



Straight Dope 13

H O N O L U L U

Weekly

Volume 3, Number 30, July 28, 1993

FREE

While the state hopes all systems are go for a privately developed, multimillion dollar spaceport on the Big Island, public concern is growing about plans for a rocket facility at South Point. — Page 4.

Ka'i Countdown?

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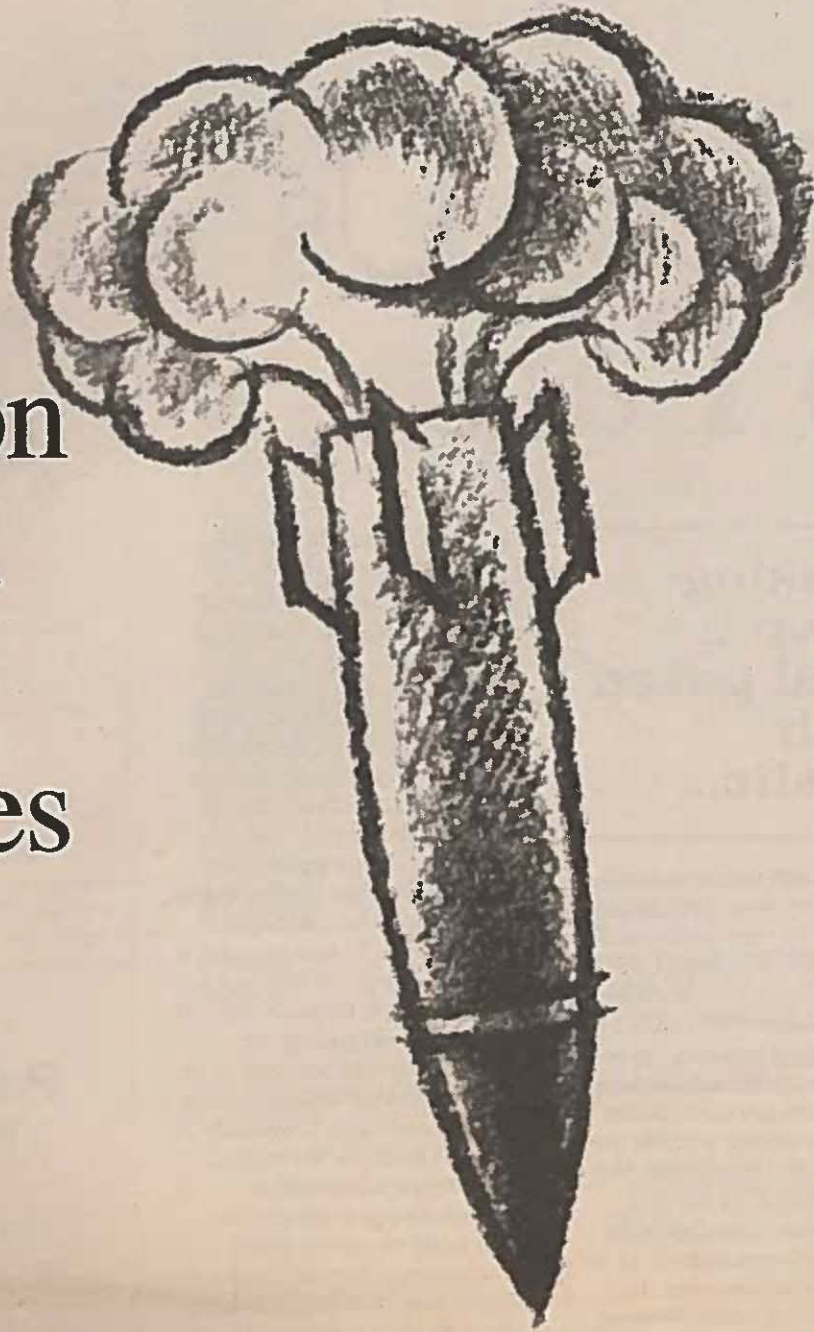
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Does the Waihee administration have its head in the clouds when it comes to rocket launches in Ka'u?



