

THIRTY-SECOND DAY

Friday, March 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 Reverend Donald W. Rhymes of the First Southern Baptist Church of Pearl Harbor, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Thirty-First Day.

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

Senator Yee introduced 27 fifth grade students from Jefferson Elementary School, together with their teachers, Mrs. L. Au Hoy and Mrs. M. Chote, and a parent, Mrs. Kai.

Senator Yee then introduced 56 sixth grade students from Hawaii Baptist Academy, together with their teachers, Miss Darlene Henderson, Mr. Tim Kaneshiro and Mrs. Amy Nakashima, and a parent, Mrs. Audrey Yamamoto.

Senator Yee also introduced 62 students from Kaahumanu Elementary School, and their teacher, Ms. Faye Miyamasu.

Senator Chong then introduced the following Colgate University alumni, who are on their first field trip to Hawaii: Mr. Rohj Hemblen, Mr. Milton Kemp, Mr. and Mrs. Oran Stanley, Mr. and Mrs. Whit Jaeger, Mr. and Mrs. Leslie Cole, Mr. and Mrs. Bruce Firkins, Mr. and Mrs. Robert Sheldon, Ms. Ruth Leverich and Ms. Virginia Clifford. Senator Chong added that he is also a graduate of Colgate University.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 108 and 109) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 108), transmitting a letter requesting that the Waiialua High School gymnasium project be included in the supplemental appropriations bill, Senate Bill No. 1806-76, Regular Session of 1976, was referred to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 109), transmitting copies

of Annual Report to the Governor, July 1, 1974 to June 30, 1975, prepared by the Department of Land and Natural Resources, was referred to the Committee on Economic Development.

HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 43), transmitting House Bill No. 2216-76, which passed Third Reading in the House of Representatives on March 4, 1976, was read by the Clerk and was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 2216-76, entitled: "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF REMNANTS OF PUBLIC LANDS", passed First Reading by title and was referred to the Committee on Economic Development.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 64 and 65) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 64), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO FISHING IN THE NORTHWESTERN HAWAIIAN ISLANDS", was jointly offered by Senators Toyofuku, Young, F. Wong, Hulten, Soares, Kawasaki, Taira, Takitani, Chong, Yim, Yamasaki, R. Wong, Nishimura, Saiki, Kuroda and Ching.

By unanimous consent, S.C.R. No. 64 was referred to the Committee on Economic Development.

A concurrent resolution (S.C.R. No. 65), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING COORDINATION OF SERVICES TO IMMIGRANTS THROUGH THE STATE IMMIGRANT SERVICES CENTER", was jointly offered by Senators Chong, King, Takitani, Taira, Yamasaki, Toyofuku, Soares, F. Wong, Hara, O'Connor, Nishimura, Young, Kawasaki, George, Hulten, Kuroda and Ching.

By unanimous consent, S.C.R. No. 65 was referred to the Committee on Judiciary.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 257 to 261) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 257), entitled:

"SENATE RESOLUTION RELATING TO FISHING IN THE NORTHWESTERN HAWAIIAN ISLANDS", was jointly offered by Senators Toyofuku, Young, F. Wong, Hulten, Soares, Kawasaki, Takitani, Chong, Yim, Yamasaki, R. Wong, Ching, Nishimura, Saiki and Kuroda.

By unanimous consent, S.R. No. 257 was referred to the Committee on Economic Development.

A resolution (S.R. No. 258), entitled: "SENATE RESOLUTION RECOGNIZING MARCH 1976 AS MULTIPLE SCLEROSIS READ-A-THON MONTH", was jointly offered by Senators Saiki, Yee, Leopold, George, Yim, Toyofuku, Young, Chong, Soares, Henderson, King, F. Wong, R. Wong, Nishimura, O'Connor, Hulten and Hara.

On motion by Senator Saiki, seconded by Senator Yee and carried, S.R. No. 258 was adopted.

