

## TWELFTH DAY

Thursday, February 5, 1976

The Senate of the Eighth Legislature of the State of Hawaii, Regular Session of 1976, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Rabbi Julius Nodel of the Temple Emanu-El, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Eleventh Day.

At this time, Senator Yee introduced to the members of the Senate 27 fourth grade students from Hawaii Baptist Academy, accompanied by their teacher, Mrs. Betty Petherbridge.

Senator Yee also introduced to the members of the Senate Kenn Kojima, a senior at Waimea High School, Kauai, who is Chairman of the Hawaii State Student Council.

Senator Kuroda then introduced to the members of the Senate the Honorable Jina Lavin, Representative, Marshall Islands Legislature, and the Honorable Soulik Sellet, Representative, Truk Island Legislature.

## SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 125 to 131) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 125), entitled: "SENATE RESOLUTION RELATING TO FUNCTIONS OF THE ENVIRONMENTAL COUNCIL", was offered by Senator King.

By unanimous consent, S.R. No. 125 was referred to the Committee on Ecology, Environment and Recreation.

A resolution (S.R. No. 126), entitled: "SENATE RESOLUTION REQUESTING THE STATE POST-SECONDARY EDUCATION COMMISSION TO CONDUCT AN EVALUATION OF ENROLLMENT, FACILITIES, FACULTY AND FUTURE GROWTH PATTERNS OF INSTITUTIONS OF HIGHER EDUCATION IN HAWAII", was jointly offered by Senators Saiki, Yee, Anderson, George, Henderson, Leopold and Soares.

By unanimous consent, S.R. No. 126 was referred to the Committee on Higher Education.

A resolution (S.R. No. 127), entitled: "SENATE RESOLUTION RELATING TO THE UNIVERSITY OF HAWAII SCHOOL

OF PUBLIC HEALTH AND ITS EXPLORATIONS AND EXPERIMENTS WITH HEALTH AND SOCIAL PLANNING DATA", was jointly offered by Senators Chong, Kuroda, Yim, King, Young, R. Wong, F. Wong, Takitani, Hulven, Kawasaki, Yee and Taira.

By unanimous consent, S.R. No. 127 was jointly referred to the Committee on Higher Education and the Committee on Health.

A resolution (S.R. No. 128), entitled: "SENATE RESOLUTION RELATING TO AGRICULTURAL LEASEHOLD LOTS", was jointly offered by Senators Chong, Kuroda, Yim, King, Young, R. Wong, Takitani, Hulten, Yee and Taira.

By unanimous consent, S.R. No. 128 was referred to the Committee on Economic Development.

A resolution (S.R. No. 129), entitled: "SENATE RESOLUTION CONGRATULATING THE PACIFIC PROFESSIONAL STANDARDS REVIEW ORGANIZATION", was jointly offered by Senators Chong, Kuroda, Yim, King, Young, R. Wong, F. Wong, Takitani, Hulten, Kawasaki, Yee and Taira.

On motion by Senator Chong, seconded by Senator Kuroda and carried, S.R. No. 129 was adopted.

At 11:38 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:40 o'clock a.m.

A resolution (S.R. No. 130), entitled: "SENATE RESOLUTION ENCOURAGING SUPPORT OF COMMUNITY GARDENING", was jointly offered by Senators Chong, Yim, F. Wong, Takitani, R. Wong, Hulten, Kuroda, Kawasaki, Yee and Taira.

By unanimous consent, S.R. No. 130 was referred to the Committee on Ecology, Environment and Recreation.

A resolution (S.R. No. 131), entitled: "SENATE RESOLUTION EXTENDING CONDOLENCES TO THE FAMILY OF THE LATE MARTIN G. KIHANO, SR.", was jointly offered by Senators Ching, Toyofuku, Young, Takitani, Chong, Kuroda, Ushijima, F. Wong, Hulten, Kawasaki, Yamasaki, Taira, O'Connor, King, R. Wong, George, Hara, Yim, Saiki, Nishimura, Leopold, Soares, Yee, Anderson and Henderson.

On motion by Senator Ching, seconded by Senator Taira and carried, S.R. No. 131 was adopted.

