

## SIXTEENTH DAY

Wednesday, February 9, 1977

The Senate of the Ninth Legislature of the State of Hawaii, Regular Session of 1977, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Father Henry F. McCloskey of the Star of the Sea Church, after which the Roll was called showing all Senators present.

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

At this time, Senator Anderson introduced to the members of the Senate 26 senior citizens from McCully Senior Citizens.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 99 to 101) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 99), transmitting copies of reports submitted by the Commission on Organization of Government in response to Act 148, Session Laws of 1975 (House Bill No. 161, Regular Session of 1975), as follows:

- 1) Report of the Commission on Organization of Government, February 1977;
- 2) Effect of Structural Recommendations Upon the State PPBS Program Structure, An Appendix, February 1977; and
- 3) The State Vendor Payment Process, A Follow-Up Review, December 1976, prepared by the Office of the Legislative Auditor for the Commission on Organization of Government,

was referred jointly to the Committee on Intergovernmental Relations and the Committee on Government Operations and Efficiency.

A message from the Governor (Gov. Msg. No. 100), transmitting copies of Housing for Hawaii's People, prepared by Daly and Associates for the Hawaii Housing Authority and Department of Planning and Economic Development, was referred to the Committee on Housing and Hawaiian Homes.

A message from the Governor (Gov. Msg. No. 101), transmitting copies of a report prepared by the Department of Planning and Economic Development

on its loan programs for the calendar year ending December 31, 1976, as follows:

- 1) Hawaii Capital Loan Program, pursuant to Section 210-8, Hawaii Revised Statutes;
- 2) Large Fishing Vessel Purchase, Construction, Renovation, Maintenance and Repair Loan Program, pursuant to Section 189-26, Hawaii Revised Statutes;
- 3) Hawaii Small Fishing Vessel Loan Program, pursuant to Section 189-46, Hawaii Revised Statutes; and
- 4) Disaster Commercial and Personal Loan Program, pursuant to Section 209-5, Hawaii Revised Statutes,

was referred to the Committee on Ways and Means.

## HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 12), transmitting House Bill No. 185, which passed Third Reading in the House of Representatives on February 8, 1977, was read by the Clerk and placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 185, entitled: "A BILL FOR AN ACT RELATING TO SHORT-TERM INVESTMENT OF STATE MONEYS", passed First Reading by title and was referred to the Committee on Ways and Means.

## SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 164 to 167) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 164), entitled: "SENATE RESOLUTION DECLARING AGRICULTURE AS A PRIORITY IN WATER RESOURCE DEVELOPMENT AND ALLOCATION", was jointly offered by Senators Yee, Anderson, Henderson, Soares, Saiki, George, Chong, Takitani, Leopold, Kuroda, Young, Hulten, O'Connor, King, Toyofuku and F. Wong.

By unanimous consent, S.R. No. 164 was referred to the Committee on Economic Development.

A resolution (S.R. No. 165), entitled: "SENATE RESOLUTION SUPPORTING THE EFFORTS OF THE STATE ADMINISTRA-

TION AND THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING IN THE INCOME MAINTENANCE AREA", was jointly offered by Senators Yee, Anderson, Henderson, Soares, Saiki, Takitani, Leopold, Kuroda, Young, Hulten, O'Connor, King, Toyofuku and F. Wong.

By unanimous consent, S.R. No. 165 was referred to the Committee on Human Resources.

A resolution (S.R. No. 166), entitled: "SENATE RESOLUTION SUPPORTING THE TIGHTENING OF THE ELIGIBILITY REQUIREMENTS OF THE FOOD STAMP PROGRAM", was jointly offered by Senators Yee, Soares, Henderson, Chong, Takitani, Leopold, Kuroda, Hulten, Hara, George and F. Wong.

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

A resolution (S.R. No. 167), entitled: "SENATE RESOLUTION REQUESTING THE GOVERNOR AND DIRECTOR OF TRANSPORTATION TO EXPEDITE THE PLANS AND CONSTRUCTION OF A SMALL BOAT LAUNCHING FACILITY AT MAUNALUA BAY, OAHU", was jointly offered by Senators Nishimura, O'Connor, Saiki, Soares, Chong, Ching, Yamasaki, Takitani, Taira, Kuroda, Young, Toyofuku, King and R. Wong.

By unanimous consent, S.R. No. 167 was referred to the Committee on Transportation.

#### 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 Thursday, February 10, 1977:

#### Senate Bills

No. 560 "A Bill for an Act Relating to Televised Crime."

Introduced by: Senators O'Connor, Nishimura, Soares, Chong, Ushijima, Ching, Hara, Taira, Toyofuku, Yee, Takitani, Hulten, Kuroda and Yamasaki.

No. 561 "A Bill for an Act Relating to Arrests."

Introduced by: Senators O'Connor, Nishimura, Chong, Ushijima, Kuroda, Soares, Taira, Toyofuku, F. Wong, Yee, Yamasaki, Takitani, Ching

and Hulten.

No. 562 "A Bill for an Act Relating to Liability for Theft by Shoplifting."

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

No. 563 "A Bill for an Act Relating to Vehicle Weight."

Introduced by: Senators O'Connor, Nishimura, Ushijima, Taira, Chong, Toyofuku, F. Wong, Yee, Takitani, Ching, Hulten, Kuroda and Yamasaki.

No. 564 "A Bill for an Act Relating to Public Officers and Employees."

Introduced by: Senators Toyofuku, Taira, Takitani, Chong, Hulten, F. Wong, O'Connor, Yamasaki, Kuroda and Ching.

No. 565 "A Bill for an Act Relating to Pension and Retirement Systems of Public Officers and Employees."

Introduced by: Senators Toyofuku, Taira, Takitani, Chong, Hulten, King, F. Wong, O'Connor, Yamasaki and Kuroda.