Lost in Space?

Rocket Man

On the ballistic spending and unearthly ties of the state's "space czar"

Since April 1989, Thomas B. Hayward has been under contract to the state of Hawaii, charged with "assist[ing] in the establishment of a commercial launch facility on the island of Hawaii and promotion of space-related areas leading to significantly enhanced employment opportunities...."

Recently, the state and Lockheed exchanged letters that indicate a mild interest in a spaceport plan on Lockheed's part (See "Lost in Space?"). The Lockheed letter identifies Hayward as playing a role in engineering this

exchange. Yet at the same time Hayward was negotiating with Lockheed on the state's behalf, he was also a consultant to Lockheed.

No Conflicts

The bills that Hayward submits to the state for reimbursement were the tip-off of his possible associations with Lockheed and several other firms.

On several of those bills, Hayward is identified as "consultant to the president" of Lockheed. Hayward was asked about this connection in a telephone interview. He acknowledged that

Lockheed was a client of his. However, he said, he worked with a division — Lockheed "aircraft, aerospace" — that "has nothing to do with the spaceport." "Even if it did," he said, "there would be no conflict."

Hayward bristled at all questions concerning his clients. "I'm going to stop this whole trend" of questions, he said. "I'm not in the business of identifying my clients. You're inferring that I have a conflict of interest."

Other corporations or institutions identified on his bills include the Center for Strategic and International Studies (a conservative think tank in Washington), United Technologies, Morrison-Knudsen, General Dynamics and the Military Affairs Council of the Hawaii Chamber of Commerce.

When asked about the CSIS, Hayward said he had "lots of involvement" with that institution, which he identified as a "high-class think tank." He would not answer questions about

his ties to other corporate clients.

He acknowledged representing the Military Affairs Council of the Hawaii Chamber of Commerce, but said that this work "is 100 percent *pro bono*." In fact, Hayward seems at time not to see a distinction between the state and the Chamber of Commerce. In his invoice memorandum 147 (dated Aug. 5, 1992), Hayward requested reimbursement for his expenses incurred in trips to Washington and California "on behalf of the Hawaii Space Development Authority and the Military Affairs Committee of the Hawaii Chamber of Commerce." (The full amount of these expenses — \$1,436.39 — was approved for payment by Ken Munechika, director of the Office of Space Industry, without comment.)

At State Expense

Hayward, who retired from the Navy in 1982, with the rank of admiral, was named the state's space czar in 1989. The idea that

the state needed someone to coordinate space-related enterprises had been put forward by the business-dominated Hawaii Space Facility Committee, appointed by Gov. Waihee in 1987.

OSI Director Munechika has naught but praise for Hayward. "We're lucky to have him," Munechika said in a recent telephone interview. "I think the state has gotten quite a bit of return for his services. I'm totally impressed. We meet every day when he's in town, and he calls daily when he's traveling. He has a tremendous reputation in the worldwide space community."

The state may be getting a good deal in Hayward. Hayward is certainly getting a good deal from the state. From April 1, 1989 to March 31, 1993, his contract with the state, supplemented five times, called for the state to pay him a base fee of \$486,041.60, to reimburse him up to \$140,000 for entertainment expenses incurred on the state's behalf, and — over and

above this — to pick up the tab for his costs of travel while on state business.

The director of the Office of Space Industry said the state was intending to renew Hayward's contract for another year at his current rate of pay, which is slightly more than \$5,000 per month, although this is for a "reduced level of effort" by Hayward. Until January 1993, Hayward had been receiving \$10,416.16 per month, but budgetary problems forced a curback.

