who know about this to call my office with any information. We would like to be able to see that these two ka'ai remain safe in the museum until they are repatriated. Thank you."

ADJOURNMENT

At 12:06 o'clock p.m., on motion by Senator Chang, seconded by Senator Reed and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, March 4, 1994.