

## THIRTY-NINTH DAY

Tuesday, March 14, 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 Daniel J. McNichol of Our Lady of Peace Cathedral, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Thirty-Eighth Day.

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

Senator Yee introduced twenty-two students from the fifth grade at Jefferson School, with their teacher, Sharon Matsushima.

Senator Anderson introduced 50 members of the Kalakaua Senior Citizens Club.

## SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 83), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE HAWAII INSURANCE LAW", was jointly offered by Senators Toyofuku, Hara, King, Takitani, Ching, Taira, Young, Yamasaki, Leopold, Chong, Kuroda, Saiki, Anderson and Henderson and was read by the Clerk.

By unanimous consent, S.C.R. No. 83 was referred to the Committee on Judiciary.

## SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 304 to 309) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 304), entitled: "SENATE RESOLUTION CONGRATULATING RANDOLPH M. LEE ON BEING NAMED RECIPIENT OF THE HAWAIIAN BUSINESSMEN'S ASSOCIATION 'O'O AWARD' AS OUTSTANDING HAWAIIAN BUSINESSMAN FOR 1977", was jointly offered by Senators F. Wong, Taira, Toyofuku, Yamasaki, Chong, King, Kuroda, Takitani, O'Connor, Ching, Hulten, Nishimura, Young, Hara, Leopold, Kawasaki, Saiki, George, Soares, Yim, Ushijima, Anderson, R. Wong, Yee and Henderson.

On motion by Senator F. Wong, seconded by Senator Hara and carried, S.R. No. 304 was adopted.

Senator F. Wong then introduced to the members of the Senate Mr. Randolph M. Lee and his wife, Sunny, and those who accompanied them; the officers and Directors of the Hawaiian Businessmen's Association, Mr. Kane Fernandez, President, and his wife, Linda; Mr. Clement Judd, Secretary; and Mr. Buster Shim, Director; and eight employees from the Halekulani Hotel.

Senator F. Wong presented Mr. Lee with a certified copy of the resolution, and Mrs. Lee with a lei, and Senator Saiki presented Mr. Lee with a lei.

At 11:40 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:41 o'clock a.m.

A resolution (S.R. No. 305), entitled: "SENATE RESOLUTION CONGRATULATING MITSUYUKI KIDO UPON RECEIPT OF THE FIFTH CLASS OF THE ORDER OF THE RISING SUN FROM THE EMPEROR OF JAPAN", was jointly offered by Senators Taira, Ching, Toyofuku, Hulten, Chong, Young, F. Wong, King, Yim, Ushijima, R. Wong, Yamasaki, Anderson, Kawasaki, Hara, O'Connor, Takitani, George, Saiki, Leopold, Nishimura, Kuroda, Yee, Henderson and Soares.

On motion by Senator Taira, seconded by Senator Anderson and carried, S.R. No. 305 was adopted.

Senator Taira then introduced to the members of the Senate, Mr. Mitsuyuki Kido and his wife, Shigeiko. Senator Taira then presented Mr. Kido with a certified copy of the resolution while Senators Young and Hulten presented Mr. and Mrs. Kido, respectively, with leis.

Mr. Kido then addressed members of the Senate as follows:

"Mr. President and members of this distinguished Body:

Mrs. Kido and I wish to express our heartfelt appreciation for your taking time out from your busy schedule to honor us with this gracious resolution. We accept this honor and resolution proudly but at the same time with a great sense of humility because there are others more qualified than I--those who have made greater

contributions to the cause of the Japan-American relationship.

Again, Mrs. Kido and I wish to thank you for the great honor you have bestowed on me today.

Thank you."

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

The Senate reconvened at 11:48 o'clock a.m.

A resolution (S.R. No. 306), entitled: "SENATE RESOLUTION COMMENDING KALANI HIGH SCHOOL PRINCIPAL THEODORE NISHIJO, AND THE FACULTY AND STUDENTS OF KALANI HIGH SCHOOL ON THEIR APPROACH TO, AND COOPERATIVE EFFORTS IN, ABIDING BY SCHOOL RULES", was jointly offered by Senators O'Connor, Nishimura, Saiki, Chong, F. Wong, Young, Takitani, King, George, Henderson, Toyofuku, Taira, Kuroda, Yee, Leopold, Kawasaki, Hara, Ushijima, Hulten, R. Wong, Yamasaki, Soares and Ching.

On motion by Senator O'Connor, seconded by Senator Nishimura and carried, S.R. No. 306 was adopted.

Senator O'Connor then introduced to the members of the Senate Mr. Theodore Nishijo, Principal of Kalani High School. Senator O'Connor then presented Mr. Nishijo with a certified copy of the resolution while Senator Saiki presented him with a lei.

At 11:50 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:51 o'clock a.m.

A resolution (S.R. No. 307), entitled: "SENATE RESOLUTION REQUESTING A STUDY TO DETERMINE THE EFFECT AND EQUITY OF THE TAXATION OF CERTAIN TAX-EXEMPT ORGANIZATIONS UNDER THE GENERAL EXCISE TAX", was jointly offered by Senators King, R. Wong, F. Wong, Chong, Hulten, Yamasaki, Nishimura, Leopold, Yim, Soares, O'Connor, Taira and Ching.

