

NINTH DAY

Monday, January 27, 1975

The Senate of the Eighth Legislature of the State of Hawaii, Regular Session of 1975, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Dr. Harry Komuro of First United Methodist Church, after which the Roll was called showing all Senators present.

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

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 28 to 31) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 28), transmitting a report of all tort claims arbitrated, compromised, or settled for \$2,000 or less by the Department of the Attorney General during the fiscal year ending June 30, 1974 pursuant to Section 662-11, Hawaii Revised Statutes, and noting that these claims were paid from funds appropriated by Act 218, Session Laws of Hawaii 1973, was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 29), transmitting a report prepared by the Hawaii Public Broadcasting Authority in response to Senate Resolution No. 250 (1974) which requested the Authority to evaluate the needs for and the uses of public radio and its relationship to the overall objectives and requirements of the State in public broadcasting, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 30), transmitting the Annual Report of the Commission to Promote Uniform Legislation for the year 1974, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 31), transmitting the Annual Report of the Commission on the Year 2000 as required by Chapter 221, Hawaii Revised Statutes, was referred to the Committee on Ecology, Environment and Recreation.

DEPARTMENTAL COMMUNICATION

A communication from The Judiciary (Dept. Com. No. 4), transmitting the Annual Report of The Judiciary for the year July 1, 1973 to June 30, 1974, was read by the Clerk and was referred to the Committee on Judiciary.

SENATE RESOLUTIONS

The following resolutions (S.R. No. 133 to 136) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 133), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO RECONSIDER THE BUILDING OF TYPE IV 'LARGE ROOM' CLASSROOMS", was jointly offered by Senators Kuroda, Yim, King, Hara, Chong, Saiki, Ching, Toyofuku, O'Connor, Takitani, F. Wong, Anderson, Yee, Young, George, Henderson, R. Wong, Leopold, Hulten and Kawasaki.

By unanimous consent, S.R. No. 133 was referred to the Committee on Education, then to the Committee on Ways and Means.

A resolution (S.R. No. 134), entitled: "SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII BOARD OF REGENTS REVIEW AND CONSIDER ALTERNATIVES LEADING TO CONSTRUCTION OF THE WEST OAHU COLLEGE", was jointly offered by Senators Kuroda, Chong, Hulten, Saiki, O'Connor, Takitani, F. Wong, Young, R. Wong, Leopold and Kawasaki.

By unanimous consent, S.R. No. 134 was referred to the Committee on Higher Education.

A resolution (S.R. No. 135), entitled: "SENATE RESOLUTION RELATING TO AIR TRAVEL FOR THE ELDERLY", was jointly offered by Senators Toyofuku, Taira, Young, Nishimura, F. Wong, King, O'Connor, Takitani, Kawasaki, Ching, Kuroda, Ushijima, Yamasaki and Chong.

By unanimous consent, S.R. No. 135 was referred jointly to the Committees on Transportation and Human Resources.

A resolution (S.R. No. 136), entitled: "SENATE RESOLUTION RELATING TO THE DISCONTINUANCE OF THE GIT AIR FARE", was jointly offered by Senators F. Wong, Ching,

Ushijima, Taira, Kawasaki, Toyofuku, Takitani, Yamasaki, R. Wong, Young, Nishimura, Kuroda and O'Connor.

By unanimous consent, S.R. No. 136 was referred to the Committee on Economic Development.

INTRODUCTION OF SENATE 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 Tuesday, January 28, 1975:

Senate Bills

No. 245 "A Bill for an Act Relating to the Public Employees Health Fund."

Introduced by: Senator Ushijima, by request.

No. 246 "A Bill for an Act Relating to the Public Employees Health Fund."

Introduced by: Senator Ushijima, by request.

No. 247 "A Bill for an Act Relating to Traveling Expenses of State Officials."

Introduced by: Senator Ushijima, by request.

No. 248 "A Bill for an Act Relating to Use of Armories, Military Reservations and Other Military Installations."

Introduced by: Senator Ushijima, by request.

No. 249 "A Bill for an Act Relating to the Uniform Controlled Substances Act."