Expensive Tastes

Hayward has not been shy about using his expense account. The ink was barely dry on the contract when Hayward decided to throw a party at his Waihee Iki house. About 50 people attended the June 25, 1989, event, which Hayward described in his invoice to the state as a reception for the Hawaii Space Development Authority's advisory board. For food, liquor and soda, Hayward billed the state about

"Big Isle Spaceport on Pad," screamed the headline across the top of Page One of *The Honolulu Advertiser* of May 27, 1993. The article below carried news of what Gov. John Waihee described as a "breakthrough" in the state's enduring efforts to get private industry interested in developing a launch facility in Ka'u. The state had exchanged letters of agreement with Lockheed Missiles & Space Co., Inc., the governor's office announced, with each party committing "to cooperate on the development of the commercial spaceport project proposed for the Big Island." On the Big Island, the announcement was greeted somewhat more skeptically. "Spaceport Breakthrough or PR?" was the headline over the article in the *Hawaii Tribune-Herald* on May 28.

The state has spent millions of dollars over the last six years in pursuit of a space-launch facility in Ka'u. During that entire time, residents of that southernmost district of Hawaii's southernmost island have been pressing for information on what precisely the state is planning. To the extent that the state has responded to their queries at all, responses have been vague and, some say, patronizing to boot.

Hawaii's "space czar," Thomas B. Hayward, along with the Office of Space Industry and the Department of Business Economic Development and Tourism (within which the OSI is housed) do not seem able to get their message across to most of Ka'u's 4,900 residents — this despite one of the most massive public-relations campaigns the state has yet undertaken.

With the state withholding release of a master plan (prepared more than a year ago) and still not ready to go public with a draft environmental impact statement (the 10-volume document was delivered to DBEDT in May), people in Ka'u and throughout Hawaii have been growing more and more skeptical about the state's proposal to pave the way for private industry to develop a commercial rocket launch facility in the South Point area. No less a figure than the Big Island's usually pro-development mayor, Steve Yamashiro, has been openly critical of the spaceport plan, telling reporters in March of this year that, as paraphrased in one newspaper account, "the state appears to just be spending a lot of money on the proposal."

Back in Time

The idea to build a launch facility in Ka'u antedates the latest proposal by decades. In his history of the project, Dick Pratt, director of the Public Administration Program at the University

of Hawaii-Manoa, traces the first mention of a Hawaii spaceport to April 1960. At that time, "just after statehood, the Mainland firm of Ralph M. Parsons conducted a study for the state of Hawaii Planning Office. The objective of the study was to determine whether there were places in Hawaii suitable for rocket launching facilities, a matter very much on the minds of national policy-makers in the post-Sputnik period." Parsons concluded that the Big Island would be ideal — not on the coast of Ka'u, but near the summit of Mauna Kea.

The Parsons report languished. More than two decades later, the idea of a Big Island spaceport was dusted off again, this time in a proposal by the recently deceased Deke Slayton, who, in his post-astronaut days, became an executive with a private launch company called Space Services, Inc. Slayton visited Ka'u in 1982, hoping to win support for converting the site of the Air Force's abandoned Pacific Missile Range facility (used for tracking, not launching) into a commercial launch facility.

His meeting with the community did not go well. As Lucy Jokiel described it in *Hawaii Business* some years later, "Nearly 400 Na'alehu residents were waiting... when he arrived at the community center in May 1982. But they weren't there to cheer the man with the 'right stuff'... Instead, they were there to 'tar and feather him,' remembers Jack Keppeler, former Big Island managing director under then-Mayor Herbert Matayoshi... 'They didn't come to listen to Slayton,' recalls Keppeler. 'They came to humiliate him and drive him out of town.'"

The idea did not die, but it did fade briefly into the background. The Air Force turned the land SSI had coveted over to the Forest Service. SSI turned its attention to Bishop Estate land, although that — like the earlier parcel — would still require a buffer area of Hawaiian Homelands, to which many native Hawaiians objected. By December, Slayton was quoted in the *Hawaii Tribune-Herald* to the effect that SSI, though still interested in a Hawaii launch facility, had given up trying to launch its first rocket from the site because of opposition from what he described as a "minority" group.

