

TWENTY-THIRD DAY

Friday, February 14, 1975

The Senate of the Seventh 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 Reverend John Halloran of St. Anthony's Church, Kailua, after which the Roll was called showing all Senators present.

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

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 48), transmitting a supplemental Executive Budget and Financial Plan for biennium 1975-1977, was read by the Clerk and was referred to the Committee on Ways and Means.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 21 and 22) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 21), transmitting House Concurrent Resolution No. 23, H.D. 1, which was adopted by the House of Representatives on February 13, 1975, was placed on file.

By unanimous consent, H.C.R. No. 23, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES TO EXEMPT THE STATE OF HAWAII FROM THE TARIFF TO BE IMPOSED ON FOREIGN CRUDE OIL", was referred to the Committee on Energy/Natural Resources.

A communication from the House (Hse. Com. No. 22), transmitting House Bill No. 94 which passed Third Reading in the House of Representatives on February 13, 1975, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 94, entitled: "A BILL FOR AN ACT RELATING TO COUNTY BOARDS OF WATER SUPPLY", passed First Reading by title and was referred to the Committee on Intergovernmental Relations, then to the Committee on Economic Development.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 54), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII BAR ASSOCIATION TO STUDY THE MATTER OF SPONSORING A PREPAID LEGAL SERVICES PROGRAM IN HAWAII", was jointly offered by Senators Ushijima, Hara, Chong, Kuroda, Leopold, Nishimura, Toyofuku, Takitani, Ching, Hulten, Young, F. Wong, Yamasaki and Yee and was read by the Clerk.

By unanimous consent, S.C.R. No. 54 was referred to the Committee on Judiciary.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 221 to 231) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 221), entitled: "SENATE RESOLUTION HONORING OAHU'S 1975 'HEART OF THE YEAR', HERMAN WEDEMEYER", was jointly offered by Senators Saiki, Rohlfing, Nishimura, O'Connor, Takitani, Chong, Taira, George, Toyofuku, Yee, Leopold, Kawasaki, Anderson, Yim and Henderson.

On motion by Senator Saiki, seconded by Senator Taira and carried, S.R. No. 221 was adopted.

Senator Saiki then introduced to the members of the Senate Mr. Herman Wedemeyer, the honoree of the resolution. The President presented Mr. Wedemeyer with the resolution just adopted and Mr. Wedemeyer addressed the Senate, expressing his thanks and appreciation for the thoughtful gesture.

A resolution (S.R. No. 222), entitled: "SENATE RESOLUTION OBSERVING 'HEART MONTH' AND URGING PUBLIC SUPPORT FOR THE HAWAII HEART ASSOCIATION", was jointly offered by Senators Saiki, Rohlfing, Nishimura, O'Connor, Takitani, Chong, Henderson, Yim, Anderson, Taira, George, Toyofuku, Yee, Leopold and Kawasaki.

On motion by Senator Saiki, seconded by Senator Taira and carried, S.R. No. 222 was adopted.

A resolution (S.R. No. 223), entitled: "SENATE RESOLUTION EXPRESSING APPRECIATION TO HONORABLE WILLIAM G. AMONG FOR SERVING THE PEOPLE IN THE

STATE OF HAWAII FOR THE PAST 38 YEARS, INCLUDING FOUR AS CHAIRMAN OF THE HAWAIIAN HOMES COMMISSION AND DIRECTOR OF HAWAIIAN HOME LANDS", was jointly offered by Senators Young, Toyofuku, Yamasaki, Takitani, Chong, Anderson, Kuroda, Yim, Rohlfing, Hulten, Nishimura, Henderson, Saiki, F. Wong, R. Wong, Leopold, King, Ching, George, Kawasaki, Yee, Taira, O'Connor and Hara.

On motion by Senator Young, seconded by Senator F. Wong and carried, S.R. No. 223 was adopted.

