

SEVENTEENTH DAY

Thursday, February 12, 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 Father John J. Sullivan of Star of the Sea Church, after which the Roll was called showing all Senators present, with the exception of Senators Kuroda, Toyofuku and Young, who were excused.

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

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

Senator Hulten introduced forty students from Kahuku and Kailua High Schools with the TESOL program, with their teachers, Mr. William Cunningham and Mr. Curtis Heaton, and a tutor, Miss Jacqueline Chang.

Senator Ching then introduced a class from the Hawaii School for the Deaf and Blind, who has an exhibit of their paintings displayed outside of the Senate Chambers. Accompanying them was their teacher, Miss Marilyn Kim.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 85 and 86) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 85), transmitting a report prepared by the Department of Health on the implementation of the State Plan for Substance Abuse, pursuant to Section 2, Act 190, Session Laws of Hawaii, 1975, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 86), transmitting the following reports:

1. A report prepared by the Department of Transportation pursuant to Section 171-29, Hawaii Revised Statutes, on Land Dispositions, was referred to the Committee on Transportation;

2. A report prepared by the Department of Land and Natural Resources pursuant to Section 171-29, Hawaii Revised Statutes, on Land Dispositions, was referred to the Committee on Economic Development;

3. A report prepared by the Department of Land and Natural Resources pursuant to Section 171-29, Hawaii Revised Statutes, on subleases approved by the Board of Land and Natural Resources, was referred to the Committee on Economic Development;

4. A report prepared by the Department of Land and Natural Resources pursuant to Section 171-95, Hawaii Revised Statutes, on disposition to public utilities, was jointly referred to the Committee on Economic Development and the Committee on Public Utilities;

5. A report prepared by the Department of Land and Natural Resources pursuant to Section 171-11, Hawaii Revised Statutes, on Executive Orders issued, was referred to the Committee on Economic Development; and

6. A report prepared by the Department of Land and Natural Resources pursuant to Sections 171-29 and 171-50, Hawaii Revised Statutes, on exchanges of State lands to acquire private lands for public use, was referred to the Committee on Economic Development.

HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 13), returning Senate Concurrent Resolution No. 36 which was adopted by the House of Representatives on February 11, 1976, was read by the Clerk and was placed on file.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 149 to 153), were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 149), entitled: "SENATE RESOLUTION REQUESTING THE GOVERNOR TO CONSIDER DECLARING THE WAIANAE COAST A DISASTER AREA AS A RESULT OF THE DAMAGE CAUSED BY THE RAIN AND FLOODS", was jointly offered by Senators Young, F. Wong, Ching and Kuroda.

By unanimous consent, S.R. No. 149 was referred to the Committee on Economic Development.

A resolution (S.R. No. 150), entitled: "SENATE RESOLUTION REQUESTING THE JUDICIARY OF HAWAII TO REXAMINE THE STATE PROBATION SYSTEM", was offered by Senator Leopold.

By unanimous consent, S.R. No. 150 was referred to the Committee on Judiciary.

A resolution (S.R. No. 151), entitled: "SENATE RESOLUTION REQUESTING HAWAIIAN TELEPHONE COMPANY AND AMERICAN TELEPHONE AND TELEGRAPH COMPANY TO INTEGRATE HAWAII INTO AN ENLARGED NATIONAL LONG DISTANCE TELEPHONE RATE PATTERN", was offered by Senator Leopold.

By unanimous consent, S.R. No. 151 was referred to the Committee on Public Utilities.

A resolution (S.R. No. 152), entitled: "SENATE RESOLUTION EXTENDING CONDOLENCES TO THE FAMILY OF SIR JOSEPH H. O'DONNELL", was jointly offered by Senators Hulten, Chong, Kuroda, F. Wong, King, George, Henderson, Ushijima, Young, Yamasaki, Anderson, Toyofuku, Takitani, R. Wong, Soares, Yim, O'Connor, Taira, Ching, Kawasaki, Hara and Nishimura.

On motion by Senator Hulten, seconded by Senator O'Connor and carried, S.R. No. 152 was adopted.

A resolution (S.R. No. 153), entitled: "SENATE RESOLUTION REQUESTING THE GOVERNMENT OF THE UNITED STATES TO TERMINATE ITS ACTIVITIES IN THE STATE OF ANGOLA", was jointly offered by Senators Kawasaki, Chong, Taira, R. Wong, Yim, Yamasaki, Ching, Takitani and F. Wong.