Introduced by: Senator Ushijima, by request.

No. 250 "A Bill for an Act Relating to Variances from Pollution Control Requirements."

Introduced by: Senator Ushijima, by request.

No. 251 "A Bill for an Act Relating to Medical Research, Morbidity and Mortality Information."

Introduced by: Senator Ushijima, by request.

No. 252 "A Bill for an Act Relating

to Vital Statistics Registration of Fetal Deaths."

Introduced by: Senator Ushijima, by request.

No. 253 "A Bill for an Act Relating to the Sale of Prophylactics in Vending Machines."

Introduced by: Senator Ushijima, by request.

No. 254 "A Bill for an Act Relating to Employment Security."

Introduced by: Senator Ushijima, by request.

No. 255 "A Bill for an Act Relating to Wage Loss Replacement Programs Administered by the Department of Labor and Industrial Relations."

Introduced by: Senator Ushijima, by request.

No. 256 "A Bill for an Act Relating to Temporary Disability Insurance."

Introduced by: Senator Ushijima, by request.

No. 257 "A Bill for an Act Relating to Workmen's Compensation."

Introduced by: Senator Ushijima, by request.

No. 258 "A Bill for an Act Relating to the Hawaii Wage and Hour Law."

Introduced by: Senator Ushijima, by request.

No. 259 "A Bill for an Act Relating to the Hawaii Occupational Safety and Health Law."

Introduced by: Senator Ushijima, by request.

No. 260 "A Bill for an Act Relating to Prepaid Health Care."

Introduced by: Senator Ushijima, by request.

No. 261 "A Bill for an Act Relating to Prepaid Health Care."

Introduced by: Senator Ushijima, by request.

No. 262 "A Bill for an Act Relating to a Hawaii Celebration in the International Ocean Exposition, Okinawa, Japan, 1975."

Introduced by: Senator Ushijima,

- by request.
- No. 263 "A Bill for an Act Relating to the Hawaii Insurance Law."
- Introduced by: Senator Ushijima, by request.
- No. 264 "A Bill for an Act Relating to Credit Disability Insurance."
- Introduced by: Senator Ushijima, by request.
- No. 265 "A Bill for an Act Relating to Public Utilities."
- Introduced by: Senator Ushijima, by request.
- No. 266 "A Bill for an Act Relating to Public Employment."
- Introduced by: Senator Ushijima, by request.
- No. 267 "A Bill for an Act Making an Appropriation For an Investigation Into the Desirability of a Manganese Nodule Processing Industry in Hawaii."
- Introduced by: Senator Ushijima, by request.
- No. 268 "A Bill for an Act Relating to the Hawaii Motor Carrier Law."
- Introduced by: Senator Ushijima, by request.
- No. 269 "A Bill for an Act Relating to Motorcycle and Motor Scooter Protective Devices."
- Introduced by: Senators Kuroda, Kawasaki, Hulten, O'Connor, Nishimura, Yim, Hara, Anderson, Henderson, Rohlfing and Leopold.
- No. 270 "A Bill for an Act Relating to Insurance."
- Introduced by: Senators Kuroda, Chong, Yim, O'Connor, Takitani, Anderson, Yee, King, R. Wong, Leopold, Henderson, Hulten and Kawasaki.
- No. 271 "A Bill for an Act Relating to Small Claims, District Courts."
- Introduced by: Senators Kuroda, Hara, R. Wong, Taira, Young, Yamasaki, Chong and Ushijima.
- No. 272 "A Bill for an Act Relating to Environmental Shoreline Protection."
- Introduced by: Senators King,
- Kuroda, Chong and Yim.
- No. 273 "A Bill for an Act Relating to Medicine and Surgery."
- Introduced by: Senator Chong, by request.
- No. 274 "A Bill for an Act Relating to Meetings Open to the Public."
- Introduced by: Senators King, Nishimura, Kuroda, F. Wong, George, Hulten, R. Wong, Chong, Saiki and Toyofuku.
- No. 275 "A Bill for an Act Relating to Real Property Taxation."
- Introduced by: Senators Toyofuku, Takitani, Kuroda, Taira, Young, Nishimura, F. Wong, O'Connor, Kawasaki, Ching, Ushijima, Yamasaki, Hulten and Chong.
- No. 276 "A Bill for an Act Relating to the Assessment of Real Property."
- Introduced by: Senators Toyofuku, Kawasaki, Hulten, F. Wong, Chong, O'Connor, Ching, Takitani, Taira, Nishimura, Kuroda, Yamasaki, Young and Ushijima.
- No. 277 "A Bill for an Act Relating to State Policy and Program on Family Planning."
- Introduced by: Senator Chong, by request.
- No. 278 "A Bill for an Act Making a Supplemental Appropriation for the Hilo Rehabilitation Complex, Hilo, Hawaii."
- Introduced by: Senators Hara, Ushijima and Henderson.
- No. 279 "A Bill for an Act Relating to Supplemental Appropriation for a Statewide Feed and Grain Storage Facility."
- Introduced by: Senators Hara, Ushijima and Henderson.
- No. 280 "A Bill for an Act Relating to the Excise Tax Credit."
- Introduced by: Senators Yim, Kuroda, King, Yamasaki, Nishimura, Chong, R. Wong, Hara, Hulten, Young, O'Connor and Kawasaki.
- No. 281 "A Bill for an Act Relating to Energy."
- Introduced by: Senators Yim, King, Yamasaki, Nishimura, George,

