

## TWENTY-FIFTH DAY

Wednesday, February 19, 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 Reverend Tatsuo Muneto of the Honpa Hongwanji Buddhist Temple, after which the Roll was called showing all Senators present.

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

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

Senator Ching introduced 52 students from the Law and Justice Awareness Program at Ilima Intermediate School, with their teacher, Mr. Tanji and led by Officer Mitchell Chang.

Senator Kuroda introduced thirty students from the fifth grade at Mililani-Waena School, with their teacher, Mrs. Hatada.

Senator Young then introduced a group of children from the fifth grade at Mililani-Waena School with their teachers, Miss Janet Ihahori, Mrs. Joan Sasaki and Mrs. Ann Ladao.

Senator Yee introduced 48 fourth grade students from Kaahumanu School, accompanied by their teachers, Mrs. Elaine Kau and Mrs. Amy Jackson, and also, Mr. Henry Espersen and seven senior citizens from the Arcadia.

## SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 58 to 63) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 58), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DISPENSING OF MEDICAL DRUGS TO THE ELDERLY AT COST", was jointly offered by Senators Kawasaki, Ching, Taira, Toyofuku, Takitani, Young, F. Wong, Leopold, O'Connor, Chong, George and Yee.

By unanimous consent, S.C.R. No. 58 was referred to the Committee on Health.

A concurrent resolution (S.C.R.

No. 59), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO DESTRUCTION OF NATIVE ECOSYSTEMS", was jointly offered by Senators King, Young, Chong, Takitani, O'Connor, Hulten, Kawasaki and George.

By unanimous consent, S.C.R. No. 59 was referred to the Committee on Ecology, Environment and Recreation.

A concurrent resolution (S.C.R. No. 60), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO PURCHASING OF PAPER BY THE STATE", was jointly offered by Senators King, Young, Chong, Takitani, O'Connor, Hulten, Kawasaki and George.

By unanimous consent, S.C.R. No. 60 was referred to the Committee on Ways and Means.

A concurrent resolution (S.C.R. No. 61), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO LIMITING THE NUMBER OF CARS IN HAWAII", was jointly offered by Senators King, Young, Chong, Takitani, O'Connor, Hulten, Kawasaki and George.

By unanimous consent, S.C.R. No. 61 was referred to the Committee on Transportation.

A concurrent resolution (S.C.R. No. 62), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF POSSIBLE HARMFUL RADIATION EFFECTS FROM BROADCAST TOWERS", was jointly offered by Senators King, Young, Chong, Takitani, O'Connor, Hulten, Kawasaki and George.

By unanimous consent, S.C.R. No. 62 was referred jointly to the Committee on Health and the Committee on Ecology, Environment and Recreation.

A concurrent resolution (S.C.R. No. 63), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO PROTECTION OF HAWAII'S NATIVE ECOSYSTEM ON MAUNA KEA, ISLAND OF HAWAII", was jointly offered by Senators King, Chong, Takitani, O'Connor, Hulten, Kawasaki and George.

By unanimous consent, S.C.R. No. 63 was referred to the Committee on Ecology, Environment and Recreation.

## SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 237 to 249) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 237), entitled: "SENATE RESOLUTION REQUESTING LEGISLATIVE DECLARATION OF APRIL 17TH AS 'FOOD DAY'", was jointly offered by Senators Leopold, Henderson, Rohlfling, Saiki, Anderson, Yee, George and Kuroda.

By unanimous consent, S.R. No. 237 was referred to the Committee on Consumer Protection.

A resolution (S.R. No. 238), entitled: "SENATE 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, Chong, George, Anderson, Leopold, Hara, Takitani, Yamasaki, Hulten, O'Connor, Young, King, Ching and Saiki.

By unanimous consent, S.R. No. 238 was referred to the Committee on Judiciary.

A resolution (S.R. No. 239), entitled: "SENATE RESOLUTION REQUESTING THE DISPENSING OF MEDICAL DRUGS TO THE ELDERLY AT COST", was jointly offered by Senators Kawasaki, Ching, Taira, Takitani, Young, F. Wong, Toyofuku, Leopold, O'Connor, Chong, George and Yee.

By unanimous consent, S.R. No. 239 was referred to the Committee on Health.

A resolution (S.R. No. 240), entitled: "SENATE RESOLUTION RELATING TO DESTRUCTION OF NATIVE ECOSYSTEMS", was jointly offered by Senators King, Young, Chong, Takitani, O'Connor, Hulten, Kawasaki and George.

By unanimous consent, S.R. No. 240 was referred to the Committee on Ecology, Environment and Recreation.

A resolution (S.R. No. 241), entitled: "SENATE RESOLUTION RELATING TO PURCHASING OF PAPER BY THE STATE", was jointly offered by Senators King, Young, Chong, Takitani, O'Connor, Hulten, Kawasaki and George.

By unanimous consent, S.R. No. 241 was referred to the Committee

on Ways and Means.

A resolution (S.R. No. 242), entitled: "SENATE RESOLUTION RELATING TO LIMITING THE NUMBER OF CARS IN HAWAII", was jointly offered by Senators King, Young, Chong, Takitani, O'Connor, Hulten, Kawasaki and George.

By unanimous consent, S.R. No. 242 was referred to the Committee on Transportation.