Slayton, the report went, said, "It's a little startling to these people in Texas. In Texas they're pro-development, pro-high technology."

By April 1983, SSI, still saying South Point was its first choice for a facility, began looking elsewhere — starting at the Navy's Barking Sands facility. (That effort, too, appears to have borne no fruit. Ultimately, SSI seems to have worked out an agreement with White Sands Missile Range in New Mexico, allowing SSI use of military facilities there.)

Desultory efforts to put a spaceport in Ka'u

continued over the next three years. In 1986, following the death of astronaut Ellison Onizuka in the space shuttle disaster, the Legislature considered a bill to designate South Point a "high-tech district" — which, some legislators claimed, would be a fitting tribute to the late Big Island native. The bill died, but not before critics brought up the point that three years earlier, Onizuka himself had told a reporter for the *Hawaii Tribune-Herald* that while the spaceport "may create some jobs," that benefit would not be "enough to pay for the penalties that such launchings would have on the environment."

History Repeats

Still, by this time the notion of a spaceport in Ka'u — one that, alone among U.S. launch sites, could put satellites into both equatorial and polar orbits without flying over populated land — seems to have been planted firmly in the minds of at least some of the area's major landowners, not least of them the C. Brewer Company, owner of Ka'u Agribusiness and the largest employer in the area.

Sugar was in decline during the mid-1980s, and Brewer's efforts to develop the SeaMountain resort at Punalu'u were spectacularly unsuccessful. (The resort eventually was sold to the Japanese firm of Sazale, which is mired in efforts to expand and upgrade the facilities.)

As Pratt describes it, "Doc" Buyers, who had recently taken control of C. Brewer, needed something in the Ka'u area that "the company could get into, or something someone else might start." At the same time Buyers was embarking on his search, Pratt writes, John Waihee arrived at Washington Place. Pratt continues:

"The interests of Brewer and the state administration converged to produce a campaign for a spaceport in Ka'u. On Dec. 14, 1986, Buyers announced he was donating 500 acres to anyone willing to build a rocket launching facility on it. He enthusiastically noted that it could bring in up to 10,000 jobs and stipulated only that the port be named after Ellison Onizuka... A month later, in his inaugural address, Waihee expressed his wish for an operating spaceport within five years... In the meantime, (Sen.) Spark Matsunaga had given his whole-hearted support to the development of 'space industries' in Hawaii, including a spaceport, and revealed that he had been talking with the Japanese about their interest in a more equatorial site."

In 1987, state and private efforts to move forward on a spaceport began in earnest. The state commissioned Arthur D. Little, Inc., to report on space-related economic opportunities for Hawaii. In spring of that year, C. Brewer hired Mufi Hannemann and moved him to Na'alehu,

\$380. He paid three "parking boys" a total of \$85, a caterer \$30 and three waitresses a total of \$158.50. All totaled, the state paid Hayward \$704.47 for the party.

Two days later, Hayward and the advisory board members were dining once more at taxpayer expense. Dinner for seven, at the Outrigger Club, cost \$275.94.

The most lavish state-paid dinner — or at least the costliest — that turned up in our review of the invoices submitted by Hayward since 1989 was eaten on Oct. 12, 1989. At a dinner in Tokyo for executives of Nissho Iwai, a large Japanese corporation (and contractor to the state for certain spaceport-related tasks), Hayward and four other people racked up charges of \$728.74.