Henderson, R. Wong, Hulten,
Chong, Hara, Young, O'Connor
and Kawasaki.

No. 282 "A Bill for an Act Relating
to Real Estate Brokers."

Introduced by: Senators Kawasaki,
Nishimura, Takitani, Yee, Ching,
Taira, F. Wong, Leopold, Rohlfing,
Henderson, Kuroda, Young, Hulten,
George, Chong, R. Wong, Yim,
Saiki, O'Connor, Yamasaki and
Ushijima.

No. 283 "A Bill for an Act Relating
to Art."

Introduced by: Senators Kawasaki,
Takitani, Yee, Ching, Taira,
Hara, Rohlfing, Henderson, Kuroda,
Young, Hulten, Anderson, R.
Wong, Chong, Toyofuku, Yim,
Saiki and O'Connor.

No. 284 "A Bill for an Act Proposing
an Amendment to the Constitution
by Adding a New Section to Article
XVI of the Hawaii Constitution
to Provide for Staggered Terms
of the Members of the Senate."

Introduced by: Senators Kawasaki,
Nishimura, Takitani, Yee, Ching,
Rohlfing, Anderson, Kuroda,
Taira, Young, King, Hulten,
F. Wong, Hara, Leopold, Henderson,
Chong, Toyofuku, R. Wong, Yim,
Saiki, O'Connor, Yamasaki and
Ushijima.

No. 285 "A Bill for an Act Relating
to Tax Exemptions."

Introduced by: Senators Kawasaki,
by request, Nishimura, Takitani,
Anderson, Hara, Rohlfing, Henderson,
Ching, Taira, F. Wong, Yee,
Leopold, Kuroda, Young, Hulten,
George, King, Chong, Toyofuku,
Yim, Saiki, O'Connor, Yamasaki
and Ushijima.

No. 286 "A Bill for an Act Relating
to Incentive and Service Awards
for Public Officers and Employees."

Introduced by: Senators Kawasaki,
Nishimura, Takitani, Yee, Ching,
Taira, F. Wong, Hara, Leopold,
Rohlfing, Henderson, Kuroda,
Young, Hulten, George, Anderson,
Chong, Toyofuku, Yim, Saiki,
O'Connor, Yamasaki and Ushijima.

No. 287 "A Bill for an Act Relating
to the Exemption for Real Property
for the Blind and Visually Handicapped."

Introduced by: Senators Kawasaki,
by request, Nishimura, Takitani,

Yee, Ching, Taira, F. Wong,
Hara, Leopold, Rohlfing, Henderson,
Kuroda, Hulten, Anderson, King,
Chong, Toyofuku, R. Wong, Yim,
Saiki, O'Connor, Yamasaki and
Ushijima.