A resolution (S.R. No. 243), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF POSSIBLE HARMFUL RADIATION EFFECTS FROM BROADCAST TOWERS", was jointly offered by Senators King, Young, Chong, Takitani, O'Connor, Hulten, Kawasaki and George.

By unanimous consent, S.R. No. 243 was referred jointly to the Committee on Health and the Committee on Ecology, Environment and Recreation.

A resolution (S.R. No. 244), entitled: "SENATE RESOLUTION RELATING TO PROTECTION OF HAWAII'S NATIVE ECOSYSTEM ON MAUNA KEA, ISLAND OF HAWAII", was jointly offered by Senators King, Chong, Takitani, O'Connor, Hulten, Kawasaki and George.

By unanimous consent, S.R. No. 244 was referred to the Committee on Ecology, Environment and Recreation.

A resolution (S.R. No. 245), entitled: "SENATE RESOLUTION CONGRATULATING MRS. JANE S. OTOMO, HAWAII COUNTY'S 1975 TEACHER OF THE YEAR", was jointly offered by Senators Hara, Anderson, Toyofuku, Takitani, Hulten, F. Wong, Ching, Chong, Kawasaki, Leopold, R. Wong, Yim, Yee, Yamasaki, Rohlfling, George, O'Connor, Young, King, Henderson and Saiki.

On motion by Senator Henderson, seconded by Senator Taira and carried, S.R. No. 245 was adopted.

A resolution (S.R. No. 246), entitled: "SENATE RESOLUTION IN RECOGNITION OF DISTRICT TEACHERS OF THE YEAR", was jointly offered by Senators Saiki, George, Chong, Yee, Leopold, Taira, Kawasaki, Rohlfling, Henderson, Anderson, Ching, F. Wong, Takitani, Hulten, Young, King, Nishimura, Kuroda, Yim, Toyofuku, Ushijima, Yamasaki, Hara, O'Connor and R. Wong.

On motion by Senator Saiki, seconded by Senator George and carried,

S.R. No. 246 was adopted.

A resolution (S.R. No. 247), entitled: "SENATE RESOLUTION CONGRATULATING RAYMOND A. BARTOLOME, PRESIDENT OF THE FILIPINO CHAMBER OF COMMERCE", was jointly offered by Senators Rohlfing, Leopold, Henderson, George, Saiki, Anderson, Yee, Toyofuku, Yim, Kawasaki, Takitani, O'Connor, Hara, Kuroda, Ching, Hulten, Taira, Yamasaki, Chong, R. Wong, Young, F. Wong and King.

On motion by Senator Rohlfing, seconded by Senator Yee and carried, S.R. No. 247 was adopted.

A resolution (S.R. No. 248), entitled: "SENATE RESOLUTION REQUESTING LIMITATION ON THE ISSUANCE OF GENERAL OBLIGATION BONDS", was jointly offered by Senators Henderson, Leopold, Saiki, George, Yee, Anderson and Rohlfing.

By unanimous consent, S.R. No. 248 was referred to the Committee on Ways and Means.

A resolution (S.R. No. 249), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO CONSIDER ALL INFLUENCING FACTORS IN DETERMINING THE VALUE OF LAND", was jointly offered by Senators Henderson, Yee, George, Leopold and Rohlfing.

By unanimous consent, S.R. No. 249 was referred to the Committee on Ways and Means.

#### 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 Thursday, February 20, 1975:

#### Senate Bills

No. 941 "A Bill for an Act to Amend Chapter 249, Relating to Bicycles by Repealing Sections 249-14, 249-14.5, 249-14.6, 249-15, 249-16, 249-17 and 249-17.5 and by Adding a New Section Relating Thereto."

Introduced by: Senator Hulten, by request.

No. 942 "A Bill for an Act to Amend Chapter 237, Relating to General Excise Tax Law."

Introduced by: Senator Hulten, by request.

No. 943 "A Bill for an Act to Amend Chapter 237, Hawaii Revised Statutes, Relating to General Excise Tax Law."

Introduced by: Senator Hulten, by request.

No. 944 "A Bill for an Act to Amend Chapter 46 of the Hawaii Revised Statutes Relating to General Provisions Affecting all Counties."

Introduced by: Senator Hulten, by request.

No. 945 "A Bill for an Act to Amend Chapter 239, Relating to Public Service Tax Law."

Introduced by: Senator Hulten, by request.

No. 946 "A Bill for an Act Relating to Exempting a Government Service Company."

Introduced by: Senator Hulten, by request.

No. 947 "A Bill for an Act to Amend Chapter 205A, Hawaii Revised Statutes, Relating to Coastal Zone Management."

Introduced by: Senator Hulten, by request.

No. 948 "A Bill for an Act to Amend Chapter 205, HRS, Relating to Land Use Commission."

Introduced by: Senator Hulten, by request.

No. 949 "A Bill for an Act Relating to Transferring Real Property Taxation to the Several Counties."

Introduced by: Senator Hulten, by request.

No. 950 "A Bill for an Act Relating to Bicycles."

Introduced by: Senator Hulten, by request.

No. 951 "A Bill for an Act to Amend Chapter 265, Hawaii Revised Statutes, Relating to County Highways, Sidewalks, Wharves."

