

FORTY-SEVENTH DAY

Friday, March 21, 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 Vice-President in the Chair.

The Divine Blessing was invoked by Mrs. Healani A. Tracy of the Baha'i Faith, after which the Roll was called showing all Senators present with the exception of Senators Hara, Henderson and Ushijima who were excused.

The Vice-President announced that the President had read and approved the Journal of the Forty-Sixth Day.

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

Senator Yee introduced 49 second and third grade students from Lunalilo School, together with their teachers Mrs. Doris Shigetomi, Mrs. Gay Kunimitsu, Mrs. Anita Young and Miss Ann Shimizu. Also introduced was Mrs. Joan Sakafa, a parent.

Senator Yee also introduced 60 fifth grade students from Ala Wai Elementary School, accompanied by their teachers Mrs. Jean Dollar and Mrs. Alice Arakaki.

At this time, Senator Yee introduced the personal volunteers who act as guides to groups visiting the Capitol as follows: Mrs. Aileen Char, Mrs. Elaine Lau, Mrs. Bernice Harakawa and Mrs. Charlotte Otsugi.

Senator F. Wong introduced 75 fifth grade students from Makaha Elementary School, together with their teachers Ms. Jacqueline Yoshimoto, Mr. Michael Kawaguchi and Mr. Alan Ashitomi.

Senator Toyofuku then introduced 44 students from Waimea High School on Kauai, together with their teacher Mr. Francis Moriguchi.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 86), transmitting an annual report, entitled: "12,704: The Annual Report - July 1, 1973, to June 30, 1974", prepared by the Hawaii Housing Authority, Department of Social Services and Housing, pursuant to Section 356-26, Hawaii Revised Statutes, was read by the

Clerk and was referred to the Committee on Housing and Hawaiian Homes.

DEPARTMENTAL COMMUNICATION

A communication from the Office of the Director of the Department of Regulatory Agencies (Dept. Com. No. 12), acknowledging receipt of a copy of Senate Resolution No. 161 relating to employment for the elderly, was read by the Clerk and was placed on file.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 292 and 293) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 292), transmitting House Concurrent Resolution No. 63, which was adopted by the House of Representatives on March 20, 1975, was placed on file.

By unanimous consent, H.C.R. No. 63, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AUDIT OF THE PROGRESSIVE NEIGHBORHOODS PROGRAM TO DETERMINE HOW ITS ORGANIZATION AND MANAGEMENT PROCESSES CAN BE IMPROVED TO PROMOTE THE ACHIEVEMENT OF PROGRAM OBJECTIVES", was referred to the Committee on Human Resources, then to the Committee on Legislative Management.

A communication from the House (Hse. Com. No. 293), transmitting House Concurrent Resolution No. 98, which was adopted by the House of Representatives on March 20, 1975, was placed on file.

By unanimous consent, H.C.R. No. 98, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE HAWAII STATE VETERANS COUNCIL PROPOSAL FOR A LIVING MEMORIAL PARK AT FT. DERUSSY DEDICATED TO HAWAII'S VETERANS", was referred to the Committee on Military and Civil Defense.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 112 to 119) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 112), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE HOURS OF GOVERNMENT AGENCIES",

was jointly offered by Senators King, Chong, George, Hulten, Saiki, Toyofuku, Henderson and Yim.

By unanimous consent, S.C.R. No. 112 was referred to the Committee on Human Resources.

A concurrent resolution (S.C.R. No. 113), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING DEPARTMENT OF HEALTH RECONSIDERATION OF ITS CONSERVATION STANDARDS", was jointly offered by Senators King, Nishimura, R. Wong, Kuroda, Rohlfing, Chong, Yamasaki, Taira, George, Hulten, Toyofuku, Saiki, Leopold and Yim.

By unanimous consent, S.C.R. No. 113 was referred to the Committee on Health.

A concurrent resolution (S.C.R. No. 114), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON POPULATION CONTROL", was jointly offered by Senators King, R. Wong, Kuroda, Rohlfing, Chong, Ching, Yamasaki, Taira, George, Hulten, Toyofuku, Henderson, Yim, Leopold and Saiki.

