

FORTY-SIXTH DAY

Thursday, March 20, 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 Gerald Sakamoto 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 Forty-Fifth Day.

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

Senator Kawasaki introduced 75 sixth grade students from Kalihi Elementary School, together with their teachers Mrs. Jane Pang, Mrs. Mary Miyamoto and Charlene Dodo.

Senator Chong then introduced 30 sophomores and juniors from McKinley High School who are members of the American Studies Class. Also introduced was their teacher, Mrs. Fujii.

Senator R. Wong introduced members of the United Public Workers Union as follows: Dorothy Ah Sam, Momi Tong and Samuel Hao from Oahu; William Ahia and Kujoshi Nagata from Hawaii; Masumi Masuda from Kauai; and Francis Yuhara, Charles Iwata and Masa Okumura from Maui.

Senator Anderson introduced 50 eighth grade students from Kailua Intermediate School, together with their teacher Richard Kwak and Nick Eyre, a parent.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 85), transmitting a report, entitled: "Report of Achievements of Programs for the Aging", prepared by the Commission on Aging for the fiscal period July 1, 1972 to June 30, 1973, was read by the Clerk and was referred to the Committee on Human Resources.

DEPARTMENTAL COMMUNICATION

A communication from the Office of the Auditor (Dept. Com. No. 11), transmitting the report, entitled: "Management Audit of the Public

Utilities Program, Volume I, The Organization for and the General Management of the Public Utilities Program", was read by the Clerk and was referred to the Committee on Public Utilities.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 288 to 291) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 288), returning Senate Concurrent Resolution No. 95, which was adopted by the House of Representatives on March 19, 1975, in an amended form, was placed on file.

On motion by Senator King, seconded by Senator Hulten and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 95 and S.C.R. No. 95, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO NATIONAL WILDLIFE WEEK -- MARCH 16-22", was finally adopted.

A communication from the House (Hse. Com. No. 289), transmitting House Concurrent Resolution No. 73, H.D. 1, which was adopted by the House of Representatives on March 19, 1975, was placed on file.

By unanimous consent, H.C.R. No. 73, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII HOUSING AUTHORITY TO ACQUIRE LAND FOR THE PURPOSE OF CONSTRUCTING LOW COST HOUSING PROJECTS IN HALEIWA OR WAIALUA", was referred to the Committee on Housing and Hawaiian Homes.

A communication from the House (Hse. Com. No. 290), transmitting House Concurrent Resolution No. 85, which was adopted by the House of Representatives on March 19, 1975, was placed on file.

By unanimous consent, H.C.R. No. 85, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REVIEW OF THE PERFORMANCE AND RELATIONSHIP OF THE COMMISSION ON CHILDREN AND YOUTH, THE COMMUNITY COORDINATED CHILD CARE COMMITTEE AND STATE OFFICES, AGENCIES, AND DEPARTMENTS WITH PROGRAM RESPONSIBILITIES FOR CHILDREN AND YOUTH", was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 291), transmitting House Concurrent Resolution No. 104, which was adopted by the House of Representatives on March 19, 1975, was placed on file.

By unanimous consent, H.C.R. No. 104, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING SOLUTION OF THE PROBLEM OF EXPIRED PASTURE LEASES", was referred to the Committee on Economic Development.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 110 and 111) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 110), entitled: "SENATE CONCURRENT RESOLUTION INVITING THE INTERGOVERNMENTAL RELATIONS COMMITTEE OF THE NATIONAL CONFERENCE OF STATE LEGISLATURES TO MEET IN HONOLULU", was jointly offered by Senators Rohlfling, Ching, Taira, King, Ushijima, Leopold, Yim, Toyofuku, Chong, Anderson, Yee, Hara, Yamasaki, Henderson, Saiki, George, Young, R. Wong, Kawasaki, Nishimura, F. Wong, Kuroda, Hulten and O'Connor.

By unanimous consent, S.C.R. No. 110 was referred to the Committee on Intergovernmental Relations.

A concurrent resolution (S.C.R. No. 111), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO HAWAII VISITORS BUREAU'S PLANNED PROMOTIONAL ADVERTISEMENT", was jointly offered by Senators King, Chong, Hulten, Toyofuku, Yim and Leopold.