Introduced by: Senator Hulten, by request.

No. 952 "A Bill for an Act to Amend

- Chapter 101, Hawaii Revised Statutes, Relating to Eminent Domain."
- Introduced by: Senator Hulten, by request.
- No. 953 "A Bill for an Act to Amend Chapter 27, Hawaii Revised Statutes, Relating to State Functions and Responsibilities."
- Introduced by: Senator Hulten, by request.
- No. 954 "A Bill for an Act to Amend Chapter 264, HRS, Relating to Highways."
- Introduced by: Senator Hulten, by request.
- No. 955 "A Bill for an Act Relating to the Planning of Surface Transportation."
- Introduced by: Senator Hulten, by request.
- No. 956 "A Bill for an Act to Amend Chapter 205, Hawaii Revised Statutes, Relating to Land Use Commission."
- Introduced by: Senator Hulten, by request.
- No. 957 "A Bill for an Act Relating to Elections."
- Introduced by: Senator Ushijima, by request.
- No. 958 "A Bill for an Act Relating to Workmen's Compensation."
- Introduced by: Senator Ushijima, by request.
- No. 959 "A Bill for an Act Relating to Take-Over Bid Disclosures."
- Introduced by: Senator Ushijima, by request.
- No. 960 "A Bill for an Act Relating to the Hawaii Insurance Law."
- Introduced by: Senator Ushijima, by request.
- No. 961 "A Bill for an Act Relating to the Hawaii Insurance Law."
- Introduced by: Senator Ushijima, by request.
- No. 962 "A Bill for an Act Relating to Disclosure by Liquid Fuel Distributors."
- Introduced by: Senator Ushijima, by request.
- No. 963 "A Bill for an Act Relating to Public Assistance Grant."
- Introduced by: Senator Ushijima, by request.
- No. 964 "A Bill for an Act Relating to Real Property Tax."
- Introduced by: Senator Ushijima, by request.
- No. 965 "A Bill for an Act Making an Appropriation for the Construction of Hamilton Library, Phase II, at the University of Hawaii, Manoa Campus, and Authorizing the Issuance of General Obligation Bonds."
- Introduced by: Senator Ushijima, by request.
- No. 966 "A Bill for an Act Relating to the Hawaii Bicentennial Commission."
- Introduced by: Senators Ushijima, George, Hara, Chong, Anderson, Takitani, Yamasaki, Hulten, O'Connor, Young, King, Ching and Saiki.
- No. 967 "A Bill for an Act Making an Appropriation to Provide a Grant-In-Aid to the Ensemble Players Guild to Establish the Hawaii Chamber Orchestra."
- Introduced by: Senators Hara, Ushijima, Henderson, Taira, Ching, Takitani, Yim, Hulten, Young, Kuroda, George, Yamasaki, Toyofuku, Saiki, F. Wong and O'Connor.
- No. 968 "A Bill for an Act Making an Appropriation for the Continuance of the Hawaii Legal Services Project, Legal Aid Society of Hawaii."
- Introduced by: Senators Yamasaki, Chong, George, Takitani, Saiki, Hulten, Toyofuku, Leopold, Young, Taira, Anderson and Kuroda.
- No. 969 "A Bill for an Act Making an Appropriation for Research on the Coordinated Production of Fruit, Pharmaceuticals and Animal Feed from Pineapple Plants."
- Introduced by: Senators Yamasaki, Takitani, Saiki, Hulten, Toyofuku, Henderson, Young, Chong, Taira, Hara, Ching, Anderson and Kuroda.
- No. 970 "A Bill for an Act Making an Appropriation to Provide for Fencing a Portion of Mauna Kea, Island of Hawaii, for the Protection of Hawaii's Native Ecosystem."
- Introduced by: Senators King,

