

FORTY-SECOND DAY

Friday, March 19, 1976

The Senate of the Eighth Legislature of the State of Hawaii, Regular Session of 1976, convened at 11:00 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Reverend Wendall Sousley of the Mililani Community Missionary Church, after which the Roll was called showing all Senators present with the exception of Senators F. Wong and R. Wong who were excused.

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

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

Senator Kawasaki introduced 40 kindergarten students from Bingham Tract School, together with their teachers, Mrs. Fung and Mrs. Watanabe, and a parent, Mrs. Kobayashi.

Senator Ching introduced 75 eighth grade students from Ilima Intermediate School, together with their teachers, Miss Muriel Fujii and Mrs. Daryl Kuiuoka, and a parent, Mrs. Melton. He noted that his grandniece was among the visiting students.

Senator Yee then introduced 54 third to sixth grade students from University Elementary School, together with their teachers, Mrs. Shirley Yamashita, Mr. Ira Nepus, Mrs. Kathy Nishimura and Miss Millie Ching; and parents, Mrs. Crabbe, Mrs. Iwahiro, Mrs. Kauo, Mrs. D. Otsuko, Mrs. Edean Iwanaga and Mrs. Pilani Maikai.

Senator Yee also introduced 60 third grade students from Manoa Elementary School, together with their teachers, Mrs. Irene Casey, Mrs. Janet Horinouchi and Mrs. Ellen Moriwaki, and a parent, Mrs. Matsumoto.

Senator Chong introduced Professor Samuel Elbert, a professor of Hawaiian Language and Culture at the University of Hawaii, his sister, Mrs. Ethelind Austin, who is active with the League of Women Voters in Boston, and her husband, Mr. Holcombe Austin. Senator Chong then introduced his mother, retired Professor Lily Winter.

MESSAGES FROM THE GOVERNOR

The following messages from the

Governor (Gov. Msg. Nos. 198 to 206) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 198), transmitting copies of reports prepared by various State employees under the Analytical Studies Program as follows:

1. An Analytical Study of Alternative Gasoline Rationing Plans for Hawaii was referred to the Committee on Energy/Natural Resources, then to the Committee on Transportation;
2. Agricultural Planning for Hawaii: A Study in Methodology was referred to the Committee on Economic Development;
3. An Analysis of Impact of Immigration on State Services was referred to the Committee on Human Resources;
4. Report of the Special Task Force on the Economics of the Energy Situation in Regards to Electrical Power Generation was referred to the Committee on Energy/Natural Resources; and
5. Evaluation Models for Hawaii State Hospital was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 199), submitting for consideration and confirmation to the Fish and Wildlife Advisory Committee, City and County of Honolulu, the nomination of John K. Obata, term to expire December 31, 1977, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 200), submitting for consideration and confirmation to the Natural Area Reserves System Commission, the nomination of Richard S. Shomura, term to expire December 31, 1979, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 201), submitting for consideration and confirmation to the Natural Area Reserves System Commission, the nomination of P. Quentin Tomich, term to expire December 31, 1979, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 202), submitting for consideration and confirmation to the Natural Area Reserves System Commission, the

nomination of Robert A. Kinzie, III, term to expire December 31, 1976, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 203), submitting for consideration and confirmation to the Board of Trustees, Hawaii Public Employees' Health Fund, the nomination of Reverend O. W. Efurud, Jr., term to expire December 31, 1978, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 204), submitting for consideration and confirmation to the Board of Trustees, Hawaii Public Employees' Health Fund, the nomination of Haruto Tanabe, term to expire December 31, 1978, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 205), submitting for consideration and confirmation to the Board of Trustees, Hawaii Public Employees' Health Fund, the nomination of Melvin M. Higa, term to expire December 31, 1978, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 206), submitting for consideration and confirmation to the Board of Trustees, Hawaii Public Employees' Health Fund, the nomination of Walter P. Yim, term to expire December 31, 1976, was referred to the Committee on Human Resources.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 234 to 261) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 234), transmitting House Bill No. 1159, H.D. 1, which passed Third Reading in the House of Representatives on March 18, 1976, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1159, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSPECTION", passed First Reading by title and was referred to the Committee on Intergovernmental Relations, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 235), transmitting House Bill No. 1810, H.D. 2, which passed Third Reading in the House of Representatives on March 18,

