

TWENTY-SEVENTH DAY

Friday, March 6, 1981

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1981, convened at 11:30 o'clock a.m., with the Vice-President in the Chair.

The Divine Blessing was invoked by Reverend James Habenicht, Associate Pastor of the Sacred Hearts Church, after which the Roll was called showing all Senators present, with the exception of Senator Wong who was excused.

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

The following introductions were then made to the members of the Senate:

Senator Machida introduced 81 seventh grade students from Lihikai School of Kahului, Maui, accompanied by their teachers: Mr. Roy Nakasone, Ms. Sharon Yanagida, Ms. Florentina Smith and Ms. Judith Matoi; and parents: Mrs. Nancy Nakamura, Mrs. Valerie Fernandez, Mr. Richard Ouchi and Mr. Roy Chris Smith.

Senator Yee introduced 27 second grade students from Punahou School and their teacher, Ms. Malia Ane.

Senator Kuroda introduced Carmen and Eugene Burke who were also sitting in the gallery.

Senator Holt then introduced nine students, grades 5 and 6, from the Kalihi Elementary Student Council, and their teachers, Mrs. Mary Miyamoto and Mrs. Jane Pang.

Senator Soares then rose to make the following introduction:

"Mr. President, we have in the gallery with us today a person who has, I think, played an important part in many, many lives of our community, having been the president of Punahou School. I had the pleasure of coaching at that school for 24 years and of being able to work very closely with this person in developing a plan and an opening, if you will, for many of our students throughout the state to participate athletically and to give them an opportunity to go on to college and lead better lives. This gentleman was the instrument by which we were able to afford athletic ability opportunities to people like Alvin Harrington, Charlie Wedemeyer, Mosi Tatupu and many others.

"On behalf of Senators O'Connor and Henderson, former Punahou graduates who I'm sure were in school when he was the president, a very colorful and a very dedicated principal, the former president of Punahou School, Dr. John Fox."

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 31 to 33) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 31), transmitting House Bill No. 20, H.D. 1, which passed Third Reading in the House of Representatives on March 5, 1981, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 20, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII BANK ACT OF 1931," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 32), transmitting House Bill No. 790, H.D. 1, which passed Third Reading in the House of Representatives on March 5, 1981, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 790, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed First Reading by title and was referred to the Committee on Housing and Hawaiian Homes.

A communication from the House (Hse. Com. No. 33), transmitting House Bill No. 706, H.D. 1, which passed Third Reading in the House of Representatives on March 5, 1981, was placed on file.

On motion by Senator Cobb, seconded by Senator Anderson and carried, H.B. No. 706, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AUDIT AND ACCOUNTING," passed First Reading by title and was referred to the Committee on Ways and Means.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. No. 40 and 41) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 40), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A CONCERTED

EFFORT BY FEDERAL AND STATE OFFICIALS AND AGENCIES TO ELIMINATE FEDERAL REGULATIONS WHICH ADVERSELY AFFECT INTERSTATE AND INTERNATIONAL MARKETING OF MEAT AND POULTRY PRODUCTS," was offered by Senator Ajifu.

By unanimous consent, S.C.R. No. 40 was referred to the Committee on Agriculture.

A concurrent resolution (S.C.R. No. 41), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING ENCOURAGEMENT OF THE PRAWN INDUSTRY," was offered by Senator Ajifu.

By unanimous consent, S.C.R. No. 41 was referred jointly to the Committee on Agriculture and the Committee on Economic Development.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 105 to 110) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 105), entitled: "SENATE RESOLUTION REQUESTING THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII TO REPORT ITS CURRENT POSITION CONCERNING THE FUTURE OF WEST OAHU COLLEGE," was offered by Senators Saiki, Anderson, Uwaine and Kobayashi.

By unanimous consent, S.R. No. 105 was referred to the Committee on Higher Education.

A resolution (S.R. No. 106), entitled: "SENATE RESOLUTION REQUESTING A CONCERTED EFFORT BY FEDERAL AND STATE OFFICIALS AND AGENCIES TO ELIMINATE FEDERAL REGULATIONS WHICH ADVERSELY AFFECT INTERSTATE AND INTERNATIONAL MARKETING OF MEAT AND POULTRY PRODUCTS," was offered by Senator Ajifu.

By unanimous consent, S.R. No. 106 was referred to the Committee on Agriculture.

A resolution (S.R. No. 107), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF ESTABLISHING BIOCONVERSION FACILITIES USING FARM ANIMAL WASTE TO PRODUCE METHANE GAS," was offered by Senator Ajifu.

By unanimous consent, S.R. No. 107 was referred to the Committee on Agriculture.