- Chong, Takitani, O'Connor, Ching, Kawasaki and George.
- No. 971 "A Bill for an Act Relating to Prepaid Health Care."
- Introduced by: Senators King, Chong, Takitani and O'Connor.
- No. 972 "A Bill for an Act Relating to Historic Sites."
- Introduced by: Senators King, Young, Chong, Takitani, O'Connor and Yamasaki.
- No. 973 "A Bill for an Act Making an Appropriation for Urban Design Planning for the Thomas Square Area, Honolulu, Oahu."
- Introduced by: Senators King, Young, O'Connor, Chong, Takitani, Yamasaki and George.
- No. 974 "A Bill for an Act Relating to the Fuel Tax Law."
- Introduced by: Senator Taira, by request.
- No. 975 "A Bill for an Act Relating to County Vehicular Taxes."
- Introduced by: Senator Taira, by request.
- No. 976 "A Bill for an Act Relating to Theft."
- Introduced by: Senators Nishimura, Takitani, Chong, Henderson, Leopold, Taira, George, Toyofuku, Ching, Kawasaki, F. Wong and Yee.
- No. 977 "A Bill for an Act Relating to Criminal Trespass."
- Introduced by: Senators Nishimura, Takitani, Chong, Henderson, Leopold, Taira, George, Toyofuku, Ching, Kawasaki, F. Wong and Yee.
- No. 978 "A Bill for an Act Making an Appropriation for Improvements to the Water Distribution System in Wahiawa, Oahu."
- Introduced by: Senators Kuroda, Young, Ching and F. Wong.
- No. 979 "A Bill for an Act Relating to Department of Education Capital Improvement Projects in the Sixth Senatorial District."
- Introduced by: Senators Chong, King, Yee, Leopold, Toyofuku and Taira.
- No. 980 "A Bill for an Act Making an Appropriation for Establishment and Maintenance of a Shuttle Bus Service System at the University of Hawaii, Manoa Campus."
- Introduced by: Senators Chong, King, Young, Yim, F. Wong, Kawasaki, Hara, Taira, Henderson and Toyofuku.
- No. 981 "A Bill for an Act Relating to the Enrichment of Certain Foods."
- Introduced by: Senators Chong, King, Young, Yim, F. Wong, R. Wong, Kawasaki, Taira, Henderson and Toyofuku.
- No. 982 "A Bill for an Act Relating to the Reporting of Cancer."
- Introduced by: Senators Chong, King, Young, Yim, F. Wong, Kawasaki, R. Wong, Hara, Taira, Henderson and Toyofuku.
- No. 983 "A Bill for an Act Providing for a Task Force to Plan for a Department of Human Resources."
- Introduced by: Senators Chong, King, Yim, F. Wong, R. Wong, Kawasaki, Hara, Taira, Henderson and Toyofuku.
- No. 984 "A Bill for an Act Relating to Appropriations for Recreational Facilities in Fifth Senatorial District, Oahu."
- Introduced by: Senators Kawasaki, R. Wong, Taira and Yim.
- No. 985 "A Bill for an Act Relating to Services for Immigrant Children."
- Introduced by: Senators Yim, R. Wong, Kawasaki and Taira.
- No. 986 "A Bill for an Act Relating to the Establishment of a Philippine Studies Program."
- Introduced by: Senators Yim, R. Wong, Kawasaki and Taira.
- No. 987 "A Bill for an Act Relating to Substance Abuse."
- Introduced by: Senators Chong, F. Wong, Henderson, King, Yim, Nishimura, Hulten, Takitani, Yamasaki, Ching, O'Connor, Kuroda and R. Wong.
- No. 988 "A Bill for an Act Relating to Religious Holy Days."
- Introduced by: Senator Hara.

No. 989 "A Bill for an Act Relating to Religious Holy Days."

Introduced by: Senators Hara, Yim, Takitani, Hulten, Saiki, Toyofuku, Taira and O'Connor.

No. 990 "A Bill for an Act Relating to the Transfer of the Waikiki Aquarium from the University of Hawaii to the Department of Land and Natural Resources."

Introduced by: Senators Hara, Yim, Takitani, Kuroda, Young, Saiki, Taira and O'Connor.

No. 991 "A Bill for an Act Proposing an Amendment to Article IX of the Constitution of the State of Hawaii, Relating to the Governance of the Public School System."

Introduced by: Senator Hara.

No. 992 "A Bill for an Act Relating to a Study of the Property Tax Assessment Procedures."

Introduced by: Senators Anderson, Henderson, Saiki, George and Rohlfing.

No. 993 "A Bill for an Act Relating to the Assessment of Real Property."

Introduced by: Senators Anderson, Henderson, Saiki, George and Rohlfing.

No. 994 "A Bill for an Act Relating to Real Property Tax Exemptions for Persons Sixty-Five Years of Age or Older."

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

No. 995 "A Bill for an Act Proposing an Amendment to Article II of the Hawaii Constitution to Limit the Term of Office of Elective State and County Officials."

Introduced by: Senators George, Henderson, Anderson, Rohlfing, Saiki, Yee, Chong, Toyofuku, Takitani, King, R. Wong and Young.

No. 996 "A Bill for an Act Proposing an Amendment to Article VI, Section 5, of the Hawaii Constitution to Require the Establishment of a General Fund Expenditure Ceiling."

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

No. 997 "A Bill for an Act Relating to the General Excise Tax on Lessors of Real Property."

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

No. 998 "A Bill for an Act Relating to Partial Payment of Taxes and to Interest Charged on Penalties."

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

No. 999 "A Bill for an Act Relating to Eliminating the General Excise Tax on Payments Between Two Corporations in an Affiliated Group and the Filing of Consolidated Returns."

Introduced by: Senators Henderson, Anderson, Yee, Rohlfing, George and Leopold.

No. 1000 "A Bill for an Act Relating to Taxes on Leasing Companies."

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

No. 1001 "A Bill for an Act Relating to Real Property Taxation."

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

No. 1002 "A Bill for an Act Relating to an Investment Tax Credit."

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

No. 1003 "A Bill for an Act Relating to the Exemption of Sales and Gross Proceeds of Sales to the State and Its Political Subdivisions."

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

No. 1004 "A Bill for an Act Relating to Real Property Taxes."

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

No. 1005 "A Bill for an Act Relating to Taxation."

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

No. 1006 "A Bill for an Act Relating to Income Earned by Hawaii Residents Outside the State of Hawaii."

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

No. 1007 "A Bill for an Act Relating to Fiscal Notes."

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

No. 1008 "A Bill for an Act Relating to a Tax Credit for the Aged, Disabled, Leprosy Sufferers, and Blind or Deaf Persons."