1976, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1810, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PREFERENCES FOR HAWAII SERVICES", passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 236), transmitting House Bill No. 2111-76, H.D. 2, which passed Third Reading in the House of Representatives on March 18, 1976, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 2111-76, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DEATH", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 237), transmitting House Bill No. 2135-76, H.D. 1, which passed Third Reading in the House of Representatives on March 18, 1976, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 2135-76, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 238), transmitting House Bill No. 2317-76, H.D. 1, which passed Third Reading in the House of Representatives on March 18, 1976, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 2317-76, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INSURANCE LAW", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 239), transmitting House Bill No. 2371-76, H.D. 1, which passed Third Reading in the House of Representatives on March 18, 1976, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 2371-76, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMANCIPATION OF CERTAIN MINORS", passed First Reading by title and was referred to the Committee on

Judiciary.

A communication from the House (Hse. Com. No. 240), transmitting House Bill No. 2635-76, H.D. 1, which passed Third Reading in the House of Representatives on March 18, 1976, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 2635-76, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII", passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 241), transmitting House Bill No. 2700-76, H.D. 2, which passed Third Reading in the House of Representatives on March 18, 1976, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 2700-76, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL PROFESSIONAL LIABILITY", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 242), transmitting House Bill No. 2783-76, which passed Third Reading in the House of Representatives on March 18, 1976, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 2783-76, entitled: "A BILL FOR AN ACT RELATING TO EXPENDITURE OF PUBLIC MONEY AND PUBLIC CONTRACTS", passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 243), transmitting House Bill No. 2796-76, H.D. 1, which passed Third Reading in the House of Representatives on March 18, 1976, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 2796-76, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH PLANNING", passed First Reading by title and was referred to the Committee on Health.

A communication from the House (Hse. Com. No. 244), transmitting House Bill No. 2878-76, H.D. 1, which passed Third Reading in the House

of Representatives on March 18, 1976, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 2878-76, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE INSURANCE ADMINISTRATION", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 245), transmitting House Bill No. 2928-76, H.D. 1, which passed Third Reading in the House of Representatives on March 18, 1976, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 2928-76, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADOPTION OF ADULTS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 246), transmitting House Bill No. 3126-76, H.D. 1, which passed Third Reading in the House of Representatives on March 18, 1976, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 3126-76, H.D. 1, entitled: "A BILL FOR AN ACT AMENDING CHAPTER 92, HAWAII REVISED STATUTES, RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 247), transmitting House Bill No. 3208-76, H.D. 2, which passed Third Reading in the House of Representatives on March 18, 1976, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 3208-76, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMINENT DOMAIN", passed First Reading by title and was referred to the Committee on Housing and Hawaiian Homes, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 248), transmitting House Bill No. 3254-76, which passed Third Reading in the House of Representatives on March 18, 1976, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 3254-76, entitled: "A BILL

FOR AN ACT RELATING TO THE REAPPORTIONMENT OF THE BOARD OF EDUCATION", passed First Reading by title and was referred to the Committee on Education.

A communication from the House (Hse. Com. No. 249), transmitting House Bill No. 331, H.D. 1, which passed Third Reading in the House of Representatives on March 18, 1976, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 331, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 250), transmitting House Bill No. 1445, H.D. 1, which passed Third Reading in the House of Representatives on March 18, 1976, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1445, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGREEMENTS OF SALE OF REAL PROPERTY", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 251), transmitting House Bill No. 2299-76, H.D. 2, which passed Third Reading in the House of Representatives on March 18, 1976, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 2299-76, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MECHANIC'S AND MATERIALMAN'S LIENS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 252), transmitting House Bill No. 2385-76, which passed Third Reading in the House of Representatives on March 18, 1976, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 2385-76, entitled: "A BILL FOR AN ACT RELATING TO FULL EMPLOYMENT", passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 253), transmitting House Bill No. 2575-76, H.D. 1, which passed Third Reading in