A resolution (S.R. No. 224), entitled: "SENATE RESOLUTION EXPRESSING APPRECIATION TO MRS. SUE B. MATTSON FOR SERVING THE PEOPLE IN THE STATE OF HAWAII FOR THE PAST 30 YEARS AS INFORMATION SPECIALIST AND PUBLIC RELATIONS OFFICER", was jointly offered by Senators Young, Toyofuku, George, Kawasaki, Anderson, Kuroda, Yim, Yamasaki, Nishimura, Takitani, King, Hara, O'Connor, Rohlfing, F. Wong, Taira, Ching, Yee, Chong, Leopold, Henderson, R. Wong, Saiki and Hulten.

On motion by Senator Young, seconded by Senator F. Wong and carried, S.R. No. 224 was adopted.

A resolution (S.R. No. 225), entitled: "SENATE RESOLUTION REQUESTING CONGRESS AND THE PRESIDENT TO ESTABLISH A NATIONAL NETWORK OF YOUTH ADVISORY BOARDS", was jointly offered by Senators Ushijima, Hara, Henderson, Chong, Kuroda, Leopold, F. Wong, Nishimura, Yamasaki, Anderson, Yee, Toyofuku, Takitani, Ching, Hulten, Young and Kawasaki.

By unanimous consent, S.R. No. 225 was referred to the Committee on Judiciary.

A resolution (S.R. No. 226), entitled: "SENATE RESOLUTION REQUESTING THE KOHALA TASK FORCE AND SUPPORTING AGENCIES TO SUBMIT AN OVERALL PROGRAM DESIGN WHICH REVEALS THE TOTAL SCOPE AND FUTURE DIRECTION OF NORTH KOHALA PROGRAMS AND PROJECTS", was jointly offered by Senators F. Wong, Leopold, Takitani, Young, Rohlfing, Kawasaki, O'Connor, George, Ching, Saiki, Taira, Toyofuku, Ushijima, Hara, R. Wong, Yim, Chong and King.

By unanimous consent, consideration of S.R. No. 226 was deferred until Tuesday, February 18, 1975.

A resolution (S.R. No. 227), entitled: "SENATE RESOLUTION REQUESTING A MEDICAL INVESTIGATION OF THE HEALTH CONDITIONS IN OUR STATE PRISONS", was jointly offered by Senators Leopold, Saiki, George, Rohlfing, Yee, Henderson, Anderson, R. Wong, Kuroda, Young, Chong and Yim.

By unanimous consent, S.R. No. 227 was referred jointly to the Committee on Judiciary and the Committee on Health.

A resolution (S.R. No. 228), entitled: "SENATE RESOLUTION REQUESTING THE GOVERNOR TO PROVIDE FOR ADEQUATE REPRESENTATION TO THE STATE FOUNDATION OF CULTURE AND THE ARTS FROM THE COUNTY OF HAWAII", was jointly offered by Senators Ushijima, Hara and Henderson.

By unanimous consent, S.R. No. 228 was referred to the Committee on Ecology, Environment and Recreation.

A resolution (S.R. No. 229), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO EXPAND SPECIAL EDUCATION PROGRAM TO INCLUDE ALL HYPERACTIVE CHILDREN", was jointly offered by Senators Yee, Anderson, Ching, George, Henderson, Hulten, Kawasaki, Kuroda, Leopold, Rohlfing, Saiki, Taira, Toyofuku, F. Wong, R. Wong and Young.

By unanimous consent, S.R. No. 229 was referred to the Committee on Education.

A resolution (S.R. No. 230), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS AND BEST WISHES TO MCKINLEY HIGH SCHOOL AND TO DEBORAH KODAMA, 'MISS MCKINLEY' ", was jointly offered by Senators Yee, Anderson, Ching, George, Henderson, Hulten, Kawasaki, Kuroda, Leopold, Rohlfing, Saiki, Taira, Toyofuku, F. Wong, R. Wong and Young.

On motion by Senator Yee, seconded by Senator Taira and carried, S.R. No. 230 was adopted.

At this time, Senator Yee introduced to the members of the Senate Miss Deborah Kodama, "Miss McKinley" and her royal court as follows: Miss Jeri Koseki, Miss Joan Draper, Miss Iris Teruya and Miss Rosalinda Guarin; Miss Kodama's Mother, Mrs. Michiko Kodama; Miss Gayle Sykes, a teacher at McKinley High

School and Mr. Greg Gaspar, the student queen adviser.