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

No. 1009 "A Bill for an Act Relating to Bond Authorizations."

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

On motion by Senator Taira, seconded by Senator Anderson and carried, the following bills were referred to print and were placed on the calendar for further consideration on Thursday, February 20, 1975:

#### Senate Bills

No. 882 "A Bill for an Act Relating to the Fuel Tax."

Introduced by: Senator R. Wong.

No. 883 "A Bill for an Act Relating to a Tax on Tourist-Related Activities."

Introduced by: Senator R. Wong.

No. 884 "A Bill for an Act Relating to the Income Tax."

Introduced by: Senator R. Wong.

No. 885 "A Bill for an Act Relating to the General Excise Tax."

Introduced by: Senator R. Wong.

No. 886 "A Bill for an Act Relating to the Real Property Tax."

Introduced by: Senator R. Wong.

No. 887 "A Bill for an Act Relating to County Vehicular Taxes."

Introduced by: Senator R. Wong.

No. 888 "A Bill for an Act Relating

to the Conveyance Tax."

Introduced by: Senator R. Wong.

No. 889 "A Bill for an Act Relating to the Tobacco Tax."

Introduced by: Senator R. Wong.

No. 890 "A Bill for an Act Relating to the Liquor Tax."

Introduced by: Senator R. Wong.

No. 891 "A Bill for an Act Relating to the Taxation of Banks and Other Financial Corporations."

Introduced by: Senator R. Wong.

No. 892 "A Bill for an Act Relating to the Public Utilities Franchise Tax."

Introduced by: Senator R. Wong.

No. 893 "A Bill for an Act Relating to the Public Service Company Tax."

Introduced by: Senator R. Wong.

No. 894 "A Bill for an Act Relating to the Use Tax."

Introduced by: Senator R. Wong.

No. 895 "A Bill for an Act Relating to the Inheritance and Estate Taxes."

Introduced by: Senator R. Wong.

No. 896 "A Bill for an Act Relating to the Department of Education and Making an Appropriation Therefor."

Introduced by: Senator R. Wong.

No. 897 "A Bill for an Act Relating to Special Funds."

Introduced by: Senator R. Wong.

No. 898 "A Bill for an Act Relating to the General Fund."

Introduced by: Senator R. Wong.

No. 899 "A Bill for an Act Relating to the County of Kauai."

Introduced by: Senator R. Wong.

No. 900 "A Bill for an Act Relating to the County of Hawaii."

Introduced by: Senator R. Wong.

No. 901 "A Bill for an Act Relating to the County of Maui."

- Introduced by: Senator R. Wong.
- No. 902 "A Bill for an Act Relating to the City and County of Honolulu."
- Introduced by: Senator R. Wong.
- No. 903 "A Bill for an Act Relating to Elderly Programs and Making an Appropriation Therefor."
- Introduced by: Senator R. Wong.
- No. 904 "A Bill for an Act Relating to Making an Appropriation for Subsidies."
- Introduced by: Senator R. Wong.
- No. 905 "A Bill for an Act Relating to Making an Appropriation for Grants-In-Aid."
- Introduced by: Senator R. Wong.
- No. 906 "A Bill for an Act Relating to the Department of Personnel Services and Making an Appropriation Therefor."
- Introduced by: Senator R. Wong.
- No. 907 "A Bill for an Act Relating to Making an Appropriation for Capital Improvement Projects."
- Introduced by: Senator R. Wong.
- No. 908 "A Bill for an Act Relating to Making an Additional Appropriation for State Programs During the Fiscal Biennium July 1, 1975 to June 30, 1977."
- Introduced by: Senator R. Wong.
- No. 909 "A Bill for an Act Relating to Capital Improvement Projects and Authorizing the Issuance of Bonds."
- Introduced by: Senator R. Wong.
- No. 910 "A Bill for an Act Relating to the Judiciary and Making Appropriations Therefor."
- Introduced by: Senator R. Wong.
- No. 911 "A Bill for an Act Relating to Collective Bargaining and Making an Appropriation Therefor."
- Introduced by: Senator R. Wong.
- No. 912 "A Bill for an Act Relating to State Bonds."
- Introduced by: Senator R. Wong.
- No. 913 "A Bill for an Act Relating to the Department of Accounting and General Services and Making an Appropriation Therefor."
- Introduced by: Senator R. Wong.
- No. 914 "A Bill for an Act Relating to the Department of the Attorney General and Making an Appropriation Therefor."
- Introduced by: Senator R. Wong.
- No. 915 "A Bill for an Act Relating to the Department of Budget and Finance and Making an Appropriation Therefor."
- Introduced by: Senator R. Wong.
- No. 916 "A Bill for an Act Relating to the Department of Regulatory Agencies and Making an Appropriation Therefor."
- Introduced by: Senator R. Wong.
- No. 917 "A Bill for an Act Relating to the Department of Taxation and Making an Appropriation Therefor."
- Introduced by: Senator R. Wong.
- No. 918 "A Bill for an Act Relating to the University of Hawaii and Making an Appropriation Therefor."
- Introduced by: Senator R. Wong.
- No. 919 "A Bill for an Act Relating to Making an Appropriation for the Formal Education Program."
- Introduced by: Senator R. Wong.
- No. 920 "A Bill for an Act Relating to Making an Appropriation for the Culture and Recreation Program."
- Introduced by: Senator R. Wong.
- No. 921 "A Bill for an Act Relating to Making an Appropriation for the Public Safety Program."
- Introduced by: Senator R. Wong.
- No. 922 "A Bill for an Act Relating to Making an Appropriation for the Government-Wide Support Program."
- Introduced by: Senator R. Wong.
- No. 923 "A Bill for an Act Relating to Making an Appropriation for the Individual Rights Program."
- Introduced by: Senator R. Wong.