In the name of advancing state investment in space-related activities, the state reimbursed Hayward \$324.23 for a lunch he hosted at the Plaza Club whose purpose, Hayward stated, was to

provide a "briefing of SEALAR business plan and technology to various Hawaii and Mainland parties." SEALAR, Inc. — the name stands for Sea Launch and Recovery — is a private company incorporated in Virginia. The parties whom Hayward invited to the lunch are not further identified. According to Munechika, SEALAR was thinking of setting up operations at Port Allen, Kauai, as well as off the Big Island. The company proposes launching rockets from floating "dry-dock" type facilities, Munechika said; by recovering some components of the launch vehicles, it hopes to reduce launch costs. Hayward himself, in a telephone interview, said SEALAR could bring space-related jobs to Hawaii; as such, any effort expended on SEALAR's part was consistent with his duties on behalf of the state.

Hayward's favorite watering holes in Honolulu include the Pacific Club, Heidi's Bistro and Keo's Thai Cuisina. In December 1989, for example,

Hayward treated "leading executives of McDonnell Douglas, Space Systems Division" to dinner at Keo's, with taxpayers picking up the \$292.66 tab. In November 1990, he was charging the state \$251.16 for dinner at the Pacific Club for himself and senior representatives from Mitsubishi Heavy Industries, Hamilton Standard of United Technologies and Orbital Sciences Corporation. In November 1992, he was back at Keo's, treating the National Space Council to dinner and charging the state \$227.29.

In Washington, Hayward has charged a number of his meals to the account of Paul Coleman at the Cosmos Club; when Coleman receives the invoice, he forwards it to Hayward, who in turn sends it on to DBEDT for reimbursement. Between January 30, 1990 and February 1, 1990, Hayward's charges at the Cosmos Club totaled \$605.06 (for two dinners).

Continued on Page 6

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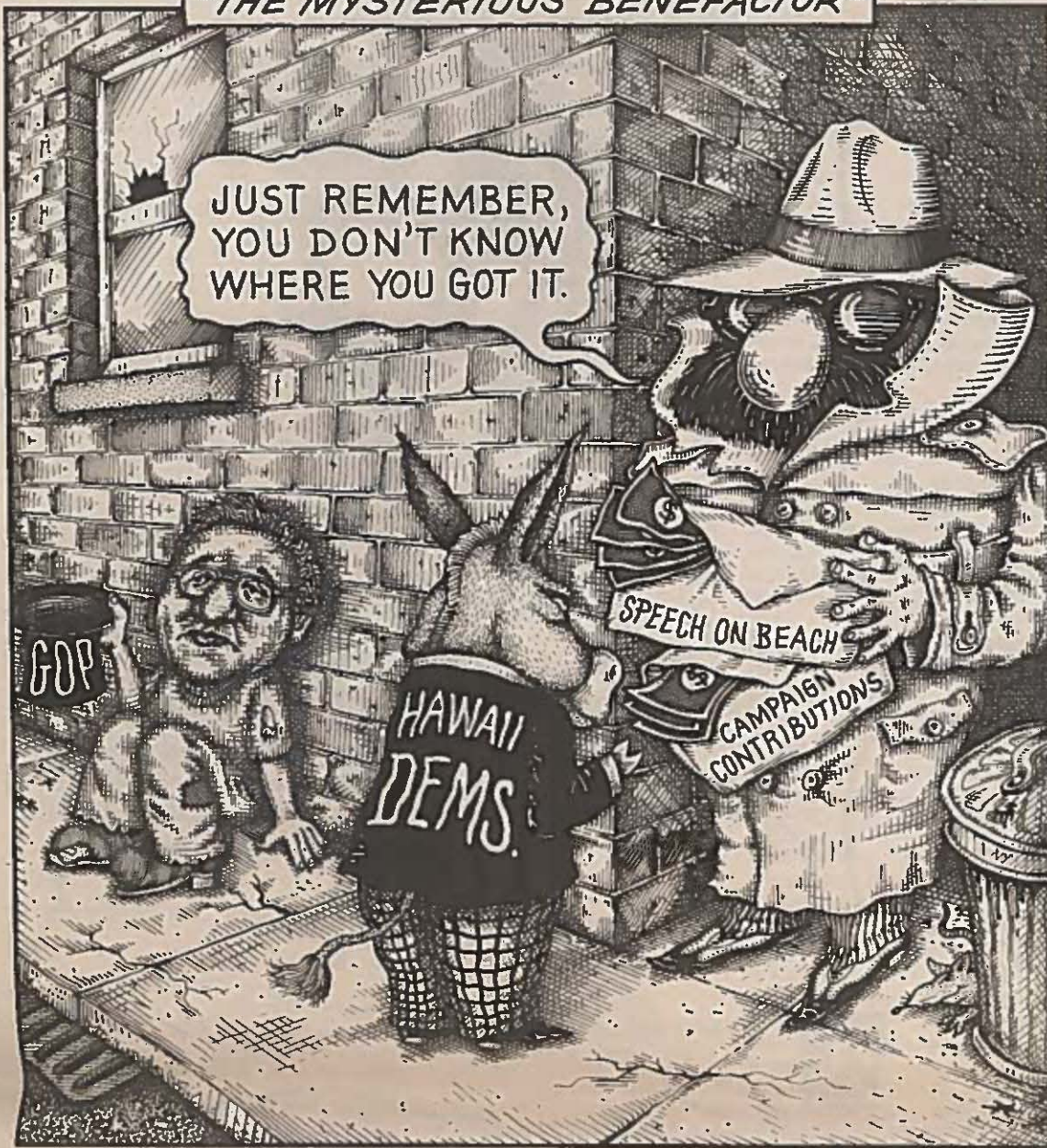
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Lost in Space?