By unanimous consent, S.C.R. No. 111 was referred to the Committee on Economic Development.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 352 to 355) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 352), entitled: "SENATE RESOLUTION RECOGNIZING THE FIFTH ANNIVERSARY AND ENDORSING THE PROGRAMS OF THE HAWAIIAN MUSIC FOUNDATION", was jointly offered by Senators Kawasaki, Ching, Taira, Yamasaki, Toyofuku, Young, Henderson, Kuroda, Leopold, Takitani, Anderson, F. Wong, R. Wong, Hara, King, Nishimura, Chong, Hulten, Yee, Ushijima, George, Saiki, Rohlfling, Yim and O'Connor.

On motion by Senator Kawasaki, seconded by Senator Ching and carried, S.R. No. 352 was adopted.

A resolution (S.R. No. 353), entitled: "SENATE RESOLUTION RELATING TO HAWAII VISITORS BUREAU'S PLANNED PROMOTIONAL ADVERTISEMENT", was jointly offered by Senators King, Chong, Hulten, Toyofuku, Yim and Leopold.

By unanimous consent, S.R. No. 353 was referred to the Committee on Economic Development.

A resolution (S.R. No. 354), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STUDY THE FEASIBILITY OF MAKING KALAUPAPA SETTLEMENT ON THE ISLAND OF MOLOKAI A STATE PARK", was jointly offered by Senators Yamasaki, Ushijima, O'Connor, Chong, Hulten, Anderson, Toyofuku, Ching, R. Wong, Henderson, Saiki, Taira, Takitani, George, Rohlfling, F. Wong, Leopold and Yee.

By unanimous consent, S.R. No. 354 was referred to the Committee on Ecology, Environment and Recreation.

A resolution (S.R. No. 355), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH AND COORDINATE A CAMPUS BEAUTIFICATION PROGRAM INVOLVING STUDENTS, TEACHERS AND PARENTS FOR ALL PUBLIC ELEMENTARY AND SECONDARY SCHOOLS", was jointly offered by Senators Yee, Taira, Leopold, Kuroda, Saiki, Anderson, Rohlfling, Ching, Yim, Henderson, Chong, F. Wong, Hara, Yamasaki and Takitani.

By unanimous consent, S.R. No. 355 was referred to the Committee on Education.

At 11:41 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

At 11:42 o'clock a.m., the Senate reconvened.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 664), informing the Senate that Senate Concurrent Resolution Nos. 106 to 110, Senate Resolution Nos. 345 to 352, and Standing Committee Report Nos. 665 to 685 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 Chong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 665), recommending that Senate Concurrent Resolution No. 8, as amended in S.D. 1, be adopted.

On motion by Senator Chong, seconded by Senator Takitani, and carried, the report of the Committee was adopted and S.C.R. No. 8, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS AND THE DIRECTORS OF FEDERAL AGENCIES TO PROVIDE ADEQUATELY FOR THE CONTROL AND TREATMENT OF COMMUNICABLE DISEASES AMONG IMMIGRANTS TO HAWAII", was adopted.

Senator Kuroda, for the Committee on Consumer Protection, presented a report (Stand. Com. Rep. No. 666), recommending that House Bill No. 132 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Kuroda, seconded by Senator R. Wong and carried, the report of the Committee was adopted and H.B. No. 132, entitled: "A BILL FOR AN ACT RELATING TO CIVIL PENALTIES COLLECTED BY THE OFFICE OF CONSUMER PROTECTION", passed Second Reading and was referred to the Committee on Judiciary.

Senator Kuroda, for the Committee on Consumer Protection, presented a report (Stand. Com. Rep. No. 667), recommending that House Bill No. 133, H.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Kuroda, seconded by Senator R. Wong and carried, the report of the Committee was adopted and H.B. No. 133, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INJUNCTION OF VIOLATION OF LAWS AND ORDINANCES", passed Second Reading and was referred to the Committee on Judiciary.

Senator Kuroda, for the Committee on Consumer Protection, presented a report (Stand. Com. Rep. No. 668), recommending that House Bill No. 134 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Kuroda,

seconded by Senator R. Wong and carried, the report of the Committee was adopted and H.B. No. 134, entitled: "A BILL FOR AN ACT RELATING TO INJUNCTION BY ATTORNEY GENERAL OR THE OFFICE OF CONSUMER PROTECTION", passed Second Reading and was referred to the Committee on Judiciary.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 669), recommending that House Bill No. 66, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Young and carried, the report of the Committee was adopted and H.B. No. 66, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HEALTH SERVICES FOR THE ELDERLY", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 670), recommending that House Bill No. 67, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Young and carried, the report of the Committee was adopted and H.B. No. 67, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR INCREASED OUTREACH SERVICES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 671), recommending that House Bill No. 1037 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Young and carried, the report of the Committee was adopted and H.B. No. 1037, entitled: "A BILL FOR AN ACT RELATING TO LEAVES OF ABSENCES OF PUBLIC OFFICERS AND EMPLOYEES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 672), recommending that House Bill

No. 1864 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Toyofuku, seconded by Senator Young and carried, the report of the Committee was adopted and H.B. No. 1864, entitled: "A BILL FOR AN ACT RELATING TO STATE SAFETY INSPECTION OF ELEVATORS, ESCALATORS, ETC.", passed Second Reading and was referred to the Committee on Judiciary.

