

## TWENTY-SECOND DAY

Thursday, February 13, 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 Henry F. McCloskey of the Star of the Sea Church, after which the Roll was called showing all Senators present.

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

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

Senator Ching introduced the Citizenship Class from the Pearl Harbor Southern Baptist Church, together with their leader Ann Higginbotham.

Senator Kuroda then introduced 30 high school students, representing nine high schools from the State of Oregon, who are participating in the Leilehua High School speech tournament. Also introduced were two students from Leilehua High School and three students from St. Louis High School. The speech coaches and teachers from Oregon who accompanied the students were also introduced as follows: Dr. Gary Cross, Director of Forensics at the University of Oregon; Mr. John Tredway, Ashland High School; Mr. and Mrs. Robert Hays, Astoria High School; Mrs. Fern Starr, Myrtle Point High School; Miss Sue Cummins, Scappoose High School; Mrs. Alice Voges, Tillamook High School; and Mr. Tim Duerfeldt, Dayton High School.

#### MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 46 and 47) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 46), transmitting the first annual report of the Environmental Council describing government activities related to the State's environmental goals and prepared in compliance with Act 248, SLH 1974, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor

(Gov. Msg. No. 47), transmitting the annual manpower report of the State Advisory Commission on Manpower and Full Employment pursuant to Section 202-2, Hawaii Revised Statutes, was referred to the Committee on Human Resources.

#### HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 18 to 20) were disposed of as follows:

A communication from the House (Hse. Com. No. 18), transmitting House Bill No. 132, which passed Third Reading in the House on February 12, 1975, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 132, entitled: "A BILL FOR AN ACT RELATING TO CIVIL PENALTIES COLLECTED BY THE OFFICE OF CONSUMER PROTECTION", passed First Reading by title and was referred to the Committees on Consumer Protection and Judiciary.

A communication from the House (Hse. Com. No. 19), transmitting House Bill No. 133, H.D. 1, which passed Third Reading in the House on February 12, 1975, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 133, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INJUNCTION OF VIOLATION OF LAWS AND ORDINANCES", passed First Reading by title and was referred to the Committees on Consumer Protection and Judiciary.

A communication from the House (Hse. Com. No. 20), transmitting House Bill No. 134 which passed Third Reading in the House on February 12, 1975, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 134, entitled: "A BILL FOR AN ACT RELATING TO INJUNCTION BY ATTORNEY GENERAL OR THE OFFICE OF CONSUMER PROTECTION", passed First Reading by title and was referred to the Committees on Consumer Protection and Judiciary.

#### SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 210 to 220) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 210), entitled: "SENATE RESOLUTION DIRECTING THE GOVERNOR AND THE DIRECTOR OF TRANSPORTATION NOT TO RELEASE OR ENCUMBER FUNDS APPROPRIATED FOR INTERSTATE ROUTE H-3, NOW DESIGNATED AS TH-3, DURING THE CONSIDERATION OF ANY BILL BY THE LEGISLATURE WHICH WOULD TRANSFER SUCH FUNDS TO BE USED FOR OTHER PURPOSES", was jointly offered by Senators King and Chong.

By unanimous consent, S.R. No. 210 was referred to the Committee on Transportation, then to the Committee on Ways and Means.

A resolution (S.R. No. 211), entitled: "SENATE RESOLUTION REQUESTING THAT THE WATERGATE DEFENDANTS NOT BE PAID HIGH FEES FOR SPEAKING ENGAGEMENTS IN HAWAII", was jointly offered by Senators Leopold, King, Chong, Kawasaki, Hulten, Henderson, Anderson and Rohlfling.

By unanimous consent, S.R. No. 211 was jointly referred to the Committees on Higher Education and Education.

A resolution (S.R. No. 212), entitled: "SENATE RESOLUTION REQUESTING ALL STATE AND SCHOOL LIBRARIES TO ACQUIRE NONSEXIST BOOKS AND TO ACHIEVE A BALANCE OF LIBRARY HOLDINGS IN NUMBERS OF BOOKS ABOUT BOYS AND GIRLS", was jointly offered by Senators Leopold, Saiki, Yee, Anderson, King, Young, George, Kawasaki, Chong, Hulten, Rohlfling and Henderson.

By unanimous consent, S.R. No. 212 was referred to the Committee on Education.