Further introductions were made to the members of the Senate as follows:

Senator Yee introduced 100 students from the Third Grade and 60 students from the Fifth Grade at Kaahumanu School with their teachers, Mrs. Beryl Thom, Mrs. Sue Sasano, Miss Charlotte Isagawa, Mrs. Mitsuru Tshako, Miss Brenda Chang, Mrs. Cynthia Ching and Mrs. Frances Onaga and a parent, Mrs. Mascarenas.

Senator Rohlfling introduced Mrs. Harry Tear, Chairperson of the Junior League Transfer Committee, and a group of women who are new residents of the State of Hawaii.

A resolution (S.R. No. 231), entitled: "SENATE RESOLUTION COMMENDING THE UNIVERSITY OF HAWAII SCHOOL OF MEDICINE", was jointly offered by Senators Ching, Nishimura, Kawasaki, Takitani, Ushijima, Toyofuku, Saiki, George, Chong, O'Connor, Hara, Taira, Yamasaki, F. Wong, Yee and Hulten.

On motion by Senator Ching, seconded by Senator Nishimura and carried, S.R. No. 231 was adopted on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Yim and R. Wong).

At 11:45 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:50 o'clock a.m.

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, February 18, 1975:

Senate Bills

No. 820 "A Bill for an Act Relating to Service Retirement."

Introduced by: Senators Ushijima, Hara, Henderson, F. Wong, Kuroda, Leopold, Nishimura, Toyofuku, Takitani, Ching, Hulten, Young, Chong, Yamasaki, Yee and Kawasaki.

No. 821 "A Bill for an Act Relating

to Safety Inspection of Elevators, Escalators, and Other Similar Mechanical Movable Devices."

Introduced by: Senators O'Connor, Takitani, F. Wong, King, Toyofuku, Taira, Hulten, Chong, R. Wong, Rohlfling, Yim, George, Henderson, Leopold and Ushijima.

No. 822 "A Bill for an Act Relating to Campus Supervisors for Secondary Schools."

Introduced by: Senators Kuroda, Yim, Saiki, Hara, R. Wong, Hulten, Ching, Chong, Kawasaki, Leopold, F. Wong, Taira, George, Toyofuku, King and Takitani.

No. 823 "A Bill for an Act Making an Appropriation for Improvements to the Water Distribution System in Waialua, Oahu."

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

No. 824 "A Bill for an Act Making an Appropriation for Improvements to the Water Distribution System in Waianae, Oahu."

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

No. 825 "A Bill for an Act Making an Appropriation for Support Personnel Positions at Pohukaina School."

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

No. 826 "A Bill for an Act Relating to Beverage Containers."

Introduced by: Senators King, F. Wong, Takitani, Young, Ching, Leopold and Chong.

No. 827 "A Bill for an Act Relating to an Annual Report on the State of the Environment."

Introduced by: Senators King, Taira, Ching, F. Wong, Chong, Yim, Yee, Takitani, Young, R. Wong and Leopold.

No. 828 "A Bill for an Act Relating to Government Mineral Rights."

Introduced by: Senators King, Ching, R. Wong, Takitani, Leopold, Chong and Kawasaki.

No. 829 "A Bill for an Act Relating to the Height of Buildings."