#### 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 Friday, February 6, 1976:

#### Senate Bills

No. 2102-76 "A Bill for an Act Relating to Social Security Account Numbers."

Introduced by: Senators Chong, Yim, King and Kuroda.

No. 2103-76 "A Bill for an Act Relating to Waikiki Aquarium."

Introduced by: Senators Chong, Kuroda, Young, Leopold and Yee.

No. 2104-76 "A Bill for an Act Making an Appropriation to Provide Grants-in-Aid to County Governments of Hawaii for Community Gardens."

Introduced by: Senator Chong.

No. 2105-76 "A Bill for an Act Relating to Circuit Courts."

Introduced by: Senator Ushijima, by request.

No. 2106-76 "A Bill for an Act Relating to the Administrative Director of the Courts."

Introduced by: Senator Ushijima, by request.

No. 2107-76 "A Bill for an Act Relating to Law Clerks for Justices of the Supreme Court."

Introduced by: Senator Ushijima, by request.

No. 2108-76 "A Bill for an Act Relating to the Sheriff."

Introduced by: Senator Ushijima, by request.

No. 2109-76 "A Bill for an Act Relating to the Uniform Parentage Act."

Introduced by: Senator Ushijima, by request.

No. 2110-76 "A Bill for an Act Relating to Life Insurance."

Introduced by: Senators Taira,

Hulten, Chong, Nishimura, George, Yim, O'Connor, Yamasaki, Henderson, Young, Ching, R. Wong, Saiki, King, Kuroda, Takitani, Anderson, Leopold and F. Wong.

No. 2111-76 "A Bill for an Act Making an Appropriation for the Planning and Construction of a Pedestrian Overpass from Moanalua Road, Aiea, to the Parking Lot of Aloha Stadium."

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

No. 2112-76 "A Bill for an Act Relating to a State Park at the Site in Pearl City, Oahu, Identified as the Waiau High School Site."

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

No. 2113-76 "A Bill for an Act Making an Appropriation for Department of Education Capital Improvement Projects in the Fourth Senatorial District."

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

No. 2114-76 "A Bill for an Act Making a Supplementary Appropriation for Land Acquisitions, Plans and Construction of a Public Park at Kaiaka Point, Waialua, Oahu."

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

No. 2115-76 "A Bill for an Act Making an Appropriation for a Water Development Feasibility Study in the Waianae District, Oahu."

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

No. 2116-76 "A Bill for an Act Making a Supplemental Appropriation for the Development of Rainbow Bay Recreational Area and Park at Aiea Bay, Pearl Harbor, Oahu."

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

No. 2117-76 "A Bill for an Act Making an Appropriation for a Cover Over the Bleachers at Pearl City Recreation Center, Pearl City, Oahu."

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

No. 2118-76 "A Bill for an Act Making an Appropriation for Improvements to the Water Distribution System in Makaha, Oahu."

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

No. 2119-76 "A Bill for an Act Making  
an Appropriation for the Purchase  
and Installation of an Acoustic Shell  
in the Leeward Community College  
Theatre at Leeward Community College,  
Oahu".

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

No. 2120-76 "A Bill for an Act Relating  
to Termination of Insurance."

Introduced by: Senators George,  
Soares, Saiki, Anderson, Yee,  
Henderson, Leopold, Chong, Kawasaki,  
Ching, Taira, Nishimura, Young,  
Yamasaki, King, F. Wong and Hara.

On motion by Senator Taira, seconded  
by Senator Anderson and carried, the  
following bill was referred to print  
and was placed on the calendar for further  
consideration on Friday, February  
6, 1976:

Senate Bill

No. 2101-76 "A Bill for an Act Relating  
to Leasehold and an Appropriation  
Therefor."

Introduced by: Senators Chong, Yim,  
King, Kuroda and Taira.

#### SPECIAL COMMITTEE REPORT

Senator R. Wong, for the majority  
of the Interim Committee on Ways and  
Means authorized to conduct hearings  
and to review the subject of taxation,  
presented a report (Spec. Com. Rep.  
No. 10).

