

NINETEENTH DAY

Tuesday, February 17, 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 Reverend Warren Fujimoto of the Soto Mission of Hawaii, after which the Roll was called showing all Senators present, with the exception of Senator Anderson, who was excused.

At this time, a moment of silence was observed in memory of the late Frank C. Judd, a former member of the House of Representatives.

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

The following introductions were then made to the members of the Senate:

Senator Toyofuku introduced a group of senior citizens from Kauai, who are members of the Senior Legislative Program there, with their two advisors, Ellie Lloyd and Richard Chun.

Senator Nishimura introduced Mr. and Mrs. L. P. Louey and their two children Sandra and Jim, who are visiting the Islands after a 25-year absence.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 87 to 89) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 87), transmitting a report prepared by the University of Hawaii regarding implications of Mutual Agreement Programming for Hawaii's Criminal Justice System, in response to Act 195, Session Laws of Hawaii, 1975, was jointly referred to the Committee on Higher Education and the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 88), transmitting a report entitled, "Feasibility Study on Codification of Administrative Rules", prepared by the Office of the Lieutenant Governor in response to a request contained in Act 195, Session Laws of Hawaii, 1975, was referred to the Committee on Judiciary.

A message from the Governor (Gov.

Msg. No. 89), transmitting the CIP status report prepared by the Department of Planning and Economic Development on construction summary, was referred to the Committee on Economic Development.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 15 and 16) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 15), transmitting House Concurrent Resolution No. 32 which was adopted by the House of Representatives on February 13, 1976, was placed on file.

On motion by Senator Taira, seconded by Senator Yee and carried, H.C.R. No. 32, entitled: "HOUSE CONCURRENT RESOLUTION HONORING DR. ANGIE CONNOR ON HER RETIREMENT FROM THE DEPARTMENT OF HEALTH", was adopted.

A communication from the House (Hse. Com. No. 16), transmitting House Bill No. 2255-76, which passed Third Reading in the House of Representatives on February 13, 1976, was placed on file.

On motion by Senator Taira, seconded by Senator Yee and carried, H.B. No. 2255-76, entitled: "A BILL FOR AN ACT RELATING TO ACQUISITION OF RESIDENTIAL LEASEHOLDS", passed First Reading by title and was referred to the Committee on Housing and Hawaiian Homes, then to the Committee on Judiciary.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 43 and 44) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 43), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING GOVERNMENTAL AGENCIES TO GIVE FIRST PREFERENCE TO THE PURCHASE OF PRODUCTS AND SERVICES FROM NON-PROFIT CORPORATIONS AND PUBLIC AGENCIES ORGANIZED FOR THE PURPOSE OF REHABILITATING HANDICAPPED PERSONS", was jointly offered by Senators Hara, Chong, Toyofuku, Yamasaki, Yee, Ushijima, Henderson, Kawasaki, O'Connor, Takitani, F. Wong, Taira and Yim.

By unanimous consent, S.C.R.

No. 43 was referred to the Committee on Human Resources.

A concurrent resolution (S.C.R. No. 44), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES GOVERNMENT TO RESTORE AND RETURN THE ISLAND OF KAHOOLAWA TO THE STATE OF HAWAII", was jointly offered by Senators Takitani, Yamasaki, Taira, Hulten, Yim, King, Leopold, F. Wong, Saiki, Hara, Toyofuku, Kuroda, Yee, Chong, Nishimura and Anderson.

By unanimous consent, S.C.R. No. 44 was referred to the Committee on Judiciary.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 161 to 166) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 161), entitled: "SENATE RESOLUTION RELATING TO TILAPIA MOSSAMBICA", was jointly offered by Senators Chong, Yamasaki, Hulten, Yim, King, F. Wong, Henderson, Leopold, Anderson, Kawasaki, Yee, George, Saiki, Soares, R. Wong, Kuroda and O'Connor.

By unanimous consent, S.R. No. 161 was referred to the Committee on Ecology, Environment and Recreation.

A resolution (S.R. No. 162), entitled: "SENATE RESOLUTION THANKING EVANGELINE BARNEY, PROGRAM SPECIALIST FOR STUDENT ACTIVITIES, DEPARTMENT OF EDUCATION", was jointly offered by Senators Yee, Anderson, Saiki, Henderson, R. Wong, Kawasaki, Hara, Toyofuku, F. Wong, Soares, King, Leopold, Yamasaki and Chong.

On motion by Senator Yee, seconded by Senator Saiki and carried, S.R. No. 162 was adopted.

Senator Yee then introduced to the members of the Senate Evangeline Barney, the honoree of the resolution.

A resolution (S.R. No. 163), entitled: "SENATE RESOLUTION URGING THE BOARD OF EDUCATION AND SUPERINTENDENT OF EDUCATION TO ESTABLISH THE POSITION OF STUDENT ACTIVITIES COORDINATOR IN EVERY SCHOOL", was jointly offered by Senators Yee, Anderson, Saiki, Henderson, R. Wong, Toyofuku, F. Wong, Soares, Yamasaki and Chong.

By unanimous consent, S.R. No.