By unanimous consent, S.R. No. 153 was referred to the Committee on Judiciary.

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 13, 1976:

Senate Bills

No. 2262-76 "A Bill for an Act Relating to Prepaid Health Care."

Introduced by: Senators Takitani, Nishimura, Yamasaki, Young, Hara, Taira, Kuroda, F. Wong, Hulten, Toyofuku, Chong, Ching and Soares.

No. 2263-76 "A Bill for an Act Relating to Franchises."

Introduced by: Senators Takitani, Yamasaki, F. Wong, Hulten, Toyofuku, Nishimura, Young, Chong, Ching and Kuroda.

No. 2264-76 "A Bill for an Act Relating to Higher Education and Making an Appropriation Therefor."

Introduced by: Senators Takitani, Nishimura, Yamasaki, King, Hara, F. Wong, Hulten, Toyofuku, Taira, Chong, Ching and Soares.

No. 2265-76 "A Bill for an Act Making an Appropriation for Soundproofing and Air Conditioning of Classrooms for Waialua High School, Oahu."

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

No. 2266-76 "A Bill for an Act Relating to Establishment of General Aviation Airports on Oahu."

Introduced by: Senators O'Connor, R. Wong, Ching, Chong, F. Wong, Takitani, Taira, Henderson, Ushijima, Yamasaki, Nishimura and Soares.

No. 2267-76 "A Bill for an Act Relating to the Establishment of Developmental Rates for Facilities Used by General Aviation Activities."

Introduced by: Senators O'Connor, R. Wong, Ching, F. Wong, Takitani, Taira, Henderson, Ushijima, Yamasaki, Hulten, Chong, Nishimura, Kawasaki, Soares and Kuroda.

No. 2268-76 "A Bill for an Act Making an Appropriation for the Big Island Council on Alcoholism, the Halfway House Residential Treatment Facility at Hakalau."

Introduced by: Senators Hara, Ushijima, Henderson, Chong, O'Connor, Takitani, Yamasaki, F. Wong, Taira, Hulten, Yim, Kuroda, King and Young.

No. 2269-76 "A Bill for an Act Making an Appropriation for Herbicide Control of Hamakua Pamakani."

Introduced by: Senators Hara, Ushijima, Henderson, F. Wong, Chong, Takitani, Ching, Hulten, King, O'Connor, Nishimura, Young, George, Saiki and Taira.

No. 2270-76 "A Bill for an Act Relating to the Manoa Water Main Installation Project."

Introduced by: Senators Chong and King.

No. 2271-76 "A Bill for an Act Making an Appropriation for Poison Information."

Introduced by: Senator Chong, by request.

No. 2272-76 "A Bill for an Act Relating to Horizontal Property Regimes."

Introduced by: Senators Chong and Kawasaki.

No. 2273-76 "A Bill for an Act Relating to the Defense of Members of the Army or Air National Guard or Militia of the State of Hawaii in Actions Brought Against Them for Acts and Omissions Occurring in Active Service."

Introduced by: Senators Ching, Young, F. Wong, Kuroda, O'Connor, Leopold, Chong, Toyofuku, Taira, Takitani, Hulten, Nishimura, Hara, Henderson, Soares and George.

No. 2274-76 "A Bill for an Act Relating to Real Property Taxation."

Introduced by: Senators Yim, R. Wong, Kuroda, Chong, Soares, Henderson, Toyofuku, Takitani, F. Wong, Hulten, Kawasaki and O'Connor.

No. 2275-76 "A Bill for an Act Making an Appropriation for the Lighting of Likelike Highway from Wilson Tunnel to Kamehameha Highway, Kaneohe, Oahu."

Introduced by: Senators Hulten, George and Anderson.

No. 2276-76 "A Bill for an Act Making Appropriations for Castle High School, Kaneohe, Oahu."

Introduced by: Senator Hulten.

No. 2277-76 "A Bill for an Act Making An Appropriation for Plans and Construction of School Facilities, Maui School District."

Introduced by: Senators Yamasaki and Takitani.

No. 2278-76 "A Bill for an Act Making an Appropriation for Plans and Construction of a Convention Center Building, County of Maui."

Introduced by: Senators Yamasaki and Takitani.

No. 2279-76 "A Bill for an Act Making an Appropriation for Plans and Construction of a Community Center, Kihei, Maui."

Introduced by: Senators Yamasaki

and Takitani.