No. 924 "A Bill for an Act Relating to the Department of Health and Making an Appropriation Therefor."

Introduced by: Senator R. Wong.

No. 925 "A Bill for an Act Relating to the Department of Social Services and Housing and Making an Appropriation Therefor."

Introduced by: Senator R. Wong.

No. 926 "A Bill for an Act Relating to the Department of Land and Natural Resources and Making an Appropriation Therefor."

Introduced by: Senator R. Wong.

No. 927 "A Bill for an Act Relating to the Department of Agriculture and Making an Appropriation Therefor."

Introduced by: Senator R. Wong.

No. 928 "A Bill for an Act Relating to the Department of Planning and Economic Development and Making an Appropriation Therefor."

Introduced by: Senator R. Wong.

No. 929 "A Bill for an Act Relating to the Department of Hawaiian Home Lands and Making an Appropriation Therefor."

Introduced by: Senator R. Wong.

No. 930 "A Bill for an Act Relating to the Department of Transportation and Making an Appropriation Therefor."

Introduced by: Senator R. Wong.

No. 931 "A Bill for an Act Relating to the Department of Labor and Industrial Relations and Making an Appropriation Therefor."

Introduced by: Senator R. Wong.

No. 932 "A Bill for an Act Relating to the Department of Defense and Making an Appropriation Therefor."

Introduced by: Senator R. Wong.

No. 933 "A Bill for an Act Relating to the Hawaii Housing Authority and Making an Appropriation Therefor."

Introduced by: Senator R. Wong.

No. 934 "A Bill for an Act Relating to Making an Appropriation for the Economic Development Program."

Introduced by: Senator R. Wong.

No. 935 "A Bill for an Act Relating to Making an Appropriation for the Employment Program."

Introduced by: Senator R. Wong.

No. 936 "A Bill for an Act Relating to Making an Appropriation for the Transportation Facilities and Services Program."

Introduced by: Senator R. Wong.

No. 937 "A Bill for an Act Relating to Making an Appropriation for the Environmental Protection Program."

Introduced by: Senator R. Wong.

No. 938 "A Bill for an Act Relating to Making an Appropriation for the Health Program."

Introduced by: Senator R. Wong.

No. 939 "A Bill for an Act Relating to Making an Appropriation for the Social Problems Program."

Introduced by: Senator R. Wong.

No. 940 "A Bill for an Act Relating to the Inadmissibility of Certain Evidence in Rape Prosecutions."

Introduced by: Senator Hulten, by request.

#### STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 37), informing the Senate that Senate Concurrent Resolution Nos. 56 to 63, Senate Resolution Nos. 237 to 244, Senate Bill Nos. 867 to 881 and Standing Committee Report Nos. 36 and 38 to 45 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 Nishimura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 38), recommending that Senate Bill No. 98, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Judiciary.

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, the report of the Committee was adopted and S.B. No. 98, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO DISCRIMINATION ON ACCOUNT OF SEX", passed First Reading and was recommitted to the Committee on Judiciary.

Senator Hulten, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 39), recommending that Senate Bill No. 219 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hulten, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 219, entitled: "A BILL FOR AN ACT RELATING TO AUDIT AND ACCOUNTING", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hulten, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 40), recommending that Senate Bill No. 229 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Hulten, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 229, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING", passed Second Reading and was referred to the Committee on Judiciary.

Senator Hulten, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 41), recommending that Senate Bill No. 327, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Transportation.

On motion by Senator Hulten, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 327, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER'S LICENSE RENEWAL REQUIREMENTS", passed Second Reading and was referred to the Committee on Transportation.

Senator Hulten, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 42), recommending that Senate Bill No. 328 pass Second Reading and be referred to the Committee on Transportation.

On motion by Senator Hulten, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 328,

entitled: "A BILL FOR AN ACT RELATING TO SAFETY BELTS IN VEHICLES", passed Second Reading and was referred to the Committee on Transportation.

Senator Hulten, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 43), recommending that Senate Bill No. 329 pass Second Reading and be referred to the Committee on Transportation.

On motion by Senator Hulten, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 329, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY", passed Second Reading and was referred to the Committee on Transportation.

Senator Hulten, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 44), recommending that Senate Bill No. 330 pass Second Reading and be referred to the Committee on Transportation.

On motion by Senator Hulten, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 330, entitled: "A BILL FOR AN ACT RELATING TO STATEWIDE TRAFFIC CODE", passed Second Reading and was referred to the Committee on Transportation.

Senator Hulten, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 45), recommending that Senate Bill No. 332 pass Second Reading and be referred to the Committee on Transportation.