163 was referred to the Committee on Education.

A resolution (S.R. No. 164), entitled: "SENATE RESOLUTION REQUESTING GOVERNMENTAL AGENCIES TO GIVE FIRST PREFERENCE TO THE PURCHASE OF PRODUCTS AND SERVICES FROM NON-PROFIT CORPORATIONS AND PUBLIC AGENCIES ORGANIZED FOR THE PURPOSE OF REHABILITATING HANDICAPPED PERSONS", was jointly offered by Senators Hara, Chong, Toyofuku, Yamasaki, Yee, Ushijima, Henderson, Kawasaki, O'Connor, Takitani, F. Wong, Taira and Yim.

By unanimous consent, S.R. No. 164 was referred to the Committee on Human Resources.

A resolution (S.R. No. 165), entitled: "SENATE RESOLUTION RECOGNIZING THE EFFORTS OF TY MOTOBU, SUSAN KUROKAWA, AND MARK KOIZUMI IN ESTABLISHING FACULTY APPRECIATION WEEK AT HILO INTERMEDIATE SCHOOL", was jointly offered by Senators Hara, Ushijima, Henderson, Taira, Anderson, Chong, O'Connor, Takitani, F. Wong, Yamasaki and Yim.

On motion by Senator Hara, seconded by Senator Henderson and carried, S.R. No. 165 was adopted.

A resolution (S.R. No. 166), entitled: "SENATE RESOLUTION REQUESTING THE UNITED STATES GOVERNMENT TO RESTORE AND RETURN THE ISLAND OF KAHOOLAWA TO THE STATE OF HAWAII", was jointly offered by Senators Takitani, Yamasaki, Taira, Hulten, Yim, King, Leopold, F. Wong, Saiki, Hara, Toyofuku, Kuroda, Yee, Chong, Nishimura and Anderson.

By unanimous consent, S.R. No. 166 was referred to the Committee on Judiciary.

INTRODUCTION OF SENATE BILLS

On motion by Senator Taira, seconded by Senator Yee and carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Wednesday, February 18, 1976:

Senate Bills

No. 2310-76 "A Bill for an Act Relating to Parking Tickets."

Introduced by: Senator Ushijima.

No. 2311-76 "A Bill for an Act Relating to the Livestock Quarantine Station

at Panaewa, Hilo, Hawaii."

Introduced by: Senators Ushijima, Hara and Henderson.

No. 2312-76 "A Bill for an Act Making an Appropriation to Provide a Grant-In-Aid to Hilo Association to Help Retarded Citizens."

Introduced by: Senators Ushijima, Hara and Henderson.

No. 2313-76 "A Bill for an Act Relating to Labor Education at the University of Hawaii."

Introduced by: Senators Takitani, Hara, Toyofuku, Hulten, F. Wong, Yee, Yamasaki, Nishimura and Saiki.

No. 2314-76 "A Bill for an Act Relating to Environmental Quality."

Introduced by: Senators King, Hulten, Young, Taira, O'Connor, Yamasaki, Kuroda, Ching, Hara, Toyofuku, Leopold, F. Wong, Soares, Yee, George and Saiki.

No. 2315-76 "A Bill for an Act Relating to Environmental Quality."

Introduced by: Senators King, Hulten, Young, Taira, O'Connor, Yamasaki, Kuroda, Ching, Hara, Toyofuku, Leopold, F. Wong, Soares, Yee, George and Saiki.

No. 2316-76 "A Bill for an Act Relating to Environmental Quality."

Introduced by: Senators King, Hulten, Young, Taira, O'Connor, Yamasaki, Kuroda, Ching, Hara, Toyofuku, Leopold, F. Wong, Soares, Yee, George and Saiki.

No. 2317-76 "A Bill for an Act Relating to Environmental Quality."

Introduced by: Senators King, Hulten, Young, Taira, O'Connor, Yamasaki, Kuroda, Ching, Hara, Toyofuku, F. Wong, Leopold, Soares, Yee, George and Saiki.

No. 2318-76 "A Bill for an Act Relating to Employment Security."

Introduced by: Senators Toyofuku, Chong, Hulten, Kuroda and Taira.

No. 2319-76 "A Bill for an Act Relating to Employment Services."

Introduced by: Senators Toyofuku, Kuroda, Hulten, Yamasaki, Taira and Chong.

No. 2320-76 "A Bill for an Act Relating to the Public Employees Health Fund."

Introduced by: Senators Toyofuku, Chong, Taira, Yamasaki, Hara and Kuroda.

No. 2321-76 "A Bill for an Act Relating to the Judiciary."

Introduced by: Senators Toyofuku, Kuroda, Yamasaki, Chong, Taira and Hulten.

No. 2322-76 "A Bill for an Act Relating to Income Taxation."

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

No. 2323-76 "A Bill for an Act Relating to Flood Disaster."

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

On motion by Senator Taira, seconded by Senator Yee and carried, the following bill was referred to print and was placed on the calendar for further consideration on Wednesday, February 18, 1976:

Senate Bill

No. 2309-76 "A Bill for an Act Relating to Hawaii Public Television."