sell the spaceport idea to the locals.

No Demand

By August, the Arthur D. Little study was released. A number of promising areas for space-related endeavors were identified. Development of a commercial launch facility was not high on the list, however. The study found that "existing capacity can handle even the most optimistic forecast of demand for non-NASA, non-DoD payloads. It is likely that additional capacity will be added at existing facilities before a completely new launch facility is built." Still, the report recommended that the state take certain measures to prepare itself in the event that the market should change. Those steps included talks with promising commercial users, preparation of a master plan and environmental impact statement, and construction of the infrastructure that would be needed to support a launch facility.

Soon thereafter, the state commissioned Little to do a second study — this time to identify the most space-launch suitable sites on the island of Hawaii. Palima Point (near Pahala and just to the south of Hawaii Volcanoes National Park) and Kahilipali Point (near Na'alehu) were chosen as sites exceptionally well-suited to a launch facility. Either one could support equatorial- and polar-orbit launches, would accommodate up to four launch pads, and would minimize potential disruption of nearby populations.

Vanishing Master Plan

The state Legislature established the Office of Space Industry, an arm of the Department of Business, Economic Development, in 1988. In May of that same year, the state advertised nationally for a prime contractor to undertake preparation of a "comprehensive master plan" and an environmental impact statement that would meet both state and federal requirements. (In what can only be described as an overabundance of optimism, the state's advertisement put consultants on notice that the draft EIS was "to be completed in six months from time of award.")

Ever since, the release date for the EIS has been, in the words of Office of Space Industry staff member Richard Flagg, a "moving target." Residents of Ka'u were told first that it would be ready in mid-1989. The end of 1990 was the next estimated time of arrival. That was moved back another year, then another year. In June of 1993, Kimo Munechika, OSI director, was saying it would probably be available for public review by the end of 1994.

The master plan is another story. Work on it has been finished since 1990, but the state is withholding release. In response to requests from members of the public to review the state Office of Information Practices (within the Department of the Attorney General) has advised that "the draft of the master plan not required to be disclosed under the [Uniform Information Practices Act] exception for government records that, by their nature, must be confidential in order for the government to avoid the frustration of a legal

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Rocket Man (cont.)

Post-prior Approvals

Hayward frequently combines the business he does for the state with that which he undertakes for his other clients. The language in his contract anticipates this sort of piggy-backing, so long as the trips are approved in advance. "It is understood," the contract states, "that portions of each trip may involve the performance of services by CONSULTANT concurrently with CONSULTANT's clients other than the state of Hawaii. All expenses related to such other accounts will be subtracted prior to presenting actual expenses to the state of Hawaii."