By unanimous consent, S.C.R. No. 114 was referred to the Committee on Ecology, Environment and Recreation.

A concurrent resolution (S.C.R. No. 115), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A CONGRESSIONAL STUDY INTO THE EFFECTS OF SPRAY CAN PROPELLANTS UPON THE EARTH'S OZONE RADIATION SHIELD", was jointly offered by Senators King, Nishimura, R. Wong, Kuroda, Rohlfing, Chong, Ching, Yamasaki, Taira, George, Hulten, Toyofuku, Henderson, Yim, Leopold and Saiki.

By unanimous consent, S.C.R. No. 115 was referred to the Committee on Ecology, Environment and Recreation.

A concurrent resolution (S.C.R. No. 116), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON POSSIBILITIES OF CONTROLLING POLLUTION THROUGH TAXATION", was jointly offered by Senators King, Nishimura, Leopold, Chong, Ching, Yamasaki, Taira, Hulten, Toyofuku and Yim.

By unanimous consent, S.C.R. No. 116 was referred to the Committee on Ways and Means.

A concurrent resolution (S.C.R. No. 117), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO

ENACT LEGISLATION TO DESIGNATE KALAUPAPA PENINSULA, MOLOKAI AS A NATIONAL HISTORICAL PARK", was jointly offered by Senators King, Yim, R. Wong, Chong, Rohlfing and Hulten.

By unanimous consent, S.C.R. No. 117 was referred to the Committee on Ecology, Environment and Recreation.

A concurrent resolution (S.C.R. No. 118), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE APPOINTMENT OF A JOINT SENATE-HOUSE INTERIM COMMITTEE TO REVIEW AND STUDY THE REPORT OF THE LEGISLATIVE AUDITOR TITLED 'MANAGEMENT AUDIT OF THE PUBLIC UTILITIES PROGRAM' AND TO RECOMMEND CHANGES TO EXISTING STATUTES SO THAT PROGRAM OBJECTIVES CAN BE ACHIEVED WITH GREATER EFFECTIVENESS AND EFFICIENCY", was jointly offered by Senators Taira, Takitani, Leopold, Anderson, Saiki, Yim, F. Wong, Hara, Toyofuku, Ching, O'Connor, Kawasaki, R. Wong, Ushijima, Young, George, Yee, Kuroda, Hulten, Nishimura and Rohlfing.

By unanimous consent, S.C.R. No. 118 was referred to the Committee on Public Utilities, then to the Committee on Legislative Management.

A concurrent resolution (S.C.R. No. 119), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO NAMING THE STADIUM AT HALAWA", was jointly offered by Senators King, Chong, Hulten, Rohlfing, Yamasaki, Leopold and Henderson.

By unanimous consent, S.C.R. No. 119 was referred to the Committee on Ecology, Environment and Recreation.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 356 to 364) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 356), entitled: "SENATE RESOLUTION RELATING TO THE HOURS OF GOVERNMENT AGENCIES", was jointly offered by Senators King, Chong, George, Toyofuku, Hulten, Saiki, Henderson and Yim.

By unanimous consent, S.R. No. 356 was referred to the Committee on Human Resources.

A resolution (S.R. No. 357), entitled: "SENATE RESOLUTION REQUESTING DEPARTMENT OF HEALTH RECONSIDERATION OF ITS CONSERVATION

STANDARDS", was jointly offered by Senators King, Nishimura, R. Wong, Kuroda, Yim, Leopold, Rohlfing, Chong, Yamasaki, Taira, George, Hulten, Toyofuku and Saiki.

By unanimous consent, S.R. No. 357 was referred to the Committee on Health.

A resolution (S.R. No. 358), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON POPULATION CONTROL", was jointly offered by Senators King, R. Wong, Kuroda, Rohlfing, Chong, Ching, Yamasaki, Taira, George, Hulten, Toyofuku, Henderson, Yim, Leopold and Saiki.

