

FIFTEENTH DAY

Tuesday, February 7, 1978

The Senate of the Ninth Legislature of the State of Hawaii, Regular Session of 1978, convened at 11:30 o'clock a. m., with the President in the Chair.

The Divine Blessing was invoked by Reverend Bill Tipton of the First Baptist Church of Honolulu, after which the Roll was called showing all Senators present.

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

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

Senator Kuroda introduced 98 students from the sixth grade at Barber's Point School and Kaimiloa School, together with their teachers, Mrs. Aileen Tom, Mrs. Judy Sakutori, Mrs. Candy Koga, Miss Sandy Whittenberg and Mr. Wayne Travillion and parents, Mrs. Harriet Martinez, Mrs. Mamo Delizo, Mrs. Fay Lee, Mrs. Gail Kutaka, Mrs. Dee Ann Siliado, Mrs. Judy Garvey and Mrs. Cindy Hollar.

Senator Anderson then introduced twenty Student Government Officers from Kailua High School, Radford High School, Star of the Sea High School, Leilehua High School and Our Redeemer Lutheran School.

Senator Yee then introduced the 1978 Narcissus Queen Janice Rose Choy Yew Yee and members of her Court, Princesses Rita See Kit Wong, Janet Lin Oe Lum and Debra Lynn Lai Yung Yee; and Mr. Warren Yee, President, and Newman Pei, President-elect of the Chinese Chamber of Commerce who sponsor the Annual Narcissus Festival.

The members of the Royal Court were presented with leis by Senators Yee, Ching, Chong and Taira.

Senator Yee then escorted Queen Janice Yee to the rostrum where the President presented her with a certified copy of Senate Resolution No. 120 which was adopted by the Senate. She then addressed the members of the Senate extending thanks and appreciation for the resolution. She concluded by wishing the members great success in their noble goals and extending the wish for peace, happiness and good fortune in the Year of the Horse.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 100 to 102) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 100), transmitting a report entitled, "The Development of Health Screening Programs for the Elderly", prepared by the Executive Office on Aging, pursuant to House Resolution No. 102 (1977), was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 101), transmitting a report entitled, "The Hotel Reservations Reporting Program: Evaluation and Recommendations", prepared by the Department of Planning and Economic Development, and outlining the operation and impact of Act 102, Session Laws of Hawaii 1976, "Relating to Hotel Reservations", was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 102), requesting the withdrawal of the nomination of Larry K. Stephenson, Ph.D. to the Hawaii County Subarea Health Planning Council, under Governor's Message No. 7, was placed on file.

In compliance with the request of Gov. Msg. No. 102, the nomination listed under Gov. Msg. No. 7 was returned.

DEPARTMENTAL COMMUNICATION

A communication from the Legislative Auditor (Dept. Com. No. 3), transmitting a report entitled, "County of Hawaii, Auditors' Report for the Year Ended June 30, 1977", which was prepared by the firm of Haskins & Sells, Certified Public Accountants, for the County of Hawaii, in cooperation with technical assistance from the Office of the Legislative Auditor, was read by the Clerk and was referred to the Committee on Ways and Means.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 39), entitled: "SENATE CONCURRENT RESOLUTION CONGRATULATING THE BALIK-BAHAY PROJECT", was jointly offered by Senators Chong, Nishimura, King, Ching, Taira, Hulten, Yamasaki, Takitani and Young, and was read by the Clerk.

On motion by Senator Chong, seconded by Senator King and carried, S.C.R. No. 39 was adopted.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 140 and 141) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 140), entitled: "SENATE RESOLUTION CONGRATULATING THE BALIK-BAHAY PROJECT", was jointly offered by Senators Chong, Nishimura, Hara, King, Ching, Taira, Hulten, Yamasaki, Takitani and Young.

On motion by Senator Chong, seconded by Senator King and carried, S.R. No. 140 was adopted.