On motion by Senator Hulten, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 332, entitled: "A BILL FOR AN ACT RELATING TO EXTERIOR MARKINGS ON VEHICLES USED IN CARRYING HAZARDOUS MATERIALS", passed Second Reading and was referred to the Committee on Transportation.

#### ORDER OF THE DAY

#### REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Tuesday, February 18, 1975:

Senate Bill	Referred to:
No. 867	Committee on Judiciary,

- then to the Committee on Ways and Means
- No. 868 Committee on Economic Development, then to the Committee on Ways and Means
- No. 869 Committee on Transportation, then to the Committee on Ways and Means
- No. 870 Committee on Transportation, then to the Committee on Ways and Means
- No. 871 Committee on Economic Development, then to the Committee on Ways and Means
- No. 872 Committee on Transportation, then to the Committee on Ways and Means
- No. 873 Committee on Consumer Protection, then to the Committee on Judiciary
- No. 874 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
- No. 875 Committee on Judiciary
- No. 876 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
- No. 877 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 878 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 879 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 880 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 881 Committee on Ways and Means
- RE-REFERRAL OF  
A SENATE RESOLUTION
- The President made the following re-referral of a resolution which was offered on Tuesday, February 18, 1975:
- Senate Resolution Referred to:  
No. 232 Committee on Ecology, Environment and Recreation, then to the Committee on Economic Development
- RE-REFERRAL OF  
A SENATE BILL
- The President made the following re-referral of a bill which was introduced on Tuesday, January 21, 1975:
- Senate Bill Referred to:  
No. 145 Committee on Economic Development, then to the Committee on Housing and Hawaiian Homes, then to the Committee on Judiciary, then to the Committee on Ways and Means
- THIRD READING
- House Bill No. 171, H.D. 1:
- Senator R. Wong moved that H.B. No. 171, H.D. 1, having been read throughout, pass Third Reading, seconded by Senator Yamasaki.
- Senator R. Wong then spoke in favor of the bill as follows:
- "Mr. President, the purpose of House Bill No. 171, H.D. 1, is to increase the allowance for legislators from \$750 to \$1,500 a year.
- The \$750 allowance was first established six years ago in 1969 to cover the incidental expenses which we, as Legislators, incur in the performance of our official duties.
- An increase in the allowance is justified at this time, Mr. President, with inflation, costs have risen greatly since 1969. Those among us who have served in the Legislature for a while also know that we are being called upon to devote more and more of our time and attention to legislative matters during the interim period, thus increasing our incidental expenses even more.
- With the current reassertion of legislative powers, Mr. President, I can predict that this trend will continue and grow in the future.
- Mr. President, I am aware of two areas of concern which have been expressed about the Legislature passing a bill increasing legislative allowances.
- First is the concern about the legal questions involved. For the information of the members of this

Honorable Body, I have obtained an opinion from the Attorney General, No. 75-1, dated February 4, 1975, which finds that a bill such as this one we have before us is legally correct.

Second, and I think the most important, Mr. President, is the concern over whether public opinion would oppose a bill such as this in which the Legislature increases its own allowance. In order that the members of the public would have a full opportunity to express their views on this matter, the Ways and Means Committee scheduled three public hearings on February 5, in the morning, at noon, and from 6 to 9 in the evening, for the receipt of public input.

Mr. President, no one appeared to testify at the hearings, no one has ever contacted the committee office either in person, by mail or by phone to register an opinion. Consequently, Mr. President, my only conclusion is that there is no public opposition to any increase in the legislative allowance.

Therefore, Mr. President, I call on the members of this Honorable Body to vote in favor of this bill.

Thank you."

Senator George then rose to speak against the passage of the bill as follows:

"Mr. President, no matter how this proposal is dressed up, it's still the same thing. It is voting ourselves an increase in the amount of money we are going to get.

I'm not saying that it is not legal to do so, just that it comes at a juncture when serious economists are hard-pressed to say whether we have a recession or a depression or stagflation or any one of a number of other difficult things.

Our unemployment rate is the highest in decades. It seems questionable to me to ask at a time when we in the Legislature should be exerting leadership, to ask for a second helping so to speak, when most economists are suggesting belt-tightening should be in order.

I'm not impressed with the interpretation that increasing our remuneration is laudable, because it is a step toward a full-time Legislature. I think this is pious baloney.

You don't make an increase toward full-time compensation and pay it to public servants some of whom put in part-time and some, full-time.

Having full-time legislators would involve a whole lot more than extra money. It would mean no other occupation or employment, the elimination of conflicts of interests. It might also well involve a Legislature quite a lot smaller than our present membership of 76... maybe even a unicameral body.

If the voters who elected us want to be represented by full-time legislators, they ought to be given a chance to say so. Let's get the matter on the ballot and get full discussion on the constitutional question. To take the extra money now and defer or forget the clearly-related constitutional considerations is not possible for me.

Mr. President, like many of my colleagues, I stood on a good many campaign platforms last year and proclaimed my intention to work for a frugal and economical policy in the conduct of the State's business. As a matter of fact, I can't remember hearing anyone campaign for a Senate seat on the platform of more staff and more money.

I cannot, now in good conscience vote for the measure which is before us. I ask my colleagues to join me in voting against it. Thank you, Mr. President."