A resolution (S.R. No. 213), entitled: "SENATE RESOLUTION URGING HAWAII EDUCATIONAL TELEVISION TO ELIMINATE SEX BIASED PROGRAMMING", was jointly offered by Senators Leopold, Saiki, George, Yee, Chong, Hulten, King, Rohlfling, Henderson, Anderson, Young and Kawasaki.

By unanimous consent, S.R. No. 213 was referred to the Committee on Judiciary.

A resolution (S.R. No. 214), entitled: "SENATE RESOLUTION REQUESTING THE BOARD OF EDUCATION TO ELIMINATE LEARNING MATERIALS EXHIBITING SEX BIAS FROM THE PUBLIC EDUCATION SYSTEM", was jointly offered by Senators Leopold, Saiki, George, Yee, Chong,

Hulten, Rohlfling, Henderson, Anderson, King and Young.

By unanimous consent, S.R. No. 214 was referred to the Committee on Education.

A resolution (S.R. No. 215), entitled: "SENATE RESOLUTION REQUESTING ANALYSIS OF READING EDUCATION IN THE PUBLIC SCHOOL SYSTEM", was jointly offered by Senators Saiki, Leopold, George, Yee, Rohlfling, Anderson and Henderson.

By unanimous consent, S.R. No. 215 was referred to the Committee on Education.

A resolution (S.R. No. 216), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO IMPLEMENT INDIVIDUALIZED EDUCATION", was jointly offered by Senators Saiki, Leopold, Henderson, Rohlfling, Anderson, George and Yee.

By unanimous consent, S.R. No. 216 was referred to the Committee on Education.

A resolution (S.R. No. 217), entitled: "SENATE RESOLUTION REQUESTING NEEDS ASSESSMENT AND RESPONSE TO CHANGING PUBLIC SCHOOL ENROLLMENT", was jointly offered by Senators Saiki, Leopold, Rohlfling, George, Yee, Anderson and Henderson.

By unanimous consent, S.R. No. 217 was referred to the Committee on Education.

A resolution (S.R. No. 218), entitled: "SENATE RESOLUTION RELATING TO THE MIDDLE SCHOOL CONCEPT AS AN ORGANIZATIONAL STRATEGY AFFECTING THE STRUCTURE OF THE DEPARTMENT OF EDUCATION", was jointly offered by Senators Saiki, Leopold, George, Yee, Henderson, Rohlfling and Anderson.

By unanimous consent, S.R. No. 218 was referred to the Committee on Education.

A resolution (S.R. No. 219), entitled: "SENATE RESOLUTION REQUESTING EXPANSION OF THE EARLY ADMISSIONS PROGRAM OF THE COMMUNITY COLLEGES", was jointly offered by Senators Saiki, Rohlfling, Leopold, George, Henderson, Yee and Anderson.

By unanimous consent, S.R. No. 219 was jointly referred to the Committees on Higher Education and Education.

A resolution (S.R. No. 220), entitled: "SENATE RESOLUTION REQUESTING A REPORT ON THE DEPARTMENT OF EDUCATION'S AFFIRMATIVE ACTION PROGRAM IN PURSUIT OF EQUAL OPPORTUNITY FOR WOMEN", was jointly offered by Senators Saiki, Leopold, George, Yee, Anderson, Henderson and Rohlfing.

By unanimous consent, S.R. No. 220 was referred to the Committee on Education.

#### 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 Friday, February 14, 1975:

#### Senate Bills

No. 797 "A Bill for an Act Making an Appropriation for Improvements to the Water Distribution System in Ewa Beach, Oahu."

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

No. 798 "A Bill for an Act Making an Appropriation for Improvements to the Water Main System in Aiea, Oahu."

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

No. 799 "A Bill for an Act Making a Supplementary Appropriation for Construction of Classroom Building at Kipapa Elementary School, Central District, Oahu."

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

No. 800 "A Bill for an Act Making an Appropriation for Improvements to the Water Supply Main in Pearl City, Oahu."

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

No. 801 "A Bill for an Act Making an Appropriation for Improvements to the Water Distribution System in Sunset Beach, North Shore, Oahu."

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

No. 802 "A Bill for an Act Relating to Prescription Drugs."

Introduced by: Senator Kuroda.