A resolution (S.R. No. 141), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON WATER RIGHTS", was jointly offered by Senators Henderson, Yee, Leopold, Soares, Saiki, George, Yamasaki, King, Kuroda, Hulten, Toyofuku, Nishimura and F. Wong.

By unanimous consent, S.R. No. 141 was referred to the Committee on Economic Development.

INTRODUCTION OF BILLS

On motion by Senator Taira, seconded by Senator Anderson and carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Wednesday, February 8, 1978:

Senate Bills

No. 2064-78 "A Bill for an Act Relating to Environmental and Litter Control."

Introduced by: Senators Ushijima, Yamasaki, Chong, Ching, Toyofuku and Yee.

No. 2065-78 "A Bill for an Act Making an Appropriation for Historic Buildings and Sites in the Third Representative District, County of Hawaii."

Introduced by: Senators Ushijima, Hara and Henderson.

No. 2066-78 "A Bill for an Act Making an Appropriation for a Seed, Feed and Forage Research Program."

Introduced by: Senators Ushijima, Henderson and Hara.

No. 2067-78 "A Bill for an Act Making an Appropriation for the Honokaa-Kohala Alternative Program."

Introduced by: Senators Ushijima,

Hara and Henderson.

No. 2068-78 "A Bill for an Act Making an Appropriation for a Grant-In-Aid to the Hilo Association to Help Retarded Citizens for Group-Home Treatment of Deaf-Blind Multi-Handicapped Children at Hilo, Hawaii."

Introduced by: Senators Ushijima, Hara and Henderson.

No. 2069-78 "A Bill for an Act Making an Appropriation for Plans and Construction of Kula Community Center, Maui."

Introduced by: Senators Yamasaki and Takitani.

No. 2070-78 "A Bill for an Act Making an Appropriation for Plans and Construction of Kihei Community Center, Maui."

Introduced by: Senators Yamasaki and Takitani.

No. 2071-78 "A Bill for an Act Relating to Public Assistance."

Introduced by: Senators Yamasaki, Takitani, Hara, Taira, Toyofuku, Yee and Leopold.

No. 2072-78 "A Bill for an Act Relating to Public Assistance."

Introduced by: Senators Yamasaki, Takitani, Hara, Taira, Toyofuku, Leopold and Yee.

No. 2073-78 "A Bill for an Act Relating to Public Assistance."

Introduced by: Senators Yamasaki, Takitani, Hara and Yee.

No. 2074-78 "A Bill for an Act Relating to Applications for General Assistance."

Introduced by: Senators Yamasaki, Takitani and Yee.

No. 2076-78 "A Bill for an Act Making an Appropriation for the Installation of a Security Bell System at Makua Alii, Oahu."

Introduced by: Senators Leopold, King, Chong and Yee.

No. 2077-78 "A Bill for an Act Relating to an Income Tax Investment Credit."

Introduced by: Senators Leopold, Yee, Henderson, Soares, George and Anderson.

On motion by Senator Taira, seconded by Senator Anderson and carried, the following bill was referred to print

and was placed on the calendar for further consideration on Wednesday, February 8, 1978:

Senate Bill

No. 2075-78 "A Bill for an Act Relating to Consumer Protection in Real Property Tax Assessments."

Introduced by: Senators Kuroda, Ching, Taira, Takitani, Young, King, F. Wong, Chong and Hulten.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 39-78), informing the Senate that Senate Concurrent Resolution No. 39, Senate Resolution Nos. 136 to 141, Senate Bill Nos. 2024-78 to 2063-78 and Standing Committee Report No. 40-78 have been printed and are ready for distribution.

On motion by Senator Yamasaki, seconded by Senator Henderson and carried, the report of the Committee was adopted.