Senator Kuroda then rose to speak for the passage of the bill as follows:

"Mr. President, I think that there may come a time when we may have a full-time legislature adequately compensated. But the time is long in coming, and I think that some of us who have devoted full time and some of us who have been practicing frugal living, some of us who want to dedicate full time to this government service at hand, still need some additional support financially and, hopefully, this type of additional compensation will tide us over until such time that the entire Legislature really work toward full compensation, full legislature, and with the public supporting it.

Mr. President, I urge the members of this Honorable Body to vote for this measure. Thank you."

Senator Anderson, in opposition

thereto, spoke as follows:

"Mr. President, I rise to speak against the measure.

I would like to commend the Chairman of the Ways and Means Committee. I have no arguments with him. I do think that for the first time in my years in the Senate I have seen that a Chairman of a committee made an honest effort to conduct enough public hearings. He left the door open for the public to come in and I think every extra step was given by the Chairman to hear the community come in and testify for or against this measure.

I would like to somewhat clarify the reason that this bill in on the desk today. I happen to tune in to my favorite morning disc jockey and heard him say something about how it was time as he was waiting for the newcomers in this Body, in this Legislature, to somewhat throw the old rascals out and I guess he is including myself because I have been around for a while.

It is funny that we had for the first time in this election a lot of newcomers. The feeling of incumbency was bad during the election. Many of us were concerned that we may just get thrown out with the kitchen water. We campaigned excessively hard. The challengers came in in all sorts of statements and all sorts of promises but they came in in great numbers.

Well, it's somewhat odd that this bill is on our desk today because of the newcomers. The pay package that we had before us a couple of weeks ago was fatter by \$500,000, not because we proposed it but because the newcomers wanted full-time staff, more money, more, more, more. They've got staff across the hall tripping over themselves. They've got staff on staff that they don't know what they're doing. Because we want to keep the harmony, because we want to help the House, because it is a ticklish situation over there, we have to swallow hard and we have to play the game--and that is fine. But I think the public should be aware that the newcomers, the reformers, are aggravating the system somewhat.

They knew the ground rules when they ran for office. They knew the compensation was \$12,000; the expenses, \$750. They knew in fact it was a part-time Legislature, not a full-time one. Now by one method or

another trying to get a few extra dollars to tide them over is not the way to do it.

I have no quarrel with my colleague, Senator Kuroda. I commend you for your full-time efforts. I think you should be compensated more than a part-time legislator, if there is such a thing. I think a whole scale and a policy question ought to be resolved. The President of the Senate and the Speaker of the House spend many more hours than all of us and it's a thankless job in hours. The compensation they get is identical to you and I and that is unfair.

Let's overhaul it. Let's put it on to a form and a situation where the public can understand it, completely and fairly and then let's go. Put it to the people in a constitutional convention. Mr. Kuroda wants to work full-time and he can justify it, he ought to get 18, or 22, or 24 thousand dollars.

I can't argue with 'it's difficult to make a living' for some of you who don't have outside jobs. I would ask that somewhere down the road a committee be appointed by the President of the Senate and the Speaker of the House, either have the Governor put back his Commission on Salaries and Compensation for Legislators. Again, put it on the table, consider the fairness between the President's Office and the legislators and the committee chairmen and establish a policy that is fair and equitable for all Senators. But this is not the way to do it, gentlemen.

Thank you."

Senator Nishimura then asked if the Chairman of the Committee on Ways and Means would yield to a question to which Senator R. Wong replied in the affirmative.

Senator Nishimura then stated:

"Mr. President, as I read the bill, it says 'to give incidental expenses connected with legislative duties' and the debate so far seems to imply that this increase is for income or salary. Which is correct?"

Senator R. Wong in answer thereto stated as follows:

"Mr. President, I'm afraid my colleague from the Third Senatorial District is incorrect. The bill deals strictly with allowances for incidental

expenses connected with legislative duties."

Senator Anderson then stated as follows:

"Mr. President, we're cutting fine hairs with whether it is \$12,000 for income, \$750 for expenses. I have been around these halls as long as many of you, not as long as some of you. I don't spend \$1500 a year in incidental expenses. I buy as many lunches, tickets for various benefits as any of you. It is income. It may be in a different column for the sake of making it legal, but it is income.

It is tax deductible because it is in that column and it is paid to a legislator. We are already the highest paid part-time legislature in the entire country, the highest.

I don't care whether you call it expenses, salary, pin money, call it what you want. Andy Anderson and his twenty-four colleagues will be \$750 wealthier once this bill passes."

Senator O'Connor then said:

"Mr. President, a brief rebuttal

to the learned Senator who just spoke. If he is taking a tax deduction on the amount of money and he is not spending it, he shouldn't talk about it out in public because he will have the IRS swarming all over him.

I for one have taken the tax deduction at least on 750 if not more dollars each year and I have receipts, stubs and what not to prove it. If anyone does not have that there is a Federal prison waiting for him that has recently been visited by our Lieutenant Governor."

The motion was put by the Chair and carried, and H.B. No. 171, H.D. 1, entitled: "A BILL FOR AN ACT AMENDING CHAPTER 24, HAWAII REVISED STATUTES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Anderson, George, Leopold and Saiki).

#### ADJOURNMENT

At 11:59 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., Thursday, February 20, 1975.