the House of Representatives on March 18, 1976, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 2575-76, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AN INCOME TAX REFUND", passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 254), transmitting House Bill No. 2784-76, which passed Third Reading in the House of Representatives on March 18, 1976, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 2784-76, entitled: "A BILL FOR AN ACT RELATING TO CREDIT CARD OFFENSES", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 255), transmitting House Bill No. 2785-76, H.D. 1, which passed Third Reading in the House of Representatives on March 18, 1976, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 2785-76, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MECHANICS' AND MATERIALMEN'S LIENS AND HORIZONTAL PROPERTY REGIMES", passed First Reading by title and was referred to the Committee on Housing and Hawaiian Homes, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 256), transmitting House Bill No. 2894-76, H.D. 1, which passed Third Reading in the House of Representatives on March 18, 1976, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 2894-76, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", passed First Reading by title and was referred to the Committee on Housing and Hawaiian Homes, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 257), transmitting House Bill No. 2932-76, H.D. 2, which passed Third Reading in the House of Representatives on March 18, 1976, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried,

H.B. No. 2932-76, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING OF REPEAT OFFENDERS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 258), transmitting House Bill No. 3018-76, which passed Third Reading in the House of Representatives on March 18, 1976, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 3018-76, entitled: "A BILL FOR AN ACT RELATING TO DEPOSITS OF PUBLIC FUNDS", passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 259), transmitting House Bill No. 3075-76, H.D. 1, which passed Third Reading in the House of Representatives on March 18, 1976, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 3075-76, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OWNERSHIP OF SOLID WASTES", passed First Reading by title and was referred to the Committee on Ecology, Environment and Recreation, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 260), transmitting House Bill No. 3280-76, H.D. 1, which passed Third Reading in the House of Representatives on March 18, 1976, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 3280-76, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FRANCHISES", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 261), transmitting House Bill No. 3388-76, H.D. 1, which passed Third Reading in the House of Representatives on March 18, 1976, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 3388-76, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT", passed First Reading by title and was referred to the Committee on Human Resources.

SENATE RESOLUTION

A resolution (S.R. No. 346), entitled: "SENATE RESOLUTION CONGRATULATING THE KALANI HIGH SCHOOL VARSITY BASKETBALL TEAM ON ITS OUTSTANDING SEASON", was jointly offered by Senators O'Connor, Nishimura, Takitani, Leopold, Anderson, Yee, George, Yim, Ching, Toyofuku, Taira, Chong, Saiki, Yamasaki, Hulten, Soares, Hara, Ushijima, Henderson, Kawasaki, King, Young, Kuroda and R. Wong and was read by the Clerk.

On motion by Senator O'Connor, seconded by Senator Nishimura and carried, S.R. No. 346 was adopted.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 504-76) informing the Senate that Senate Concurrent Resolution Nos. 81 to 83; Senate Resolution Nos. 341 to 345; Governor's Message Nos. 159 to 197 and 199 to 206; and Standing Committee Report Nos. 503-76 and 505-76 to 507-76 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.

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

The Senate reconvened at 11:14 o'clock a.m.

Senator Kuroda, for the Committee on Consumer Protection, presented a report (Stand. Com. Rep. No. 505-76) recommending that House Bill No. 2127-76, 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. 2127-76, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVESTIGATIONS BY THE OFFICE OF CONSUMER PROTECTION", passed Second Reading and was referred to the Committee on Judiciary.

Senator Taira, for the Committee on Public Utilities, presented a report (Stand. Com. Rep. No. 506-76) recommending that House Bill No. 2319-76, H.D. 1, pass Second Reading

and be placed on the calendar for Third Reading.

On motion by Senator Taira, seconded by Senator Takitani and carried, the report of the Committee was adopted and H.B. No. 2319-76, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH-VOLTAGE POWER TRANSMISSION LINES", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 22, 1976.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 2319-76, H.D. 1.

Senator Taira, for the Committee on Public Utilities, presented a report (Stand. Com. Rep. No. 507-76) recommending that House Bill No. 2374-76, H.D. 1, pass Second Reading and be placed on the calendar

for Third Reading.

On motion by Senator Taira, seconded by Senator Takitani and carried, the report of the Committee was adopted and H.B. No. 2374-76, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REVISION OF RATES, FARES, AND CHARGES OF PUBLIC UTILITIES", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 22, 1976.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 2374-76, H.D. 1.

ADJOURNMENT

At 11:23 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., Monday, March 22, 1976.