No. 803 "A Bill for an Act Making an Appropriation to Continue the Neighbor Island Touring Program of the Honolulu Theatre for Youth."

Introduced by: Senators Yamasaki, Takitani, Ching, Hulten, Hara, Leopold, Taira, Chong, F. Wong, Toyofuku, Henderson and King.

No. 804 "A Bill for an Act Making an Appropriation for Construction of a Baseball Field, Landscaping and Grassing on Recreational Campsite Near Koolau Range Conservation District, Waimanalo, Oahu."

Introduced by: Senators Hulten, O'Connor, Young, Rohlfing, Leopold, Henderson, Hara, Kuroda, Takitani, Taira, King, Yamasaki, Nishimura, Ushijima, F. Wong, Chong and Ching.

No. 805 "A Bill for an Act Making an Appropriation for Plans and Construction of Additional Playground Area and Security Fencing at Benjamin Parker School, Kaneohe, Oahu."

Introduced by: Senators Hulten, O'Connor, Young, Leopold, Rohlfing, Henderson, Ushijima, Kuroda, Taira, Chong, King, Takitani, Yamasaki, Nishimura, F. Wong, Ching and Hara.

No. 806 "A Bill for an Act Relating to Residential Leasehold Rent."

Introduced by: Senators Hulten, King, Kuroda, Takitani, Yamasaki, Nishimura, R. Wong, Ushijima, Taira, F. Wong, Chong, Ching, O'Connor, Rohlfing, Toyofuku and Henderson.

No. 807 "A Bill for an Act Relating to Salaries in the Judiciary Department, Amending Chapters 602, 603, and 601, Hawaii Revised Statutes."

Introduced by: Senators Nishimura, Taira, Toyofuku, Takitani, Ching and F. Wong.

No. 808 "A Bill for an Act Relating to Salaries in the Judicial Department, Amending Chapters 571 and 604, Hawaii Revised Statutes."

Introduced by: Senators Nishimura, Taira, Toyofuku, Takitani, Ching and F. Wong.

No. 809 "A Bill for an Act Relating to Disqualification From Nomination."

Introduced by: Senators Nishimura, Leopold, Taira, Takitani, Toyofuku, Ching, Saiki, Anderson, George, R. Wong and F. Wong.

No. 810 "A Bill for an Act Making an Appropriation for Additional Positions for the Facilities Management Staff of the Univerisity of Hawaii at Manoa."

Introduced by: Senators Chong, Takitani, King, Yim, Hulten, Yee and Leopold.

No. 811 "A Bill for an Act Department of Education Capital Improvement Projects in the Sixth Senatorial District."

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

No. 812 "A Bill for an Act Making an Appropriation for a Grant-In-Aid to the City and County of Honolulu for the Dike Road, Kailua, Oahu."

Introduced by: Senators George, Hulten and Anderson.

No. 813 "A Bill for an Act Making an Appropriation for a Grant-In-Aid for the Maile Beach Park Addition in Maile, Oahu."

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

No. 814 "A Bill for an Act Making an Appropriation for Site Development, Plans, Construction, and Equipment for Classroom Buildings and Related Facilities at the West Oahu College, Oahu."

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

No. 815 "A Bill for an Act Making an Appropriation for a Grant-In-Aid for Erosion and Flood Control at Waialua, Oahu."

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

No. 816 "A Bill for an Act Making an Appropriation for a Grant-In-Aid for Kapolei Park at Makakilo, Oahu."

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

No. 817 "A Bill for an Act Making an Appropriation for a Grant-In-Aid for Plans and Construction of the Pearl Ridge Community Park, Oahu."

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

No. 818 "A Bill for an Act Making an Appropriation for a Grant-In-Aid for Land Acquisition, Plans, and Development of the Waipahu Garden Park, Oahu."

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

No. 819 "A Bill for an Act Making an Appropriation for a Grant-In-Aid for Renovation of the Aiea Recreation Center Gymnasium at Aiea, Oahu."

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

#### STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 28), informing the Senate that Senate Concurrent Resolution No. 53, Senate Resolution Nos. 208 to 220, Senate Bill Nos. 696 to 796 and Standing Committee Report Nos. 29 to 31 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 Kuroda, for the Committee on Consumer Protection, presented a report (Stand. Com. Rep. No. 29), recommending that Senate Bill No. 88, as amended in S.D. 1, pass First Reading by title and be recommitted to the Committee on Consumer Protection.