Introduced by: Senators King,

- Takitani, R. Wong and Chong.
- No. 830 "A Bill for an Act Relating to Criminal Littering."
- Introduced by: Senators King, F. Wong, Kawasaki, Takitani, Ching, R. Wong, Leopold and Chong.
- No. 831 "A Bill for an Act Relating to the Election Campaign Contributions and Expenditures Law."
- Introduced by: Senators King, F. Wong, Takitani, Young, R. Wong, Leopold and Chong.
- No. 832 "A Bill for an Act Relating to a State Land Bank."
- Introduced by: Senators Hulten, Ching, F. Wong, Takitani, R. Wong, Kuroda, King, Young, Taira, Yim, Nishimura, Toyofuku, Chong, Kawasaki, Yamasaki, Ushijima, O'Connor, Henderson and Rohlfing.
- No. 833 "A Bill for an Act Proposing an Amendment to Article XV, Section 2 of the Constitution of the State of Hawaii Relating to the Qualifications of Delegates to Constitutional Conventions."
- Introduced by: Senators George, Anderson, Henderson, Rohlfing, Yee, Leopold, Toyofuku, Takitani, F. Wong and Chong.
- No. 834 "A Bill for an Act Proposing an Amendment to Article VI, Section 1, of the Hawaii Constitution, to Allow for Conformity of the State Tax to the Federal Tax Laws."
- Introduced by: Senators Henderson, George, Saiki, Rohlfing, Leopold, Yee and Anderson.
- No. 835 "A Bill for an Act Relating to Income Taxation."
- Introduced by: Senators Henderson, Anderson, Leopold, Saiki, Rohlfing, Yee and George.
- No. 836 "A Bill for an Act Making an Appropriation for Construction of Improvements for the South Kona Water System, Kona, Hawaii."
- Introduced by: Senators Henderson, Ushijima and Hara.
- No. 837 "A Bill for an Act Making an Appropriation for Capital Improvements on the Hawaii Belt Highway at Honomu, Hawaii."
- Introduced by: Senators Henderson, Ushijima and Hara.
- No. 838 "A Bill for an Act Making an Appropriation for Capital Improvements on the Hawaii Belt Highway at Laupahoehoe, Hawaii."
- Introduced by: Senators Henderson, Ushijima and Hara.
- No. 839 "A Bill for an Act Making an Appropriation for a Grant-In-Aid to the Department of Water Supply, County of Hawaii for the Kulaimano Water System, Kulaimano, Hawaii."
- Introduced by: Senators Henderson, Ushijima and Hara.
- No. 840 "A Bill for an Act Relating to Notice Requirements for Proposed District Boundary Changes."
- Introduced by: Senators Anderson, Saiki, Yee, Henderson and George.
- No. 841 "A Bill for an Act Relating to the Land Use Commission."
- Introduced by: Senators Anderson, Saiki, Yee, Henderson, George and Leopold.
- No. 842 "A Bill for an Act Making an Appropriation for a Comprehensive Policy Plan for the State of Hawaii."
- Introduced by: Senators Anderson, Saiki, Rohlfing, Leopold, George, Henderson and Yee.
- No. 843 "A Bill for an Act Relating to Land Use Commission."
- Introduced by: Senators Anderson, George, Henderson, Leopold, Saiki and Yee.
- No. 844 "A Bill for an Act Relating to Land Use Commission."
- Introduced by: Senators Anderson, Saiki, Yee, Henderson, George and Leopold.
- No. 845 "A Bill for an Act Relating to the Use Tax Law."
- Introduced by: Senator Ushijima, by request.
- No. 846 "A Bill for an Act Relating to Annual Salary Increment and Longevity Pay Increases and Amending Chapter 89, Hawaii Revised Statutes."
- Introduced by: Senator Ushijima,