While the contract is clear about prior approval being needed, Hayward's memos requesting such approvals frequently seem to be submitted late. The approval, by the director of DBED, is on such occasions given after Hayward is in the air — or, at times, after he's returned to Honolulu.

In October 1989, for example, Hayward traveled to Japan, Los Angeles and Washington, departing on the eighth of the month. His memo requesting advance

approval for "incidental expenses" and for some travel and lodging was dated Oct. 2, 1989 but was not received at the DBED director's office until the 10th — two days after Hayward's travel commenced. Roger Urvling, then DBED director, approved the trip memo, indicating the date of his approval as Oct. 8.

Hayward's basis for determining what share of expenses Hawaii should bear is not always clear. On a 10-day trip to Korea and Japan last year, for example, Hayward billed the state for his stay at the Shilla Hotel on Sept. 14 (\$196.43) and the use of a hotel meeting room (\$14.29) three days later. It seems apparent from the hotel bills that the bulk of his expenses were related to activities on behalf of Litton Industries. (Litton Industries or Litton Dat Systems appears frequently on Hayward's bills. Hayward says he sits on Litton's board of directors.)

On occasion, Hayward will include the state's "pro-rata" share of his expenses. His invoice for a trip taking him from Honolulu to Seattle and Los Angeles in December 1991, for example, showed that OSI's share of his \$1,777.80 airfare came to pro-

imate government function."

Instead of the master plan, the OSI, in June 1990 released an "interim report" titled "Project Description and Conceptual Facilities Layouts for a Commercial Rocket Launching Facility in the State of Hawaii." According to that document, no longer was the master plan to be prepared alongside the EIS. Now, DBEDT was saying, there was a "three-phase planning process."

First stage was the "project description." Second phase is the EIS. The master plan would not be undertaken until after the first two were complete.

According to Munechika, the master plan cannot be undertaken until the state has found some entity — corporation or consortium — to develop the facility. Only at that stage, he said, would there be enough details to fill out a master plan.

Clear on the Concept

The final "Conceptual Plan and Project Description" was released by the OSI in February 1993. The first half of the 135-page document is given over to a discussion of the "Space Age." Only in the second half are matters pertaining to Hawaii introduced.

According to this document, between 150 and 325 people would be directly employed in spaceport operations although the "most likely scenario anticipates a work force of between 50 and 170 persons performing range operations and other critical support activities" — a far cry from Buyers' vision of 10,000 jobs.

Spaceport operations are expect-

cisely \$73.80. The state's share of his other expenses was far greater, however. It reimbursed him meals, lodging and rental car expenses for two out of the six days he was traveling.

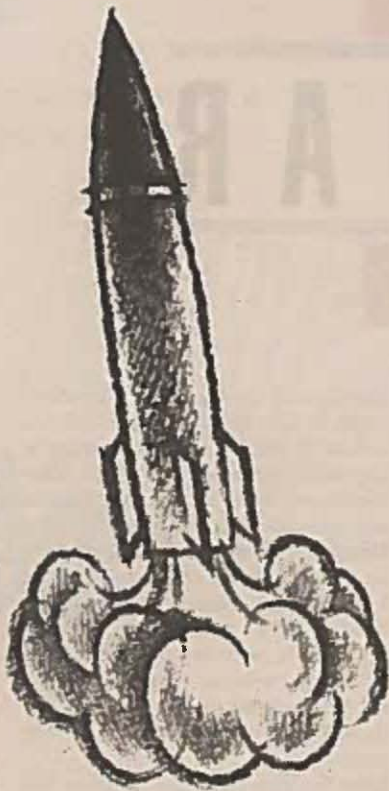
Nothing too Small

Hayward's invoices show meticulous attention to detail. When he is traveling, almost every expense he incurs is billed to one or another client. While in Tokyo in June of 1990, for instance, Hayward paid 10 cents for a local phone call. This he billed to the state along with a bill for lodging of \$736.12 for four nights (\$184.03 per night) and a "special dinner" for "Dr. Nishimura" of \$107.55.