On motion by Senator Kuroda, seconded by Senator R. Wong and carried, the report of the Committee was adopted and S.B. No. 88, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC REPAIR DEALERS", passed First Reading and was recommitted to the Committee on Consumer Protection.

Senator Kuroda, for the Committee on Consumer Protection, presented a report (Stand. Com. Rep. No. 30), recommending that Senate Bill No. 91, as amended in S.D. 1, pass First Reading by title and be recommitted to the Committee on Consumer Protection.

On motion by Senator Kuroda, seconded by Senator R. Wong and carried, the report of the Committee was adopted and S.B. No. 91, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AUTOMOTIVE REPAIR

DEALERS", passed First Reading and was recommitted to the Committee on Consumer Protection.

Senator Kuroda, for the Committee on Consumer Protection, presented a report (Stand. Com. Rep. No. 31), recommending that Senate Bill No. 94, as amended in S.D. 1, pass First Reading by title and be recommitted to the Committee on Consumer Protection.

On motion by Senator Kuroda, seconded by Senator R. Wong and carried, the report of the Committee was adopted and S.B. No. 94, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE MECHANICS", passed First Reading and was recommitted to the Committee on Consumer Protection.

#### ORDER OF THE DAY

##### REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Wednesday, February 12, 1975:

Senate Bills Referred to:

- |         |   |         |   |
|---------|---|---------|---|
| No. 696 | Committee on Judiciary, then to the Committee on Ways and Means   | No. 707 | Committee on Judiciary, then to the Committee on Ways and Means                           |
| No. 697 | Committee on Judiciary, then to the Committee on Ways and Means   | No. 708 | Committee on Intergovernmental Relations, then to the Committee on Ways and Means         |
| No. 698 | Committee on Health, then to the Committee on Judiciary   | No. 709 | Committee on Energy, then to the Committee on Ways and Means                              |
| No. 699 | Committee on Health, then to the Committee on Human Resources, then to the Committee on Ways and Means              | No. 710 | Committee on Judiciary  |
| No. 700 | Committee on Economic Development, then to the Committee on Transportation, then to the Committee on Ways and Means | No. 711 | Committee on Health, then to the Committee on Judiciary                                   |
| No. 701 | Committee on Consumer Protection, then to the Committee on Judiciary  | No. 712 | Committee on Judiciary  |
| No. 702 | Committee on Judiciary, then to the Committee on Ways and Means   | No. 713 | Committee on Human Resources, then to the Committee on Ways and Means                     |
| No. 703 | Committee on Judiciary  | No. 714 | Committee on Housing and Hawaiian Homes, then to the Committee on Judiciary               |
| No. 704 | Committee on Judiciary  | No. 715 | Committee on Intergovernmental Relations, then to the Committee on Ways and Means         |
| No. 705 | Committee on Judiciary  | No. 716 | Committee on Judiciary  |
| No. 706 | Committee on Public Utilities, then to the Committee on Ways and Means  | No. 717 | Committee on Intergovernmental Relations, then to the Committee on Ways and Means         |
|         |   | No. 718 | Committee on Education, then to the Committee on Ways and Means                           |
|         |   | No. 719 | Committee on Economic Development, then to the Committee on Ways and Means                |
|         |   | No. 720 | Committee on Economic Development, then to the Committee on Ways and Means                |
|         |   | No. 721 | Committee on Economic Development, then to the Committee on Ways and Means                |
|         |   | No. 722 | Committee on Education, then to the Committee on Ways and Means                           |
|         |   | No. 723 | Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means |
|         |   | No. 724 | Committee on Economic Development, then to the Committee on Ways and Means                |
|         |   | No. 725 | Committee on Economic Development, then to the Committee on Ways and Means                |
|         |   | No. 726 | Committee on Education,   |