By unanimous consent, S.R. No. 358 was referred to the Committee on Ecology, Environment and Recreation.

A resolution (S.R. No. 359), entitled: "SENATE RESOLUTION REQUESTING A CONGRESSIONAL STUDY INTO THE EFFECTS OF SPRAY CAN PROPELLANTS UPON THE EARTH'S OZONE RADIATION SHIELD", was jointly offered by Senators King, Nishimura, R. Wong, Kuroda, Rohlfing, Hulten, Chong, Ching, Yamasaki, Taira, George, Toyofuku, Henderson, Yim and Leopold.

By unanimous consent, S.R. No. 359 was referred to the Committee on Ecology, Environment and Recreation.

A resolution (S.R. No. 360), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON POSSIBILITIES OF CONTROLLING POLLUTION THROUGH TAXATION", was jointly offered by Senators King, Nishimura, R. Wong, Kuroda, Rohlfing, Chong, Ching, Yamasaki, Taira, Hulten, Toyofuku, Yim and Leopold.

By unanimous consent, S.R. No. 360 was referred to the Committee on Ways and Means.

A resolution (S.R. No. 361), entitled: "SENATE RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO ENACT LEGISLATION TO DESIGNATE KALAUPAPA PENINSULA, MOLOKAI AS A NATIONAL HISTORICAL PARK", was jointly offered by Senators King, R. Wong, Hulten and Yim.

By unanimous consent, S.R. No. 361 was referred to the Committee on Ecology, Environment and Recreation.

A resolution (S.R. No. 362), entitled: "SENATE RESOLUTION HONORING WALTER FRANCIS 'BUSTER' MCGUIRE, ONE OF HAWAII'S GREAT CIVIC LEADERS AND SPORTSMAN,

UPON HIS RETIREMENT FROM UNITED AIRLINES", was jointly offered by Senators Ushijima, O'Connor, Takitani, Chong, George, Ching, Yee, King, Yamasaki, Hulten, Taira, Young, Anderson, Rohlfing, Toyofuku, Leopold, Hara, Kawasaki, Yim, Kuroda, Nishimura, R. Wong, F. Wong, Saiki and Henderson.

On motion by Senator Taira, seconded by Senator Anderson and carried, S.R. No. 362 was adopted.

At 11:43 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

At 12:00 o'clock p.m., the Senate reconvened.

A resolution (S.R. No. 363), entitled: "SENATE RESOLUTION REQUESTING THE APPOINTMENT OF A SENATE INTERIM COMMITTEE TO REVIEW AND STUDY THE REPORT OF THE LEGISLATIVE AUDITOR TITLED 'MANAGEMENT AUDIT OF THE PUBLIC UTILITIES PROGRAM' AND TO RECOMMEND CHANGES TO EXISTING STATUTES SO THAT PROGRAM OBJECTIVES CAN BE ACHIEVED WITH GREATER EFFECTIVENESS AND EFFICIENCY", was offered by Senator Taira.

By unanimous consent, S.R. No. 363 was referred to the Committee on Public Utilities, then to the Committee on Legislative Management.

A resolution (S.R. No. 364), entitled: "SENATE RESOLUTION REQUESTING A STUDY BY THE PARKS DIVISION OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES OF A COMPREHENSIVE RECREATIONAL USE PLAN FOR THE AREA BETWEEN KUHIO BEACH AND SANS SOUCL, WAIKIKI, OAHU", was offered by Senator Rohlfing.

By unanimous consent, S.R. No. 364 was referred to the Committee on Ecology, Environment and Recreation.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 686), informing the Senate that Senate Concurrent Resolution Nos. 111 to 118, Senate Resolution Nos. 353 to 362, and Standing Committee Report Nos. 687 to 695 have been printed and are ready for distribution.

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, the report of the Committee

was adopted.

Senator Chong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 687), recommending that House Bill No. 383 pass Second Reading and be referred to the Committee on Judiciary.

By unanimous consent, the referral of H.B. No. 383 to the Committee on Judiciary was waived.