By unanimous consent, S.R. No. 307 was referred to the Committee on Ways and Means.

A resolution (S.R. No. 308), entitled: "SENATE RESOLUTION RELATING TO THE HAWAII INSURANCE LAW",

was jointly offered by Senators Toyofuku, Hara, King, Takitani, Ching, Taira, Young, Yamasaki, Leopold, Chong, Kuroda, Saiki, Anderson and Henderson.

By unanimous consent, S.R. No. 308 was referred to the Committee on Judiciary.

A resolution (S.R. No. 309), entitled: "SENATE RESOLUTION CONGRATULATING THE KAMEHAMEHA SCHOOLS AND THE BERNICE PAUHI BISHOP ESTATE ON THE OCCASION OF THEIR FIFTY-SIXTH ANNUAL SONG CONTEST", was jointly offered by Senators Yim, R. Wong, Henderson, Saiki, Yee, F. Wong, King, Chong, Ching, Kuroda, Anderson, Kawasaki, Yamasaki, George, Hara, Nishimura, Taira, Leopold, Hulten, Soares, Ushijima, Young, Takitani, O'Connor and Toyofuku.

On motion by Senator Yim, seconded by Senator R. Wong and carried, S.R. No. 309 was adopted.

#### STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 538-78), informing the Senate that Senate Resolution Nos. 303 to 307 and Standing Committee Report Nos. 539-78 to 545-78 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 Hara, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 539-78), recommending that Senate Resolution No. 59 be adopted.

On motion by Senator Hara, seconded by Senator Yim and carried, the report of the majority of the Committee was adopted and S.R. No. 59, entitled: "SENATE RESOLUTION REQUESTING A STUDY AND ASSESSMENT OF THE NEED FOR AFTER-SCHOOL PROGRAMS", was adopted.

Senator Hara, for the Committee on Education, presented a report (Stand. Com. Rep. No. 540-78), recommending that Senate Resolution No. 163 be adopted.

On motion by Senator Hara, seconded by Senator Yim and carried, the report of the Committee was adopted and S.R. No. 163, entitled: "SENATE RESOLUTION EXPRESSING SUPPORT FOR THE RESTORATION AND PRESERVATION OF HISTORICAL BUILDINGS USED BY ROYAL FAMILIES IN THE STATE OF HAWAII", was adopted.

Senator Hara, for the Committee on Education, presented a report (Stand. Com. Rep. No. 541-78), recommending that Senate Resolution No. 164 be adopted.

On motion by Senator Hara, seconded by Senator Yim and carried, the report of the Committee was adopted and S.R. No. 164, entitled: "SENATE RESOLUTION DIRECTING THE ADOPTION OF PROCEDURES TO ENFORCE THE HISTORIC PRESERVATION LAWS", was adopted.

Senator Yim, for the Committee on Energy/Natural Resources, presented a report (Stand. Com. Rep. No. 542-78), recommending that House Bill No. 1910-78 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator King and carried, the report of the Committee was adopted and H.B. No. 1910-78, entitled: "A BILL FOR AN ACT RELATING TO TAX INCENTIVES FOR ENERGY CONSERVATION", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Yim, for the Committee on Energy/Natural Resources, presented a report (Stand. Com. Rep. No. 543-78), recommending that House Bill No. 2318-78 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator King and carried, the report of the Committee was adopted and H.B. No. 2318-78, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE LOANS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Yim, for the Committee on Energy/Natural Resources, presented a report (Stand. Com. Rep. No. 544-78), recommending that House Bill No. 2166-78, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yim, seconded by Senator King and carried, the report of the Committee was adopted and H.B. No. 2166-78, H. D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 15, 1978.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 2166-78, H.D. 2, S.D. 1.

Senator Yim, for the Committee on Energy/Natural Resources, presented a report (Stand. Com. Rep. No. 545-78), recommending that House Bill No. 3033-78, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Yim, seconded by Senator King and carried, the report of the Committee was adopted and H.B. No. 3033-78, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RESERVATION AND DISPOSITION OF GOVERNMENT MINERAL RIGHTS", passed Second Reading and was referred to the Committee on Judiciary.

#### ORDER OF THE DAY

##### RE-REFERRAL OF HOUSE BILLS

The President made the following re-referral of House Bills that were received on Wednesday, March 8, 1978:

House Bill Referred to:

No. 1885-78, H.D. 2 Committee on Judiciary, then to the Committee on Ways and Means

No. 3045-78, H.D. 1 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means

##### MATTER DEFERRED FROM MARCH 13, 1978

Standing Committee Report No. 534-78 (Gov. Msg. No. 85):

Senator Ching moved that Stand. Com. Rep. No. 534-78 be received and placed on file, seconded by Senator Kuroda and carried.

Senator Ching then moved that the Senate advise and consent to the nominations of John F. Chalmers, M.D. and Jeanne B. Johnson to the Civil Defense Advisory Council, terms to expire December 31, 1981, seconded by Senator Kuroda.

Roll Call having been ordered, the motion was put by the Chair and carried 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 adjourned until 11:30 o'clock a.m., Wednesday, March 15, 1978.