

FORTY-NINTH DAY

Tuesday, March 25, 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 Mr. Cliff R. Scott, General Manager of KAIM, who is the Personal Representative of Billy Graham Association, after which the Roll was called showing all Senators present with the exception of Senator Nishimura who was excused.

The President announced that he had read and approved the Journal of the Forty-Eighth Day.

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

Senator Hulten introduced 50 students from the Fifth through the Eighth Grades at St. Mark Lutheran School, Kaneohe, with their principal, Mr. Zimmerschied; teachers, Mr. McHenry, Miss Moon; and parents, Mrs. Sheeley, Mr. Malama, Mrs. Higa and Mrs. Simeona.

Senator R. Wong then introduced Miss Angie Kramer from St. Michael's School and Miss Shelley Fletcher from Radford High School, who were visiting the Capitol this morning.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 297 to 303) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 297), returning Senate Bill No. 559, S.D. 1, which passed Third Reading in the House of Representatives on March 24, 1975, was placed on file.

A communication from the House (Hse. Com. No. 298), returning Senate Bill No. 1345, S.D. 1, which passed Third Reading in the House of Representatives on March 24, 1975, was placed on file.

A communication from the House (Hse. Com. No. 299), transmitting House Concurrent Resolution No. 47, H.D. 1, which was adopted by the House of Representatives on March 24, 1975, was placed on file.

By unanimous consent, H.C.R.

No. 47, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RECOMMENDING IMMEDIATE IMPLEMENTATION OF A DIAMOND HEAD CRATER STATE PARK", was referred to the Committee on Ecology, Environment and Recreation.

A communication from the House (Hse. Com. No. 300), transmitting House Concurrent Resolution No. 54, which was adopted by the House of Representatives on March 24, 1975, was placed on file.

By unanimous consent, H.C.R. No. 54, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE RETURN OF THE ISLAND OF KAHOO LAWE TO THE STATE OF HAWAII FROM THE UNITED STATES GOVERNMENT", was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 301), transmitting House Concurrent Resolution No. 72, H.D. 1, which was adopted by the House of Representatives on March 24, 1975, was placed on file.

By unanimous consent, H.C.R. No. 72, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING HOUSE OF REPRESENTATIVES 2522, A BILL TO PROVIDE FEDERAL PROGRAMS OF EDUCATIONAL, EMPLOYMENT, AND OTHER ASSISTANCE TO AREAS WITH HEAVY CONCENTRATIONS OF FOREIGN-BORN PERSONS", was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 302), transmitting House Concurrent Resolution No. 82, which was adopted by the House of Representatives on March 24, 1975, was placed on file.

By unanimous consent, H.C.R. No. 82, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF THE LEGISLATIVE AUDITOR TO CONDUCT AN AUDIT OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES", was referred to the Committee on Legislative Management.

A communication from the House (Hse. Com. No. 303), transmitting House Concurrent Resolution No. 105, H.D. 1, which was adopted by the House of Representatives on March 24, 1975, was placed on file.

By unanimous consent, H.C.R. No. 105, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ARMED SERVICES COMMITTEE, SUBCOMMITTEE NO. 5 TO SCHEDULE

HEARINGS AND RELEASE 1,324 ACRES OF CEDED LAND AS ADVISED BY THE DEPARTMENT OF THE ARMY", was referred to the Committee on Economic Development.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 122 and 123) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 122), entitled: "SENATE CONCURRENT RESOLUTION ENDORSING POLICIES TO GUIDE THE STATE'S POPULATION AND ECONOMIC GROWTH AND REQUESTING THE OFFICE OF THE GOVERNOR IN CONJUNCTION WITH A JOINT INTERIM COMMITTEE CONSISTING OF MEMBERS FROM EACH HOUSE TO DEVELOP IMPLEMENTATION FOR THE ADOPTED GROWTH POLICIES", was jointly offered by Senators Ushijima, F. Wong, Takitani, Taira, Anderson, Yamasaki, Hulten, Yim, Young, Chong, O'Connor, Saiki, Rohlfing, Toyofuku, Yee and R. Wong.

By unanimous consent, S.C.R. No. 122 was referred to the Committee on Legislative Management.