A resolution (S.R. No. 108), entitled: "SENATE RESOLUTION CONCERNING

THE SUPPLY OF PRAWNS FOR THE STATE'S AQUACULTURE INDUSTRY," was offered by Senator Ajifu.

By unanimous consent, S.R. No. 108 was referred jointly to the Committee on Agriculture and the Committee on Economic Development.

A resolution (S.R. No. 109), entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF PLANS FOR THE KE'EHU LAGOON AREA," was offered by Senators Holt, Campbell, Mizuguchi, Toyofuku, O'Connor, Machida, Ushijima, Kobayashi, Uwaine and Kawasaki.

By unanimous consent, S.R. No. 109 was referred jointly to the Committee on Ecology, Environment and Recreation and the Committee on Economic Development, then to the Committee on Ways and Means.

A resolution (S.R. No. 110), entitled: "SENATE RESOLUTION DECLARING THE MONTH OF MARCH, 1981 TO BE NUTRITION MONTH IN HAWAII, AND RECOGNIZING THE EFFORTS OF THE HAWAII DIETETIC ASSOCIATION," was offered by Senators Carpenter, Holt, Ushijima, George, Saiki, Ajifu, Yamasaki, Cobb, Young, Cayetano, Wong, Campbell, Kobayashi, Kawasaki, O'Connor, Soares, Kuroda, Abercrombie and Uwaine.

On motion by Senator Carpenter, seconded by Senator Holt and carried, S.R. No. 110 was adopted.

At this time, Senator Carpenter introduced to the members of the Senate Mrs. Reiko Maeda, president of the Hawaii Dietetic Association, who was presented with a lei by Senator Carpenter.

At 11:46 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.

Senator Toyofuku then rose to introduce to the members of the Senate 12 students from the high schools on Kauai, accompanied by Mr. Allan Yamada, Ms. Janice Nitta and Ms. Joan Polly.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 287) informing the Senate that Senate Concurrent Resolution Nos. 38 and 39, Senate Resolution Nos. 100 to 104, and Standing Committee Report Nos. 285 to 286 have been printed and are ready for distribution.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Kuroda, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 288) recommending that Senate Bill No. 271, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kuroda, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 271, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOTELS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 9, 1981.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 271, S.D. 1.

Senator Carpenter, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 289) recommending that Senate Bill No. 1681, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Judiciary.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the majority of the Committee was adopted and S.B. No. 1681, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TORT ACTIONS," passed First Reading and was recommitted to the Committee on Judiciary.

ORDER OF THE DAY

MATTER DEFERRED FROM MARCH 5, 1981

Senate Concurrent Resolution No. 38:

By unanimous consent, S.C.R. No. 38, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DEVELOP THROUGH PRIVATE DEVELOPERS AND CAPITAL CERTAIN SUBMERGED LANDS FOR CERTAIN ENUMERATED PURPOSES," was referred jointly to the Committee on Ecology, Environment and Recreation and the Committee on Economic Development, then to the Committee on Ways and Means.

THIRD READING

Senate Bill No. 681:

On motion by Senator Soares, seconded by Senator Yamasaki and carried, S.B. No. 681, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITY EMPLOYEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Wong).

Senate Bill No. 1400, S.D. 1:

On motion by Senator Ajifu, seconded by Senator Soares and carried, S.B. No. 1400, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PRODUCT PROMOTION AND MARKET DEVELOPMENT," was recommitted to the Committee on Agriculture.

RE-REFERRAL OF SENATE BILLS

The President made the following re-referral of a bill that was introduced on Friday, February 13, 1981:

Senate Bill Referred to:

No. 576 Committee on Ways and Means.

The President then made the following re-referral of a bill that was introduced on Thursday, February 17, 1981:

Senate Bill Referred to:

No. 873 Committee on Health, then to the Committee on Ways and Means

The President also made the following re-referral of a bill that was introduced on Wednesday, February 18, 1981:

Senate Bill Referred to:

No. 1748 Committee on Judiciary

At this time, Senator Saiki rose to state as follows:

"Mr. President, I had recently posted a hearing notice on Senate Resolution 105 which you will find on the calendar today. It refers to the Board of Regents to report their current position on the future of West Oahu College.

"In view of the recent Legislative Auditor's Report, which points out some very serious deficiencies in the planning practices and functions of the University of Hawaii, I would like to postpone any further discussion on West Oahu College until we get a clearer understanding of where the problems in planning may be and how

they can be corrected.

"I am scheduling a hearing on the legislative audit for March 16th, Monday, and urge all committee members to review the audit.

"Thank you."

Senator Abercrombie then remarked:
"I wonder if the previous speaker will relate how many days she intends

to have that hearing held."

Senator Saiki replied: "As many as it takes."

ADJOURNMENT

At 11:54 o'clock a.m., on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, March 9, 1981.