- then to the Committee on Ways and Means
- No. 727 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 728 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 729 Committee on Health, then to the Committee on Ways and Means
- No. 730 Committee on Education, then to the Committee on Ways and Means
- No. 731 Committee on Education, then to the Committee on Ways and Means
- No. 732 Committee on Education, then to the Committee on Ways and Means
- No. 733 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 734 Committee on Education, then to the Committee on Ways and Means
- No. 735 Committee on Education, then to the Committee on Ways and Means
- No. 736 Committee on Education, then to the Committee on Ways and Means
- No. 737 Committee on Transportation, then to the Committee on Ways and Means
- No. 738 Committee on Health, then to the Committee on Ways and Means
- No. 739 Committee on Education, then to the Committee on Ways and Means
- No. 740 Committee on Transportation, then to the Committee on Ways and Means
- No. 741 Committee on Economic Development, then to the Committee on Ways and Means
- No. 742 Committee on Transportation, then to the Committee on Ways and Means
- No. 743 Committee on Transportation,
- then to the Committee on Ways and Means
- No. 744 Committee on Education, then to the Committee on Ways and Means
- No. 745 Committee on Education, then to the Committee on Ways and Means
- No. 746 Committee on Education, then to the Committee on Ways and Means
- No. 747 Committee on Education, then to the Committee on Ways and Means
- No. 748 Committee on Ways and Means
- No. 749 Committee on Education, then to the Committee on Ways and Means
- No. 750 Committee on Transportation, then to the Committee on Ways and Means
- No. 751 Committee on Transportation, then to the Committee on Ways and Means
- No. 752 Committee on Military and Civil Defense, then to the Committee on Ways and Means
- No. 753 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 754 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 755 Committee on Military and Civil Defense, then to the Committee on Ways and Means
- No. 756 Committee on Education, then to the Committee on Ways and Means
- No. 757 Committee on Education, then to the Committee on Ways and Means
- No. 758 Committee on Transportation, then to the Committee on Ways and Means
- No. 759 Committee on Economic Development, then to the Committee on Ways and Means
- No. 760 Committee on Transportation, then to the Committee on Ways and Means

- No. 761 Committee on Education, then to the Committee on Ways and Means and Hawaiian Homes, then to the Committee on Ways and Means
- No. 762 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 763 Committee on Education, then to the Committee on Ways and Means
- No. 764 Committee on Transportation, then to the Committee on Ways and Means
- No. 765 Committee on Education, then to the Committee on Ways and Means
- No. 766 Committee on Transportation, then to the Committee on Ways and Means
- No. 767 Committee on Transportation, then to the Committee on Ways and Means
- No. 768 Committee on Higher Education, then to the Committee on Ways and Means
- No. 769 Committee on Education, then to the Committee on Ways and Means
- No. 770 Committee on Health, then to the Committee on Ways and Means
- No. 771 Committee on Human Resources, then to the Committee on Ways and Means
- No. 772 Committee on Economic Development, then to the Committee on Ways and Means
- No. 773 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
- No. 774 Committee on Transportation, then to the Committee on Ways and Means
- No. 775 Committee on Health, then to the Committee on Ways and Means
- No. 776 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 777 Committee on Education, then to the Committee on Ways and Means
- No. 778 Committee on Transportation, then to the Committee on Ways and Means
- No. 779 Committee on Housing
- No. 780 Committee on Judiciary
- No. 781 Committee on Ecology, Environment and Recreation, then to the Committee on Economic Development
- No. 782 Committee on Health, then to the Committee on Judiciary
- No. 783 Committee on Education, then to the Committee on Ways and Means
- No. 784 Committee on Education, then to the Committee on Ways and Means
- No. 785 Committee on Education, then to the Committee on Ways and Means
- No. 786 Committee on Education, then to the Committee on Judiciary
- No. 787 Committee on Education, then to the Committee on Ways and Means
- No. 788 Committee on Government Operations and Efficiency, then to the Committee on Judiciary
- No. 789 Committee on Education, then to the Committee on Judiciary
- No. 790 Committee on Education, then to the Committee on Judiciary
- No. 791 Committee on Transportation, then to the Committee on Ways and Means
- No. 792 Committee on Transportation, then to the Committee on Ways and Means
- No. 793 Committee on Ecology, Environment and Recreation, then to the Committee on Health, then to the Committee on Ways and Means
- No. 794 Committee on Health, then to the Committee on Ways and Means
- No. 795 Committee on Health, then to the Committee on Ways and Means
- No. 796 Committee on Transportation, then to the Committee on Ways and Means

## ADJOURNMENT

At 11:43 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., Friday, February 14, 1975.