A concurrent resolution (S.C.R. No. 123), entitled: "SENATE CONCURRENT RESOLUTION COMMENDING THE BAHAI FAITH'S TELEVISION PROGRAMS PRODUCED IN CONJUNCTION WITH KITV", was jointly offered by Senators R. Wong, Young, Takitani, Kawasaki, F. Wong, Yim, Kuroda, Yamasaki, Taira, Chong, Hulten, Toyofuku, Nishimura, O'Connor, Hara, Ching, George, Henderson, Saiki, Yee, Ushijima, Anderson and Rohlfing.

On motion by Senator R. Wong, seconded by Senator Yim and carried, S.C.R. No. 123 was adopted.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 709), informing the Senate that Senate Concurrent Resolution No. 122 and Standing Committee Report Nos. 710 to 718 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. 710), recommending

that House Bill No. 165, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Education.

By unanimous consent, the referral of H.B. No. 165, H.D. 2, S.D. 1, to the Committee on Education was waived.

On motion by Senator Chong, seconded by Senator Ching and carried, Stand. Com. Rep. No. 710 was received and placed on file and H.B. No. 165, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH SERVICES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nishimura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 711), recommending that House Concurrent Resolution No. 5 be adopted.

On motion by Senator O'Connor, seconded by Senator Taira and carried, the report of the Committee was adopted and H.C.R. No. 5, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO PROCLAIMING 1975 AS INTERNATIONAL WOMEN'S YEAR", was adopted.

Senator Nishimura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 712), recommending that House Concurrent Resolution No. 100, as amended in S.D. 1, be adopted.

On motion by Senator O'Connor, seconded by Senator Taira and carried, the report of the Committee was adopted and H.C.R. No. 100, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO HAWAIIAN NATIVE CLAIMS", was adopted.

Senator Kuroda, for the Committee on Consumer Protection, presented a report (Stand. Com. Rep. No. 713), recommending that House Bill No. 141, 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. 141, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MECHANIC'S AND MATERIALMEN'S LIENS", 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. 714), recommending that House Bill No. 499, 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. 499, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATION DUE TO MARITAL STATUS", passed Second Reading and was referred to the Committee on Judiciary.

Senator Kuroda, for the majority of the Committee on Consumer Protection, presented a report (Stand. Com. Rep. No. 715), recommending that House Bill No. 821, 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 majority of the Committee was adopted and H.B. No. 821, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ANTITRUST EXEMPTION FOR NEWSPAPERS", 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. 716), recommending that House Bill No. 1209 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. 1209, entitled: "A BILL FOR AN ACT RELATING TO RESTITUTION IN CASES FILED 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. 717), recommending that House Bill No. 1874, 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. 1874, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONTRACTORS RECOVERY FUND", 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. 718), recommending that House Bill No. 850, 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. 850, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MOTOR VEHICLE ACCIDENT REPARATIONS ACT", passed Second Reading and was referred to the Committee on Judiciary.

ORDER OF THE DAY

MATTERS DEFERRED FROM MARCH 24, 1975

Standing Committee Report No. 697 (H.C.R. No. 81, H.D. 1):

On motion by Senator Toyofuku, seconded by Senator Young and carried, Stand. Com. Rep. No. 697 was adopted and H.C.R. No. 81, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE APPOINTMENT OF A COMMITTEE TO STUDY HAWAII'S UNEMPLOYMENT PROBLEMS AND MAKE RECOMMENDATIONS THEREON", was adopted.

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

The Senate reconvened at 12:45 o'clock p.m.

At this time, the President introduced twelve young boys from Hilo who are being sponsored by the Maunakea Jaycees in Hilo to participate in the Jaycees Junior Golf Tournament being held here in Honolulu.

Standing Committee Report No. 708 (H.B. No. 1870, H.D. 1, S.D. 2):

By unanimous consent, consideration of Stand. Com. Rep. No. 708 and H.B. No. 1870, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION", was deferred until Thursday, March 27, 1975.

House Bill No. 373:

By unanimous consent, consideration of H.B. No. 373, entitled: "A BILL

FOR AN ACT RELATING TO GENERAL
OBLIGATION BONDS OF THE STATE
OF HAWAII", was deferred until
Thursday, March 27, 1975.

ADJOURNMENT

At 12:47 o'clock p.m., on motion
by Senator Taira, seconded by Senator
Anderson and carried, the Senate
adjourned until 11:30 o'clock a.m.,
Thursday, March 27, 1975.