

THIRTY-EIGHTH DAY

Monday, March 19, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Reverend Kenneth Stewart, Pearl Harbor Memorial Christian Church, after which the Roll was called showing all Senators present, with the exception of Senators Abercrombie, Anderson and Ushijima, who were excused.

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

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 107 and 108) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 107), transmitting a Report to the Governor 1976-1977, prepared by the Department of Land and Natural Resources, pursuant to Act 254, 1967, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 108), transmitting a report on the Medical Claim Conciliation Panels, FY 1976-1977 and 1977-1978, prepared by the Department of Regulatory Agencies, pursuant to Act 219, Session Laws of Hawaii 1976, was referred to the Committee on Consumer Protection and Commerce.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 306 and 307) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 306), transmitting House Concurrent Resolution No. 37, H.D. 1, which was adopted in the House of Representatives on March 16, 1979, was placed on file.

By unanimous consent, H.C. R. No. 37, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING PRESIDENT CARTER TO INVOKE THE PELLY AMENDMENT TO THE FISHERMEN'S PROTECTIVE ACT TO PREVENT THE ILLEGAL SLAUGHTER OF WHALES", was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 307), transmitting House Concurrent Resolution No. 136, which was adopted in the House of Representatives on March 16, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Yee and carried, H.C.R. No. 136, entitled: "HOUSE CONCURRENT RESOLUTION CONGRATULATING HAWAII PUBLIC TELEVISION FOR ITS PRODUCTION 'ALOHA, BRUYERES!' AND URGING FULL COMMUNITY VIEWING OF THIS ONE-HOUR TV SPECIAL", was adopted.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 50 and 51) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 50), entitled: "SENATE CONCURRENT RESOLUTION ADOPTING THE STATEWIDE TRANSPORTATION PLAN", was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 50 was referred to the Committee on Transportation.

A concurrent resolution (S.C.R. No. 51), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO A TOURISM FUNCTIONAL PLAN IN THE STATE OF HAWAII", was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 51 was referred to the Committee on Tourism.

SENATE RESOLUTION

A resolution (S.R. No. 259), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS TO EUSTAQUIO PADILLA, JR. ON HIS SELECTION AS A POP WARNER ALL-AMERICAN", was jointly offered by Senators Toyofuku, Hara, Yamasaki, Soares, Abercrombie, O'Connor, Chong, Ajifu, Takitani, Young, Kuroda, Mizuguchi, Ushijima, Yee, Anderson, Cobb, Carpenter, Saiki, Yim, Cayetano, Kawasaki, George, Campbell, Carroll and Wong, and was read by the Clerk.

On motion by Senator Toyofuku, seconded by Senator Mizuguchi and carried, S.R. No. 259 was adopted.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 638), informing the Senate that Senate Concurrent Resolution No. 49 and Senate Resolution Nos. 243 to 258 have been printed and are ready for distribution.

On motion by Senator Yamasaki, seconded

by Senator George and carried, the report of the Committee was adopted.

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.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 639), recommending that House Bill No. 732, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 732, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CAPITAL LOAN PROGRAM", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 640), recommending that House Bill No. 1232, 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 Cobb and carried, the report of the Committee was adopted and H.B. No. 1232, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 21, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1232, S.D. 1.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 641), recommending that House Bill No. 1638, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 1638, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENTS", passed Second Reading and was referred to the Committee on Ways and Means.

ORDER OF THE DAY

RE-REFERRAL OF A HOUSE BILL

The President made the following re-referral of a House Bill that was received on Monday, March 12, 1979:

House Bill Referred to:

No. 1636,
H.D. 1 Committee on Human Resources,
then to the Committee on Judiciary,
then to the Committee on Ways and
Means

MISCELLANEOUS COMMUNICATIONS

The following miscellaneous communications (Misc. Com. Nos. 15 and 16) were read by the Clerk and were disposed of as follows:

A communication from Mr. Jack H. Watson, Jr. (Misc. Com. No. 15), The White House, Washington, D.C., acknowledging receipt of Senate Resolution No. 103, Regular Session of 1978, was placed on file.

A communication from the Office of Human Resources, City and County of Honolulu, (Misc. Com. No. 16), submitting a report outlining a modification of its current grants transferring all separate program plans into one Comprehensive Employment and Training Plan (CETP), comprising of five titles: Title II A, B, C; Title II-D; Title III; Title IV; and Title VI; was referred to the Committee on Human Resources.

At this time, Senator Carroll, rose on a point of personal privilege and stated as follows:

"Mr. President, on Friday at approximately 1:00 o'clock in the afternoon came St. Patrick's Day. We were all regaled with frivolity and resolutions, flowers and boutonnières and the words to 'When Irish Eyes are Smiling', all through the courtesy and forethought of our learned colleague from Hawaii Kai.

"I have not been authorized to speak on behalf of the other members of the Senate, but I certainly would like to thank him and acknowledge his courtesy and kindness at this time.

"There's one other point I'd like to raise. Senator O'Connor used a joke book to tell us a joke but he left a portion of it out which I think everybody should hear. It is the beginning portion of the joke which gives it a little more sense. So if I might, just for the record, indicate that that was missing and I'm certain he would like to adopt it and ask that it be added by reference to his remarks of last Friday. That was, that when Pat and Mike were proceeding in the automobile as he first indicated, Pat says to Mike, 'Slow down, I think we're coming into Dublin.' And Mike says, 'Well, how do you know?' And Pat says, 'Well, we seem to be running

over more people."

Senator Campbell, Chairman of the Education Committee, then requested a waiver of the 48-hour notice of a hearing on the following measures:

H.B. No. 38, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION";

H.B. No. 581, entitled: "A BILL FOR AN ACT RELATING TO THE STATE LIBRARIAN";

H.B. No. 1656, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNAUTHORIZED VEHICLES ON SCHOOL AND LIBRARY GROUNDS";

H.B. No. 743, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION";

H.B. No. 638, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AN OKINAWAN CELEBRATION COMMISSION"; and

H.B. No. 1695, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A CENTENNIAL COMMISSION ON SCANDINAVIANS COMING TO HAWAII",

and the President granted the waiver.

ADJOURNMENT

At 11:45 o'clock a.m., on motion by Senator Mizuguchi, seconded by Senator Yee and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, March 20, 1979.