A resolution (S.R. No. 259), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH A STATEWIDE POLICY DESIGNED TO IMPROVE TRUANCY CONTROL AND CHRONIC ABSENTEEISM", was jointly offered by Senators Young, Hara, Ching, Kuroda, Takitani, Hulten, Yamasaki, Chong, Taira, Nishimura, King, F. Wong, Toyofuku, R. Wong, Yim, O'Connor, Yee, Soares, Saiki, George, Henderson, Leopold and Anderson.

By unanimous consent, S.R. No. 259 was referred to the Committee on Education.

A resolution (S.R. No. 260), entitled: "SENATE RESOLUTION EXPRESSING CONGRATULATIONS TO THE OAHU INTERSCHOLASTIC ASSOCIATION WESTERN DIVISION 1976 CHAMPION VARSITY BASKETBALL TEAM: THE PEARL CITY CHARGERS", was jointly offered by Senators Young F. Wong, Kuroda, Ching, Taira, Hara, Takitani, Hulten, Yamasaki, Anderson, Chong, Toyofuku, Nishimura, King, R. Wong, Yim, O'Connor, Yee, Soares, Saiki, George, Henderson and Leopold.

On motion by Senator Young, seconded by Senator Ching and carried, S.R. No. 260 was adopted.

A resolution (S.R. No. 261), entitled: "SENATE RESOLUTION REQUESTING COORDINATION OF SERVICES TO IMMIGRANTS THROUGH THE STATE IMMIGRANT SERVICES CENTER", was jointly offered by Senators Chong, Yamasaki, Takitani, Hulten, Kuroda, Taira, Ching, Kawasaki, Toyofuku, Soares, Nishimura, Hara, O'Connor

and Young.

By unanimous consent, S.R. No. 261 was referred to the Committee on Judiciary.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 117-76) informing the Senate that Senate Concurrent Resolution Nos. 63 to 65; Senate Resolution Nos. 254 to 261; Governor's Message No. 108; and Standing Committee Report Nos. 118-76 to 129-76 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 Chong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 118-76) recommending that Senate Bill No. 251 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chong, seconded by Senator Takitani and carried, the report of the Committee was adopted and S.B. No. 251, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL RESEARCH, MORBIDITY AND MORTALITY INFORMATION", passed Second Reading and was referred to the Committee on Judiciary.

Senator Chong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 119-76) recommending that Senate Bill No. 2141-76 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chong, seconded by Senator Takitani and carried, the report of the Committee was adopted and S.B. No. 2141-76, entitled: "A BILL FOR AN ACT RELATING TO THE ENRICHMENT OF RICE", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 120-76) recommending that Senate Bill No. 2294-76, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chong, seconded by Senator Takitani and carried, the report of the Committee was adopted and S.B. No. 2294-76, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE HEALTH PLANNING", passed

Second Reading and was referred to the Committee on Ways and Means.

Senator Chong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 121-76) recommending that Senate Bill No. 2295-76 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chong, seconded by Senator Takitani and carried, the report of the Committee was adopted and S.B. No. 2295-76, entitled: "A BILL FOR AN ACT RELATING TO MAKING AN APPROPRIATION TO PROVIDE A GRANT-IN-AID TO THE HOUSE, INC.", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 122-76) recommending that Senate Bill No. 2296-76 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chong, seconded by Senator Takitani and carried, the report of the Committee was adopted and S.B. No. 2296-76, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEVELOPMENT OF A PLAN TO ESTABLISH SOCIAL REHABILITATION RESIDENTIAL PROGRAMS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator R. Wong, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 123-76) recommending that Senate Bill No. 1744-76 pass First Reading by title and be recommitted to the Committee on Ways and Means.

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 1744-76, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY TAXES", passed First Reading by title and was recommitted to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 124-76) recommending that Senate Resolution No. 133 be adopted.

On motion by Senator Toyofuku, seconded by Senator Young and carried, the report of the Committee was adopted and S.R. No. 133, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF AN INTEGRATED SERVICES APPROACH TOWARDS HUMAN SERVICES", was adopted.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 125-76) recommending that Senate Resolution No. 177 be adopted.