By unanimous consent, the report  
of the Committee was received and placed  
on file.

#### STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee  
on Legislative Management, presented  
a report (Stand. Com. Rep. No. 9-  
76) informing the Senate that Senate  
Resolution Nos. 124 to 130; Senate  
Bill Nos. 2049-76 to 2100-76; and Special  
Committee Report No. 10 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.

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

The Senate reconvened at 12:18  
o'clock p.m.

#### ORDER OF THE DAY

#### REFERRAL OF SENATE BILLS

The President made the following committee  
assignments of bills that were introduced  
on Wednesday, February 4, 1976:

Senate Bills Referred to:

No. 2049-76 Committee on Health

No. 2050-76 Committee on Human  
Resources

No. 2051-76 Committee on Education

No. 2052-76 Committee on Government  
Operations and Efficiency

No. 2053-76 Committee on Education,  
then to the Committee on Ways and  
Means

No. 2054-76 Committee on Education,  
then to the Committee on Ways and  
Means

No. 2055-76 Committee on Education,  
then to the Committee on Ways and  
Means

No. 2056-76 Committee on Education,  
then to the Committee on Ways and  
Means

No. 2057-76 Committee on Education,  
then to the Committee on Ways and  
Means

No. 2058-76 Committee on Education,  
then to the Committee on Ways and  
Means

No. 2059-76 Committee on Education,  
then to the Committee on Ways and  
Means

No. 2060-76 Committee on Education,  
then to the Committee on Ways and  
Means

No. 2061-76 Committee on Education,  
then to the Committee on Ways and  
Means

No. 2062-76 Committee on Education,  
then to the Committee on Ways and  
Means

No. 2063-76 Committee on Education,  
then to the Committee on Ways and  
Means

No. 2064-76 Committee on Education,  
then to the Committee on Ways and  
Means

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| No. 2065-76 | Committee on Education,<br>then to the Committee on Ways and<br>Means | No. 2085-76 | Committee on Economic<br>Development  |
| No. 2066-76 | Committee on Education,<br>then to the Committee on Ways and<br>Means | No. 2086-76 | Committee on Public<br>Utilities  |
| No. 2067-76 | Committee on Education,<br>then to the Committee on Ways and<br>Means | No. 2087-76 | Committee on Judiciary  |
| No. 2068-76 | Committee on Education,<br>then to the Committee on Ways and<br>Means | No. 2088-76 | Committee on Judiciary  |
| No. 2069-76 | Committee on Education,<br>then to the Committee on Ways and<br>Means | No. 2089-76 | Committee on Economic<br>Development  |
| No. 2070-76 | Committee on Education,<br>then to the Committee on Ways and<br>Means | No. 2090-76 | Committee on Intergovern-<br>mental Relations, then to the Committee<br>on Economic Development       |
| No. 2071-76 | Committee on Education,<br>then to the Committee on Ways and<br>Means | No. 2091-76 | Committee on Judiciary  |
| No. 2072-76 | Committee on Education,<br>then to the Committee on Ways and<br>Means | No. 2092-76 | Committee on Ecology,<br>Environment and Recreation, then<br>to the Committee on Economic Development |
| No. 2073-76 | Committee on Education,<br>then to the Committee on Ways and<br>Means | No. 2093-76 | Committee on Judiciary  |
| No. 2074-76 | Committee on Education,<br>then to the Committee on Ways and<br>Means | No. 2094-76 | Committee on Intergovern-<br>mental Relations, then to the Committee<br>on Economic Development       |
| No. 2075-76 | Committee on Education,<br>then to the Committee on Ways and<br>Means | No. 2095-76 | Committee on Transporta-<br>tion, then to the Committee on Ways<br>and Means                          |
| No. 2076-76 | Committee on Education,<br>then to the Committee on Ways and<br>Means | No. 2096-76 | Committee on Judiciary  |
| No. 2077-76 | Committee on Education,<br>then to the Committee on Ways and<br>Means | No. 2097-76 | Committee on Ways<br>and Means  |
| No. 2078-76 | Committee on Education,<br>then to the Committee on Ways and<br>Means | No. 2098-76 | Committee on Education,<br>then to the Committee on Ways and<br>Means                                 |
| No. 2079-76 | Committee on Judiciary  | No. 2099-76 | Committee on Human<br>Resources, then to the Committee<br>on Ways and Means                           |
| No. 2080-76 | Committee on Intergovern-<br>mental Relations                         | No. 2100-76 | Committee on Ways<br>and Means  |
| No. 2081-76 | Committee on Transporta-<br>tion, then to the Committee on Judiciary  |             |   |
| No. 2082-76 | Committee on Judiciary  |             |   |
| No. 2083-76 | Committee on Transporta-<br>tion, then to the Committee on Judiciary  |             |   |
| No. 2084-76 | Committee on Human<br>Resources                                       |             |   |