- by request.
- No. 847 "A Bill for an Act Relating to Collective Bargaining in the Public Sector and Amending Chapter 89, Hawaii Revised Statutes."
- Introduced by: Senator Ushijima, by request.
- No. 848 "A Bill for an Act Relating to Collective Bargaining in the Public Sector and Amending Chapter 89, Hawaii Revised Statutes."
- Introduced by: Senator Ushijima, by request.
- No. 849 "A Bill for an Act Relating to Public Officers and Employees."
- Introduced by: Senator Ushijima, by request.
- No. 850 "A Bill for an Act Relating to Civil Service and Exemptions."
- Introduced by: Senator Ushijima, by request.
- No. 851 "A Bill for an Act Relating to the Personnel System of the Judicial Branch."
- Introduced by: Senator Ushijima.
- No. 852 "A Bill for an Act Relating to Compensation of Public Employees and Amending Chapter 77, Hawaii Revised Statutes."
- Introduced by: Senator Ushijima, by request.
- No. 853 "A Bill for an Act Relating to Retirement System for Public Officers and Employees."
- Introduced by: Senator Ushijima, by request.
- No. 854 "A Bill for an Act Relating to Purchasing Credits for Military Service under the Employees' Retirement System."
- Introduced by: Senator Ushijima, by request.
- No. 855 "A Bill for an Act Relating to Public Employment."
- Introduced by: Senator Ushijima, by request.
- No. 856 "A Bill for an Act Relating to Civil Service and Exemptions and Amending Chapter 76, Hawaii Revised Statutes."
- Introduced by: Senator Ushijima,
- by request.
- No. 857 "A Bill for an Act Relating to Leaves of Absences of Public Officers and Employees."
- Introduced by: Senator Ushijima, by request.
- No. 858 "A Bill for an Act Relating to Deferred Compensation Plans."
- Introduced by: Senator Ushijima, by request.
- No. 859 "A Bill for an Act Relating to the Class Structure of the Classification Plan and Amending Chapter 76, Hawaii Revised Statutes."
- Introduced by: Senator Ushijima, by request.
- No. 860 "A Bill for an Act Relating to Leaves for Officers or Employees on Loan to Other Governments."
- Introduced by: Senator Ushijima, by request.
- No. 861 "A Bill for an Act Relating to the Compensation Rate for Overtime for Public Officers and Employees."
- Introduced by: Senator Ushijima, by request.
- No. 862 "A Bill for an Act Relating to Retirement Benefits of Public Officers and Employees."
- Introduced by: Senator Ushijima, by request.
- No. 863 "A Bill for an Act Relating to Collective Bargaining in the Public Sector and Amending Chapter 89, Hawaii Revised Statutes."
- Introduced by: Senator Ushijima, by request.
- No. 864 "A Bill for an Act Relating to Transportation Control."
- Introduced by: Senators O'Connor, Nishimura, Toyofuku, Rohlfling, Taira, R. Wong, Takitani, Yamasaki and Hulten.
- No. 865 "A Bill for an Act Relating to a Mass Transit Authority."
- Introduced by: Senators O'Connor, R. Wong, Takitani, Yamasaki, Hulten, Kawasaki, Taira, Toyofuku and Rohlfling.
- No. 866 "A Bill for an Act Relating to Secondary School Students Conference."

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

STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 32), informing the Senate that Senate Concurrent Resolution No. 54, Senate Resolution Nos. 221 to 228 and Senate Bill Nos. 797 to 819 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.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Thursday, February 13, 1975:

Senate Bills Referred to:

- No. 797 Committee on Economic Development, then to the Committee on Ways and Means
- No. 798 Committee on Economic Development, then to the Committee on Ways and Means
- No. 799 Committee on Education, then to the Committee on Ways and Means
- No. 800 Committee on Economic Development, then to the Committee on Ways and Means
- No. 801 Committee on Economic Development, then to the Committee on Ways and Means
- No. 802 Committee on Consumer Protection, then to the Committee on Health, then to the Committee on Judiciary
- No. 803 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 804 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means

No. 805 Committee on Education, then to the Committee on Ways and Means

No. 806 Committee on Housing and Hawaiian Homes, then to the Committee on Judiciary

No. 807 Committee on Judiciary, then to the Committee on Ways and Means

No. 808 Committee on Judiciary, then to the Committee on Ways and Means

No. 809 Committee on Judiciary

No. 810 Committee on Higher Education, then to the Committee on Ways and Means

No. 811 Committee on Education, then to the Committee on Ways and Means

No. 812 Committee on Transportation, then to the Committee on Ways and Means

No. 813 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means

No. 814 Committee on Higher Education, then to the Committee on Ways and Means

No. 815 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means

No. 816 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means

No. 817 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means

No. 818 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means

No. 819 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means

RE-REFERRAL OF SENATE BILLS

The President made the following re-referral of bills that were introduced on Wednesday, February 12, 1975:

Senate Bills Referred to:
No. 702 Committee on Consumer
 Protection, then to the Committee
 on Judiciary, then to the Committee
 on Ways and Means

No. 709 Jointly to the Committee
 on Energy/Natural Resources
 and the Committee on Transportation,
 then to the Committee on Ways
 and Means

At this time, Senator Saiki introduced
to the members of the Senate two

members of the Honolulu Symphony
who will perform short musical
selections following the adjournment
of the Senate this morning. Mr.
Aaron Thein will play the clarinet
and Mr. Kirkland Ferris, the
bassoon.

ADJOURNMENT

At 11:50 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, February 18, 1975.