Senator Chong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 40-78), recommending that Senate Bill No. 1870-78 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chong, seconded by Senator Takitani and carried, the report of the Committee was adopted and S.B. No. 1870-78, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ALCOHOL ABUSE TREATMENT PROGRAMS", passed Second Reading and was referred to the Committee on Ways and Means.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Monday, February 6, 1978:

Senate Bills

No. 2024-78 Committee on Education, then to the Committee on Ways and Means

No. 2025-78 Committee on Education, then to the Committee on Ways and Means

No. 2026-78 Committee on Education, then to the Committee on Ways and Means

No. 2027-78 Committee on Health, then to the Committee on Ways and Means

No. 2028-78 Committee on Health, then to the Committee on Ways and Means

No. 2029-78 Committee on Health, then to the Committee on Ways and Means

No. 2030-78 Committee on Economic Development

No. 2031-78 Committee on Transportation, then to the Committee on Ways and Means

No. 2032-78 Committee on Education, then to the Committee on Ways and Means

No. 2033-78 Committee on Education, then to the Committee on Ways and Means

No. 2034-78 Committee on Health, then to the Committee on Ways and Means

No. 2035-78 Committee on Education, then to the Committee on Ways and Means

No. 2036-78 Committee on Ecology, Environment and Recreation, then to the Committee on Judiciary

No. 2037-78 Committee on Health, then to the Committee on Ways and Means

No. 2038-78 Committee on Health, then to the Committee on Ways and Means

No. 2039-78 Committee on Judiciary, then to the Committee on Ways and Means

No. 2040-78 Committee on Human Resources, then to the Committee on Ways and Means

No. 2041-78 Committee on Health, then to the Committee on Judiciary

No. 2042-78 Committee on Human Resources, then to the Committee on Ways and Means

No. 2043-78 Committee on Health, then to the Committee on Ways and Means

No. 2044-78 Committee on Health, then to the Committee on Ways and Means

No. 2045-78 Committee on Health,

- then to the Committee on Ways and Means
- No. 2046-78 Committee on Judiciary
- No. 2047-78 Committee on Ecology, Environment and Recreation
- No. 2048-78 Committee on Judiciary
- No. 2049-78 Committee on Intergovernmental Relations, then to the Committee on Ways and Means
- No. 2050-78 Committee on Health, then to the Committee on Ways and Means
- No. 2051-78 Committee on Health, then to the Committee on Ways and Means
- No. 2052-78 Committee on Health, then to the Committee on Ways and Means
- No. 2053-78 Committee on Health, then to the Committee on Ways and Means
- No. 2054-78 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 2055-78 Committee on Education, then to the Committee on Ways and Means
- No. 2056-78 Committee on Ways and Means
- No. 2057-78 Committee on Judiciary
- No. 2058-78 Committee on Transportation, then to the Committee on Ways and Means
- No. 2059-78 Committee on Transportation, then to the Committee on Ways and Means
- No. 2060-78 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 2061-78 Committee on Transportation, then to the Committee on Ways and Means
- No. 2062-78 Committee on Economic Development, then to the Committee on Judiciary
- No. 2063-78 Committee on Judiciary

RE-REFERRAL OF
A SENATE BILL

The President then made the following

re-referral of a Senate Bill which had been introduced on Wednesday, February 1, 1978:

Senate Bill Referred to:

No. 1954-78 Committee on Consumer Protection, then to the Committee on Judiciary

THIRD READING

Senate Bill No. 1567-78, S.D. 1:

Senator Yim moved that S.B. No. 1567-78, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL RESOURCES", be recommitted to the Committee on Energy/Natural Resources, and the President, noting that there was no objection, so ordered.

Senate Bill No. 1574-78, S.D. 1:

Senator Yim moved that S.B. No. 1574-78, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY CONSERVATION IN PUBLIC BUILDINGS AND FACILITIES", be recommitted to the Committee on Energy/Natural Resources, and the President, noting that there was no objection, so ordered.

Senate Bill No. 1577-78, S.D. 1:

Senator Yim moved that S.B. No. 1577-78, S.D. 1, having been read through-out, pass Third Reading, seconded by Senator King.