Senator Toyofuku, for the majority of the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 673), recommending that House Bill No. 1884 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Young and carried, the report of the majority of the Committee was adopted and H.B. No. 1884, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE AND EXEMPTIONS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 674), recommending that House Bill No. 416, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toyofuku, seconded by Senator Young and carried, the report of the Committee was adopted and H.B. No. 416, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKMEN'S COMPENSATION", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 21, 1975.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 416, H.D. 1.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 675), recommending that House Bill No. 418 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toyofuku, seconded by Senator Young and carried, the report of the Committee was adopted and H.B. No. 418, entitled: "A BILL FOR AN ACT RELATING

TO THE HAWAII OCCUPATIONAL SAFETY AND HEALTH LAW", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 21, 1975.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 418.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 676), recommending that House Bill No. 582, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toyofuku, seconded by Senator Young and carried, the report of the Committee was adopted and H.B. No. 582, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKMEN'S COMPENSATION", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 21, 1975.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 582, H.D. 1, S.D. 1.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 677), recommending that House Bill No. 606 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toyofuku, seconded by Senator Young and carried, the report of the Committee was adopted and H.B. No. 606, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS OR EMPLOYEES SERVING ON BOARDS OR COMMISSIONS", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 21, 1975.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 606.

Senator Takitani, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 678), recommending that House Bill No. 24, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Takitani, seconded by Senator O'Connor and

carried, the report of the Committee was adopted and H.B. No. 24, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STUDENT FINANCIAL AID", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Takitani, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 679), recommending that House Bill No. 313, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Takitani, seconded by Senator O'Connor and carried, the report of the Committee was adopted and H.B. No. 313, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR UNIVERSITY OF HAWAII SPECIAL PROGRAMS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Takitani, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 680), recommending that House Bill No. 453, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Takitani, seconded by Senator O'Connor and carried, the report of the Committee was adopted and H.B. No. 453, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE STATE HIGHER EDUCATION LOAN FUND", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Takitani, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 681), recommending that House Bill No. 1732, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Takitani, seconded by Senator O'Connor and carried, the report of the Committee was adopted and H.B. No. 1732, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A SPECIAL FUND FOR THE UNIVERSITY OF HAWAII COMMUNITY COLLEGES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 682), recommending that House

Bill No. 152, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Young and carried, the report of the Committee was adopted and H.B. No. 152, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKMEN'S COMPENSATION", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 683), recommending that House Bill No. 597, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Young and carried, the report of the Committee was adopted and H.B. No. 597, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A FEASIBILITY STUDY ON THE HAWAII INCOME ASSURANCE SYSTEM AS PROPOSED IN THE COMPREHENSIVE MASTER PLAN FOR THE ELDERLY", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 684), recommending that House Bill No. 946, H.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Toyofuku, seconded by Senator Young and carried, the report of the Committee was adopted and H.B. No. 946, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE AND NEGLECT", passed Second Reading and was referred to the Committee on Judiciary.

Senator Toyofuku, for the majority of the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 685), recommending that House Bill No. 1886, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Young and carried, the report of the majority of the Committee was adopted and H.B. No. 1886, S.D. 1, entitled: "A BILL FOR AN ACT RELATING

TO CIVIL SERVICE AND EXEMPTION", passed Second Reading and was referred to the Committee on Ways and Means.

At this time, Senator F. Wong, Chairman of the Committee on Economic Development, requested a waiver of the 48-hour notice on a Public Hearing on S.C.R. No. 111, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO HAWAII VISITOR'S BUREAU'S PLANNED PROMOTIONAL

ADVERTISEMENT", and S.R. No. 353, entitled: "SENATE RESOLUTION RELATING TO HAWAII VISITOR'S BUREAU'S PLANNED PROMOTIONAL ADVERTISEMENT"; and the President granted the waiver.

ADJOURNMENT

At 11:46 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, March 21, 1975.