Introduced by: Senators Yamasaki, Takitani, Taira, Henderson, Ching, Hulten, Nishimura, Toyofuku, Anderson, F. Wong, Chong, Hara, Yee and Kuroda.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 18-76), informing the Senate that Senate Concurrent Resolution Nos. 41 to 44, Senate Resolution Nos. 155 to 166, Senate Bill Nos. 2284-76 to 2308-76 and Standing Committee Report Nos. 19-76 and 20-76 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 King, for the majority of the Committee on Ecology, Environment and Recreation, presented a report

(Stand. Com. Rep. No. 19-76), recommending that Senate Bill No. 1880-76 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator King, seconded by Senator Chong and carried, the report of the majority of the Committee was adopted and S.B. No. 1880-76, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PAIKO LAGOON WILDLIFE REFUGE AND PARK, OAHU", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hulten, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 20-76), recommending that Senate Bill No. 1998-76 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Hulten, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 1998-76, entitled: "A BILL FOR AN ACT RELATING TO THE STATUS OF CONVICTED PERSONS", passed Second Reading and was referred to the Committee on Judiciary.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Friday, February 13, 1976:

Senate Bills Referred to:

No. 2284-76 Committee on Economic Development, then to the Committee on Ways and Means

No. 2285-76 Committee on Ways and Means

No. 2286-76 Committee on Human Resources

No. 2287-76 Committee on Ways and Means

No. 2288-76 Committee on Ways and Means

No. 2289-76 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means

No. 2290-76 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means

No. 2291-76 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means

No. 2292-76 Committee on Economic Development, then to the Committee on Ways and Means

No. 2293-76 Committee on Economic Development, then to the Committee on Ways and Means

No. 2294-76 Committee on Health, then to the Committee on Ways and Means

No. 2295-76 Committee on Health, then to the Committee on Ways and Means

No. 2296-76 Committee on Health, then to the Committee on Ways and Means

No. 2297-76 Committee on Economic Development, then to the Committee on Ways and Means

No. 2298-76 Committee on Judiciary

No. 2299-76 Committee on Education, then to the Committee on Ways and Means

No. 2300-76 Committee on Education, then to the Committee on Ways and Means

No. 2301-76 Committee on Education, then to the Committee on Ways and Means

No. 2302-76 Committee on Economic Development, then to the Committee on Ways and Means

No. 2303-76 Committee on Transportation, then to the Committee on Ways and Means

No. 2304-76 Committee on Economic Development, then to the Committee on Ways and Means

No. 2305-76 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means

No. 2306-76 Committee on Education, then to the Committee on Ways and Means

No. 2307-76 Committee on Education, then to the Committee on Ways and Means

No. 2308-76 Committee on Education, then to the Committee on Ways and Means

MATTER DEFERRED
FROM FEBRUARY 13, 1976

Standing Committee Report No.
17-76 (S.C.R. No. 15, S.D. 1):

On motion by Senator Toyofuku,
seconded by Senator Young and carried,
Stand. Com. Rep. No. 17-76 was received
and placed on file.

Senator Toyofuku then moved that
S.C.R. No. 15, S.D. 1, be adopted,
seconded by Senator Young.

Senator Toyofuku then offered
the following amendment to S.C.R.
No. 15, S.D. 1:

"Senate Concurrent Resolution
No. 15, S.D. 1, is amended by amending
the first paragraph on page 2 to
read as follows:

'BE IT FURTHER RESOLVED
that the Ad Hoc Committee contain
the broadest representation of
persons concerned with and involved
in Hawaii's residential construction,
development, and regulation system,
such as architects, engineers,
planners, social scientists concerned
with housing and community life,
health and safety specialists, landscape
architects, general and special
contractors, financiers, craft unionists,
and county code officials; and'."

Senator Toyofuku moved that the
amendment be adopted, seconded
by Senator Young.

Senator Toyofuku then explained
the amendment as follows:

"Mr. President, there has been
some concern expressed by my colleagues
regarding the possible abuses of ad
hoc committees in securing and
enlisting qualified personnel on contract.
Therefore, we are proposing this
amendment. However, I want to
impress upon my colleagues here
that any ad hoc committee may request
of the President of the Senate for
personnel support from our legislative
service agencies.

Mr. President, I would like to
urge all members of this Body to
support the amendment.

Thank you."

The motion to adopt the amendment
was put by the Chair and carried.

The motion to adopt S.C.R. No.
15, S.D. 2, was then put by the
Chair and carried, and S.C.R.
No. 15, S.D. 2, entitled: "SENATE
CONCURRENT RESOLUTION REQUESTING
THE ESTABLISHMENT OF AN AD
HOC COMMITTEE ON CODES AND HOUSING
COSTS", was adopted.

ADJOURNMENT

At 11:47 o'clock a.m., on motion
by Senator Taira, seconded by Senator
Yee and carried, the Senate adjourned
until 11:30 o'clock a.m., Wednesday,
February 18, 1976, in memory of
the late Frank C. Judd, a former member
of the House of Representatives.