## RE-REFERRAL OF SENATE BILLS

The President made the following re-referral of bills that were introduced in the Regular Session of 1975 as follows:

Senate Bills                      Referred to:

- |          |   |
|----------|---|
| No. 1209 | Committee on Health, then<br>to the Committee on Ways and Means       |
| No. 1307 | Committee on Education,<br>then to the Committee on Ways and<br>Means |
| No. 1308 | Committee on Ways and<br>Means  |

The President made the following re-referral of bills that were introduced on Friday, January 30, 1976:

No. 2014-76 Committee on Ways and Means

No. 2015-76 Committee on Ways and Means

The President made the following re-referral of a bill that was introduced on Tuesday, February 3, 1976:

Senate Bill Referred to:

No. 2043-76 Committee on Ways and Means

At 12: 21 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12: 26 o'clock p.m.

### THIRD READING

Senate Bill No. 1893-76, S.D. 1:

Senator R. Wong moved that S.B. No. 1893-76, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Yamasaki.

At this time, Senator Wong rose to speak as follows:

"Mr. President,

I rise to speak in favor of this bill, S.B. No. 1893-76, S.D. 1.

This bill provides for the expenses of the Legislature and the legislative-support agencies. I would like to take this opportunity, Mr. President, to point out some of the highlights of this bill.

It provides \$1.4 million for the expenses of the Senate and \$1.8 million for the expenses of the House. These amounts represent a 10% increase over the amounts appropriated last year. This 10% increase is necessary to cope with the increased costs for equipment, supplies, staff services and other expenses of the Legislature.

Mr. President, if I may refresh the memories of my colleagues in this honorable Body, last year we increased the appropriations for the Senate and the House in order to improve our technical capabilities and strengthen the role of the Legislative branch of government. This is paying off. We in the Legislature are now engaged in more interim studies and development of programs and policies, and are now more able to monitor the implementation of these programs and policies by the Administration.

The funds provided by this bill will enable the Legislature to continue this self-strengthening process.

With respect to the legislative-support agencies--the Legislative Auditor, the State Ethics Commission, the Legislative Reference Bureau, the Revisor of Statutes and the Ombudsman--this bill provides sufficient funds to meet their needs during fiscal year 1976-77.

We have also provided \$5,000 for the operations of the Legislative Information Office, which provides the public with timely information on hearings, status of bills and other matters relating to the Legislature. It is our hope that this Office will help encourage public knowledge of and input into the legislative process.

We have disallowed a request from the Revisor of Statutes for funds for the replacement of Volume IV of the Hawaii Revised Statutes. This matter will be considered separately in enabling legislation.

Mr. President, I believe that the various amounts appropriated by this bill are reasonable and justifiable. Therefore, I urge all of my colleagues in the Senate to vote in favor of this bill.

Thank you."

The motion was put by the Chair and carried, and S.B. No. 1893-76, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE THE EXPENSES OF THE LEGISLATURE, THE LEGISLATIVE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, THE OMBUDSMAN", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 12: 30 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12: 32 o'clock p.m.

At this time, Senator Leopold served notice of his proposed amendments to Senate Rule Nos. 16, 20 and 22, in accordance with Senate Rule No. 84, of the Rules of the Senate of the Eighth and Ninth Legislatures of the State of Hawaii.

### ADJOURNMENT

At 12: 33 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., Friday, February 6, 1976.