No. 288 "A Bill for an Act Relating
to the Department of Education
Capital Improvement Projects
for the Big Island."

Introduced by: Senators Hara,
Ushijima, Henderson, Kuroda
and Takitani.

No. 289 "A Bill for an Act Making
Appropriations for Capital Improve-
ments for the Central School District,
Oahu."

Introduced by: Senators Ching,
Kuroda, F. Wong and Young.

No. 290 "A Bill for an Act Making
Appropriations for Capital Improve-
ments for Pearl Ridge Elementary
School, Oahu."

Introduced by: Senators Ching,
Kuroda, F. Wong and Young.

No. 291 "A Bill for an Act Making
Appropriations for Capital Improve-
ments for Haleiwa Elementary
School, Oahu."

Introduced by: Senators Ching,
Kuroda, F. Wong and Young.

No. 292 "A Bill for an Act Making
Appropriations for Capital Improve-
ments for Waiialua High School,
Oahu."

Introduced by: Senators Ching,
Kuroda, F. Wong and Young.

No. 293 "A Bill for an Act Making
an Appropriation for Planning
and Construction of a Paved Playcourt
at Halemano Elementary School,
Oahu."

Introduced by: Senators Ching,
Kuroda, F. Wong and Young.

No. 294 "A Bill for an Act Making
a Supplementary Appropriation
for Land Acquisition and Develop-
ment of a Public Park at Kaiaka
Point, Waiialua, Oahu."

Introduced by: Senators Ching,
Kuroda, F. Wong and Young.

No. 295 "A Bill for an Act Making
Appropriations for Capital Improve-
ments for the Waipahu Complex,
Oahu."

Introduced by: Senators Ching,
Kuroda, F. Wong and Young.

- No. 296 "A Bill for an Act Making an Appropriation for Planning and Construction of a Parking Lot, Paved Walkways and Ground and Site Improvements at Waipahu High School, Oahu."

Introduced by: Senators Ching,
Kuroda, F. Wong and Young.

- No. 297 "A Bill for an Act Making Appropriations for Capital Improvements for the Waianae-Nanakuli Complex, Oahu."

Introduced by: Senators Ching,
Kuroda, F. Wong and Young.

- No. 298 "A Bill for an Act Making Appropriations for Capital Improvements for the Pearl City Complex, Oahu."

Introduced by: Senators Ching,
Kuroda, F. Wong and Young.

- No. 299 "A Bill for an Act Making Appropriations for Capital Improvements for the Campbell Complex, Oahu."

Introduced by: Senators Ching,
Kuroda, F. Wong and Young.

- No. 300 "A Bill for an Act Relating to Safety Equipment for Motorcycles and Motor Scooters."

Introduced by: Senators Yee,
by request, Anderson, George,
Henderson, Kawasaki, King,
Leopold, O'Connor, Rohlfling,
Saiki and Taira.

- No. 301 "A Bill for an Act Relating to Foods."

Introduced by: Senators Leopold,
Rohlfling, Toyofuku, Takitani,
George, Saiki, Anderson, Yee,
Henderson, Young and R. Wong.

- No. 302 "A Bill for an Act Making an Appropriation for the Purchase and Installation of Synthetic Surface Material to Cover the Track Field at Kaiser High School."

Introduced by: Senators Rohlfling
and Saiki.

- No. 303 "A Bill for an Act Making an Appropriation for the Acquisition of Private Property on Paiko Peninsula, Oahu."

Introduced by: Senators Rohlfling,
Saiki, O'Connor and Nishimura.

- No. 304 "A Bill for an Act Making an Appropriation to Establish Emergency Health Care Unit at Hawaii Kai, Oahu."

Introduced by: Senators Rohlfling,
Saiki and Nishimura.

- No. 305 "A Bill for an Act Proposing an Amendment to the Constitution of the State of Hawaii to Provide for the Recall of Public Officers."

Introduced by: Senators Rohlfling,
Anderson, Saiki, Leopold, Yee
and George.