Senator Anderson then spoke as follows:

"Mr. President, I don't rise to speak against the bill, because I favor the solar establishment, but I do so because there is no funding in this bill.

The Committee Report states that the purpose of the bill is to establish the Hawaii Solar Center to foster research, development, application and utilization of solar energy.

I'd like to support this bill but I would like to do so with an appropriation. I'm afraid that if I support the legislation establishing the agency, then I am committed to support the financing. Since I don't know how much the financing will be, I'd rather not support the bill.

I think that this is an important piece of needed legislation and it should have the appropriation set forth with some definition so that we know that the passage of this bill is going to establish such an agency and will be moving forward.

Until I see some dollars or am convinced that we are going to fund it, I'll have to vote no on the measure.

Thank you, Mr. President."

Senator Yim then stated as follows:

"Mr. President, your Committee on Energy/Natural Resources was informed during the public hearing that the Energy Resources Coordinator's Office, now located in the Department of Planning and Economic Development, does have Federal funding. It can go as high as \$500,000 and be given some flexibility in the whole area of conservation and education information. Mr. President, this measure will give direction to the Energy Resources Coordinator to go ahead and proceed in that direction.

Thank you, Mr. President."

The motion was put by the Chair and carried, and S.B. No. 1577-78, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF HAWAII SOLAR CENTER", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Anderson).

Senate Bill No. 1591-78, S.D. 1:

On motion by Senator Yim, seconded by Senator King and carried, S.B. No. 1591-78, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENT PROCUREMENT PRACTICES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1593-78, S.D. 1:

On motion by Senator Yim, seconded by Senator King and carried, S.B. No. 1593-78, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF AN ENERGY EXTENSION SERVICE PROGRAM", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1594-78, S.D. 1:

Senator Yim moved that S.B. No. 1594-78, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator King.

Senator Anderson then spoke against the measure as follows:

"Mr. President, the report states that the purpose of this bill is to establish and provide funding for an energy conservation poster contest in the public school system. It's kind of like being against 'motherhood' but I really don't think we need legislation to be on the books forever for a poster program. I think this could have been done with a concurrent resolution or it could have been an item in the Department of Education budget for a one time or a two time deal, but to pass legislation for a poster program, and, with no funding again, I'll just have to vote no.

Thank you, Mr. President."

Senator Yim then stated as follows:

"Mr. President, at the time of the public hearing, the Energy Resources Coordinator's Office indicated that there is some funding from the Federal level.

For the past three years, the Chair of the Energy/Natural Resources Committee felt that the Energy Resources Coordinator's Office has not been moving as fast as possible to resolve some of the energy problems facing this State. This is to give legislative intent--a strong language--to that office to start moving ahead in many directions, including the area of educating our young... to start moving in the direction for some sort of conservation or ethics.

This bill would indicate very strongly to the Energy Resources Coordinator's Office what we intend to do this session in the energy program.

Thank you, Mr. President."

The motion was put by the Chair and carried, and S.B. No. 1594-78, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENERGY CONSERVATION POSTER CONTEST", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Anderson, Ching and Saiki).

At 11:47 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:50 o'clock a.m.

Senate Bill No. 1596-78, S.D. 1:

On motion by Senator Yim, seconded by Senator King and carried, S.B. No. 1596-78, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A STUDY ON THE DEVELOPMENT OF AN EFFECTIVE USED OIL RECYCLING PROGRAM", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1598-78, S.D. 1:

On motion by Senator Yim, seconded

by Senator King and carried, S.B. No. 1598-78, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BANNING OF PILOT LIGHTS ON GAS APPLIANCES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

ADJOURNMENT

At 11:55 o'clock a.m., on motion by Senator Taira, seconded by Senator Anderson and carried, the Senate stood adjourned until 11:30 o'clock a.m., Wednesday, February 8, 1978.