On motion by Senator Toyofuku, seconded by Senator Young and carried, the report of the Committee was adopted and S.R. No. 177, entitled: "SENATE RESOLUTION RELATING TO FEDERAL LEGISLATION AND POLICIES FOR THE REIMBURSEMENT TO THE STATES FOR SERVICES PROVIDED TO IMMIGRANTS AND REFUGEES", was adopted.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 126-76) recommending that Senate Bill No. 2029-76, 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 S.B. No. 2029-76, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH SERVICES", 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. 127-76) recommending that Senate Bill No. 1832-76, as amended in S.D. 1, 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 S.B. No. 1832-76, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE AND EXEMPTIONS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 8, 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. 1832-76, S.D. 1.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 128-76) recommending that Senate Bill No. 2024-76 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 S.B. No. 2024-76, entitled: "A BILL FOR AN ACT RELATING TO SABBATICAL LEAVES", passed Second Reading

and was placed on the calendar for Third Reading on Monday, March 8, 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. 2024-76.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 129-76) recommending that Senate Bill No. 2334-76 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 S.B. No. 2334-76, entitled: "A BILL FOR AN ACT RELATING TO INVESTIGATORS OF THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 8, 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. 2334-76.

ORDER OF THE DAY

RE-REFERRAL OF A SENATE BILL

The President made the following re-referral of a bill that was introduced in the Regular Session of 1975 as follows:

Senate Bill Referred to:

No. 177 Committee on Health, then to the Committee on Ways and Means

MATTERS DEFERRED FROM MARCH 4, 1976

Standing Committee Report No. 100-76 (S.B. No. 2090-76):

On motion by Senator Hulten, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 100-76 was adopted and S.B. No. 2090-76, entitled: "A BILL FOR AN ACT AMENDING SECTION 205-6, HRS, RELATING TO SPECIAL PERMITS", passed Second Reading and was referred to the Committee on Economic Development.

Standing Committee Report No. 101-76 (S.B. No. 2094-76):

On motion by Senator Hulten, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 101-76 was adopted and S.B. No. 2094-76, entitled: "A

BILL FOR AN ACT AMENDING SECTION 101-2, HRS, RELATING TO TAKING OF PRIVATE PROPERTY FOR PUBLIC USE AND THE DISPOSAL OF EXCESS PROPERTY", passed Second Reading and was referred to the Committee on Economic Development.

Senate Bill No. 1830-76:

On motion by Senator Toyofuku, seconded by Senator Young and carried, S.B. No. 1830-76, entitled: "A BILL FOR AN ACT RELATING TO INITIAL APPOINTMENTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 11:42 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:54 o'clock a.m.

THIRD READING

Senate Bill No. 1608, S.D. 1:

On motion by Senator Toyofuku, seconded by Senator Young and carried, S.B. No. 1608, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PREPAID HEALTH CARE LAW", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2225-76, S.D. 1:

By unanimous consent, action on S.B. No. 2225-76, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PREPAID HEALTH CARE", was deferred until Monday, March 8, 1976.

Senate Bill No. 2080-76:

On motion by Senator Hulten, seconded by Senator Kawasaki and carried, S.B. No. 2080-76, entitled: "A BILL FOR AN ACT RELATING TO RECORDS OF THE LIQUOR COMMISSION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2105-76:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, S.B. No. 2105-76, entitled: "A BILL FOR AN ACT RELATING TO CIRCUIT COURTS", having been read

throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2107-76:

By unanimous consent, action on S.B. No. 2107-76, entitled: "A BILL FOR AN ACT RELATING TO LAW CLERKS FOR JUSTICES OF THE SUPREME COURT", was deferred until Monday, March 8, 1976.

Senate Bill No. 1807-76:

On motion by Senator Toyofuku, seconded by Senator Young and carried, S.B. No. 1807-76, entitled: "A BILL FOR AN ACT RELATING TO THE CONVERSION OF CERTAIN EXEMPT

POSITIONS WITHIN THE DEPARTMENT OF DEFENSE TO PERMANENT CIVIL SERVICE STATUS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 11:55 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:56 o'clock a.m.

ADJOURNMENT

At 12:00 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 8, 1976.