- No. 306 "A Bill for an Act Relating to H-3 (TH-3) and a System of Islandwide Public Mass Transportation for Oahu."

Introduced by: Senator Rohlfling.

- No. 307 "A Bill for an Act Transferring Jurisdiction of Kalaniana'ole Highway from Ainakoa to Lunalilo Home Road to the City and County of Honolulu."

Introduced by: Senator Rohlfling.

- No. 308 "A Bill for an Act Proposing Amendments to Article III of the Constitution of the State of Hawaii to Provide for Referendum."

Introduced by: Senators Rohlfling,
Anderson, Saiki, Leopold and
Yee.

- No. 309 "A Bill for an Act Proposing Amendments to Article III of the Hawaii Constitution to Provide for the Initiative."

Introduced by: Senators Rohlfling,
Anderson, Saiki, Leopold, Yee
and George.

STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 6), informing the Senate that Senate Concurrent Resolution No. 31, Senate Resolution Nos. 132 and 133 and Senate Bill Nos. 205 to 244 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.

At 11:36 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:40 o'clock a.m.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Friday, January 24, 1975:

Senate Bills Referred to:

- | | | | |
|---------|--|---------|---|
| No. 205 | Committee on Consumer Protection, then to the Committee on Judiciary | No. 219 | Committee on Intergovernmental Relations, then to the Committee on Ways and Means |
| No. 206 | Committee on Consumer Protection, then to the Committee on Judiciary | No. 220 | Committee on Judiciary, then to the Committee on Ways and Means |
| No. 207 | Committee on Consumer Protection, then to the Committee on Judiciary | No. 221 | Committee on Economic Development |
| No. 208 | Committee on Consumer Protection, then to the Committee on Judiciary | No. 222 | Committee on Economic Development |
| No. 209 | Committee on Judiciary | No. 223 | Committee on Economic Development, then to the Committee on Ways and Means |
| No. 210 | Committee on Consumer Protection, then to the Committee on Judiciary | No. 224 | Committee on Economic Development |
| No. 211 | Committee on Consumer Protection, then to the Committee on Judiciary | No. 225 | Committee on Economic Development, then to the Committee on Ways and Means |
| No. 212 | Committee on Consumer Protection, then to the Committee on Judiciary | No. 226 | Committee on Ways and Means |
| No. 213 | Committee on Consumer Protection, then to the Committee on Judiciary | No. 227 | Committee on Health, then to the Committee on Judiciary |
| No. 214 | Committee on Consumer Protection, then to the Committee on Judiciary | No. 228 | Committee on Human Resources, then to the Committee on Ways and Means |
| No. 215 | Committee on Consumer Protection, then to the Committee on Judiciary | No. 229 | Committee on Intergovernmental Relations, then to the Committee on Judiciary |
| No. 216 | Committee on Government Operations and Efficiency, then to the Committee on Ways and Means | No. 230 | Committee on Judiciary |
| No. 217 | Committee on Government Operations and Efficiency, then to the Committee on Ways and Means | No. 231 | Committee on Human Resources, then to the Committee on Ways and Means |
| No. 218 | Committee on Government Operations and Efficiency, then to the Committee on Ways and Means | No. 232 | Committee on Economic Development, then to the Committee on Ways and Means |
| | | No. 233 | Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means |
| | | No. 234 | Committee on Education, then to the Committee on Ways and Means |
| | | No. 235 | Committee on Human Resources, then to the Committee on Ways and Means |
| | | No. 236 | Committee on Health, then to the Committee on Ways and Means |
| | | No. 237 | Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means |
| | | No. 238 | Committee on Ways and Means |

No. 239 Committee on Education,
then to the Committee on Ways
and Means

No. 240 Committee on Judiciary

No. 241 Committee on Judiciary

No. 242 Committee on Economic
Development, then to the Committee
on Ways and Means

No. 243 Committee on Human Resources,
then to the Committee on Ways
and Means

No. 244 Committee on Judiciary

ADJOURNMENT

At 11:42 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.,
Tuesday, January 28, 1975.