On motion by Senator Chong, seconded by Senator Takitani and carried, Stand. Com. Rep. No. 687 was received and placed on file and H.B. No. 383, entitled: "A BILL FOR AN ACT RELATING TO OATHS IN VITAL STATISTICS REGISTRATIONS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 24, 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. 383.

Senator Chong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 688), recommending that House Bill No. 384 pass Second Reading and be referred to the Committee on Judiciary.

By unanimous consent, the referral of H.B. No. 384 to the Committee on Judiciary was waived.

On motion by Senator Chong, seconded by Senator Takitani and carried, Stand. Com. Rep. No. 688 was received and placed on file and H.B. No. 384, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS REGISTRATION OF FETAL DEATHS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 24, 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. 384.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 689), recommending that Senate Concurrent Resolution No. 9 be adopted.

On motion by Senator Young, seconded by Senator Toyofuku and carried, the report of the Committee was adopted and S.C.R. No. 9, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE

UNITED STATES DEPARTMENT OF AGRICULTURE TO PROMPTLY IMPLEMENT NEW RURAL HOUSING AID PROGRAMS", was adopted.

Senator Ching, for the Committee on Military and Civil Defense, presented a report (Stand. Com. Rep. No. 690), recommending that House Bill No. 277, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ching, seconded by Senator Kuroda and carried, the report of the Committee was adopted and H.B. No. 277, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII NATIONAL GUARD UNIFORM MAINTENANCE ALLOWANCE FOR ENLISTED PERSONNEL", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ching, for the Committee on Military and Civil Defense, presented a report (Stand. Com. Rep. No. 691), recommending that House Bill No. 377 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ching, seconded by Senator Kuroda and carried, the report of the Committee was adopted and H.B. No. 377, entitled: "A BILL FOR AN ACT RELATING TO USE OF ARMORIES, MILITARY RESERVATIONS AND OTHER MILITARY INSTALLATIONS", 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. 692), recommending that House Bill No. 62, 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. 62, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELDERLY AFFAIRS", 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. 693), recommending that House Bill No. 1877 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. 1877, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 24, 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. 1877.

Senator R. Wong, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 694), recommending that House Bill No. 373 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 373, entitled: "A BILL FOR AN ACT RELATING TO GENERAL OBLIGATION BONDS OF THE STATE OF HAWAII", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 24, 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. 373.

Senator Kuroda, for the Committee on Consumer Protection, presented a report (Stand. Com. Rep. No. 695), recommending that House Bill No. 147, H.D. 1, as amended in S.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. 147, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SALE OF BULLION", passed Second Reading and was referred to the Committee on Judiciary.

ORDER OF THE DAY

RE-REFERRAL OF A HOUSE BILL

The President made the following

re-referral of a House bill that had been received on Tuesday, March 11, 1975:

House Bill Referred to:

No. 480, H.D. 1 Committee on Health, then to the Committee on Ways and Means

THIRD READING

House Bill No. 416, H.D. 1:

By unanimous consent, action on H.B. No. 416, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKMEN'S COMPENSATION", was deferred until Thursday, March 27, 1975.

House Bill No. 418:

By unanimous consent, action on H.B. No. 418, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII OCCUPATIONAL SAFETY AND HEALTH LAW", was deferred until Thursday, March 27, 1975.

House Bill No. 582, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 582, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKMEN'S COMPENSATION", was deferred until Thursday, March 27, 1975.

House Bill No. 606:

By unanimous consent, action on H.B. No. 606, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS OR EMPLOYEES SERVING ON BOARDS OR COMMISSIONS", was deferred until Thursday, March 27, 1975.

At this time, Senator Kawasaki introduced Mr. George Allan, coach of the Washington Redskins, and Mrs. Allan. They were accompanied by Mr. Lum who was also introduced.

ADJOURNMENT

At 12:07 o'clock p.m., on motion by Senator Taira, seconded by Senator Anderson and carried, the Senate adjourned until 11:00 o'clock a.m., Monday, March 24, 1975.