Not all his expenses are lavish. Frequently Hayward seeks reimbursement for lunches at McDonald's or breakfasts at the International House of Pancakes.

No Questions Asked

On July 25, 1988, the *Wall Street Journal* reported that the U.S. Justice Department, from 1985 to 1987, investigated Hayward "for supplying allegedly privileged information to defense contractors who hired him as a consultant after he retired" from the Navy. No charges were



ed to require about 7 megawatts of electrical power on average, with peak demand of up to 10 megawatts. Nowhere in the "Conceptual Plan" is mention made of how this power — which it states will be provided by the local utility, HELCO — will be generated on an island where even present demand frequently exceeds generating capacity.

From the outset, the state has insisted that it will not build or operate the \$400 million launch facility — a position reaffirmed in the "Conceptual Plan." The state would, however, "provide assistance to potential developers in the areas of land consolidation and control, land use permits and infrastructure improvements to roads and utilities."

Additionally, the plan says, "the state would encourage the developer to adopt measures demonstrating sensitivity toward the lifestyles, cultural traditions and special rights of native Hawaiians."

Turning Up the Heat

Release of the "Conceptual Plan" has

brought as a result of the investigation. "The case was closed," the *Journal* reported, "largely because prosecutors didn't find any evidence of improper payments or gifts to the Navy's Pacific Fleet officers who supplied Adm. Hayward with information."

Hayward did not agree to be interviewed by the *Wall Street Journal* for that article. His lawyer, Merlin Staring, did acknowledge to the newspaper that "when Adm. Hayward obtained information from U.S. government or other sources about prospective foreign military contracts, he would routinely pass on that information to U.S. contractors. There genuinely was a patriotic element to this," Mr. Staring asserted.

When Munechika was asked whether he was aware of this investigation, he said he had never heard of it. Moreover, the very fact a reporter would bring this up was "tragic," he said. Hayward was "innocent until proven guilty," he said; the fact that he rose to such a high position in the Navy was, he added, proof enough that the man was beyond reproach. — P.T.

not quieted critics. If anything, to judge by the letters to the editors of the Big Island papers, it has rekindled their energies. A report in the *Hawaii Tribune-Herald* describing OSI expenditures totaling \$7 million — most of it on spaceport-related activities — drew the wrath of Ken Munechika, who responded with a vigorous defense of his office's activities. Among the achievements he noted were that it helped "us remember that space remains an exciting and challenging frontier."

When Munechika's essay was itself ridiculed by, among others, a scientist on the staff of the University of Hawaii at Hilo, none other than Brewer's former rep in Ka'u, the new DBEDT Director Hannemann, weighed in with a letter that recited Munechika's accomplishments and his "local roots" (Munechika is from Kauai). The critical comments of the faculty member, Hannemann said, were "especially disturbing because of his affiliation with the University of Hawaii at Hilo."

On May 26, 1993, the governor's office announced "a breakthrough" in the spaceport development proposal. The state and Lockheed Missiles & Space Company, Inc., had exchanged letters of agreement "to cooperate on the development of the commercial spaceport project," the governor's press release said.

The "breakthrough" was front-page news across the state. Some days later, however, the *Hawaii Tribune-Herald* reported that Lockheed had issued its own brief statement, "clarifying its agreement with the state."

"Lockheed issued the statement," according to reporter Jim Witty, "in response to a number of news accounts last week that left some believing a deal had been struck for the actual construction of the facility. Both the Office of Space Industry and governor's spokeswoman Carolyn Tanaka acknowledged some of the accounts may have been misleading but said no clarification was in order."

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