No. 2280-76 "A Bill for an Act Making an Appropriation for Plans and Construction of Improvements, Kaupo Water Project, Maui."

Introduced by: Senators Yamasaki and Takitani.

No. 2281-76 "A Bill for an Act Making an Appropriation for Widening and Resurfacing of Kula Highway, Kaipoi Bridge to Keokea, Maui."

Introduced by: Senators Yamasaki and Takitani.

No. 2282-76 "A Bill for an Act Making an Appropriation to Provide Ambulance Services at Molokai, County of Maui."

Introduced by: Senators Yamasaki and Takitani.

No. 2283-76 "A Bill for an Act Relating to State Grants-In-Aid to the Counties."

Introduced by: Senators R. Wong, Yim, Chong, F. Wong, Ching, Kuroda, Hulten, O'Connor and Anderson.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 14-76), informing the Senate that Senate Resolution Nos. 149 to 152, Senate Bill Nos. 2222-76 to 2261-76 and Standing Committee Report No. 15-76 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. 15-76), recommending that Senate Bill No. 1771-76 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, the report of the Committee was adopted and S.B. No. 1771-76, entitled: "A BILL FOR AN ACT RELATING TO A CONSTITUTIONAL CONVENTION", passed Second Reading and was placed on the calendar for Third Reading on Friday, February 13, 1976.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour

notice was given on S.B. No. 1771-76.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Wednesday, February 11, 1976:

Senate Bill Referred to:

- No. 2222-76 Committee on Human Resources
- No. 2223-76 Committee on Consumer Protection, then to the Committee on Judiciary
- No. 2224-76 Committee on Consumer Protection, then to the Committee on Judiciary
- No. 2225-76 Committee on Human Resources
- No. 2226-76 Committee on Ways and Means
- No. 2227-76 Committee on Human Resources
- No. 2228-76 Committee on Economic Development, then to the Committee on Human Resources
- No. 2229-76 Committee on Ecology, Environment and Recreation, then to the Committee on Judiciary
- No. 2230-76 Committee on Ways and Means
- No. 2231-76 Committee on Health
- No. 2232-76 Committee on Ways and Means
- No. 2233-76 Committee on Ways and Means
- No. 2234-76 Committee on Ways and Means
- No. 2235-76 Committee on Education
- No. 2236-76 Committee on Education, then to the Committee on Ways and Means
- No. 2237-76 Committee on Education, then to the Committee on Ways and Means
- No. 2238-76 Committee on Education, then to the Committee on Ways and Means
- No. 2239-76 Committee on Education,

then to the Committee on Ways and Means

- No. 2240-76 Committee on Education, then to the Committee on Ways and Means
- No. 2241-76 Committee on Education, then to the Committee on Ways and Means
- No. 2242-76 Committee on Education, then to the Committee on Ways and Means
- No. 2243-76 Committee on Education, then to the Committee on Ways and Means
- No. 2244-76 Committee on Education, then to the Committee on Ways and Means
- No. 2245-76 Committee on Education, then to the Committee on Ways and Means
- No. 2246-76 Committee on Education, then to the Committee on Ways and Means
- No. 2247-76 Committee on Education, then to the Committee on Ways and Means
- No. 2248-76 Committee on Education, then to the Committee on Ways and Means
- No. 2249-76 Committee on Education, then to the Committee on Ways and Means
- No. 2250-76 Committee on Education, then to the Committee on Ways and Means
- No. 2251-76 Committee on Education, then to the Committee on Ways and Means
- No. 2252-76 Committee on Education, then to the Committee on Ways and Means
- No. 2253-76 Committee on Education, then to the Committee on Ways and Means
- No. 2254-76 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 2255-76 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 2256-76 Committee on Ecology, Environment and Recreation,

- then to the Committee on Ways
and Means
- No. 2257-76 Committee on Housing
and Hawaiian Homes, then to the
Committee on Ways and Means
- No. 2258-76 Committee on Transportation,
then to the Committee on Ways
and Means
- No. 2259-76 Committee on Judiciary
- No. 2260-76 Committee on Transportation
- No. 2261-76 Committee on Transportation,
then to the Committee on Ways

and Means

At 11:37 o'clock a.m., the Senate
stood in recess, subject to the call
of the Chair.

The Senate reconvened at 11:42
o'clock a.m.

ADJOURNMENT

At 11:43 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, February 13, 1976.