No. 566 "A Bill for an Act Relating to the Office of the Public Defender."

Introduced by: Senators Toyofuku, Taira, Takitani, Chong, Hulten, King, F. Wong, O'Connor, Yamasaki, Kuroda and Ching.

No. 567 "A Bill for an Act Relating to Death Benefits in the Employees Retirement System."

Introduced by: Senators Toyofuku, Taira, Takitani, Chong, Hulten, F. Wong, O'Connor, Yamasaki, Kuroda and Ching.

No. 568 "A Bill for an Act Relating to the Employees' Retirement System of the State of Hawaii."

Introduced by: Senators Toyofuku, Taira, Takitani, Chong, Hulten, Ching, F. Wong, O'Connor, Yamasaki, Kuroda and Young.

No. 569 "A Bill for an Act Relating to Public Officers and Employees."

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

No. 570 "A Bill for an Act Relating

- to Retirement at Age Sixty Five."
- Introduced by: Senators Toyofuku, Taira, Kawasaki, Takitani, Ching, Chong, Hulten, Yamasaki and O'Connor.
- No. 571 "A Bill for an Act Relating to Deferred Compensation Plans."
- Introduced by: Senators Toyofuku, Young, Chong, Yamasaki, Takitani, Ching, F. Wong, Nishimura, Taira and O'Connor.
- No. 572 "A Bill for an Act Relating to Planning and Development of Kauai."
- Introduced by: Senators Toyofuku, Yamasaki, Takitani, Ching, F. Wong, Nishimura, Chong, Taira, O'Connor and Hara.
- No. 573 "A Bill for an Act Making an Appropriation to Support the Operation of Community Action Agencies."
- Introduced by: Senators Toyofuku, King, Young, Chong, Yamasaki, Takitani, Ching, F. Wong, Nishimura, Taira, O'Connor and Hara.
- No. 574 "A Bill for an Act Relating to Public Officers and Employees."
- Introduced by: Senators Toyofuku, Taira, Kawasaki, Takitani, Ching, Chong, Hulten, King, F. Wong, Yamasaki and Hara.
- No. 575 "A Bill for an Act Relating to Temporary Disability Insurance."
- Introduced by: Senators Toyofuku, Chong, Takitani, Nishimura, Yamasaki, Ching, Taira, O'Connor, F. Wong, Hara, Kuroda and Young.
- No. 576 "A Bill for an Act Relating to the Public Employees Health Fund."
- Introduced by: Senators Toyofuku, Taira, Takitani, Chong, Hulten, Yamasaki, F. Wong, Kuroda, Young and Ching.
- No. 577 "A Bill for an Act Relating to Noise Control."
- Introduced by: Senators King, Taira, Hulten, Yim, George, Takitani, Chong, Henderson, Nishimura, Young and Kuroda.
- No. 578 "A Bill for an Act Relating to Hospitals."
- Introduced by: Senator Chong, by request.
- No. 579 "A Bill for an Act Relating to Prepaid Health Care Plans."
- Introduced by: Senators Chong, Young, Takitani, Nishimura, Yamasaki, Kuroda, Taira and Toyofuku.
- No. 581 "A Bill for an Act Relating to Minors in Billiard Parlors."
- Introduced by: Senators Ushijima, Hara and Henderson.
- No. 582 "A Bill for an Act Relating to Membership on the Pest Control Board."
- Introduced by: Senators Ushijima, Hara and Henderson.
- No. 583 "A Bill for an Act Relating to Vehicles Left Unattended on Private Property."
- Introduced by: Senators Ushijima, Hara and Henderson.
- No. 584 "A Bill for an Act Relating to Religious Holy Days."
- Introduced by: Senators Ushijima, Ching, Kuroda, King, F. Wong, Yamasaki and Takitani.
- No. 585 "A Bill for an Act Making an Appropriation for a Medical Records Technician II and an X-Ray Technician II at Honokaa Hospital, Hawaii."
- Introduced by: Senators Ushijima, Hara and Henderson.
- No. 586 "A Bill for an Act Making an Appropriation for the Operation of After School Programs."
- Introduced by: Senators Ushijima and Hara.
- No. 587 "A Bill for an Act Making an Appropriation for Staffing for the Foundation Program, Department of Education."
- Introduced by: Senators Ushijima, Hara and Henderson.
- No. 588 "A Bill for an Act Making an Appropriation for a Grant-In-Aid to Outdoor Education Center, Hilo, Hawaii."
- Introduced by: Senators Hara, Ushijima, Henderson, Taira, F. Wong, Young, Chong, King, Toyofuku, Kuroda, George, O'Connor, Yamasaki, Yee, Takitani, Hulten, Ching and Nishimura.
- No. 589 "A Bill for an Act Relating to Ethnic Studies."

- Introduced by: Senators Hara, Ushijima, Yim, Chong, Takitani, Taira, O'Connor, Kuroda, F. Wong, Saiki, Hulten, Nishimura and Kawasaki.
- No. 590 "A Bill for an Act Relating to Parks and Playgrounds."
- Introduced by: Senators F. Wong, Hara, Taira, Ching, Saiki, O'Connor, Nishimura, Henderson, Takitani and Soares.
- No. 591 "A Bill for an Act Relating to Civil Service and Exemptions."
- Introduced by: Senator Ushijima, by request.
- No. 592 "A Bill for an Act Relating to Public Employees Health Fund and Amending Chapter 87, Hawaii Revised Statutes."
- Introduced by: Senator Ushijima, by request.
- No. 593 "A Bill for an Act Relating to Public Officers and Employees."
- Introduced by: Senator Ushijima, by request.
- No. 594 "A Bill for an Act Relating to Accidental Injury Leave."
- Introduced by: Senator Ushijima, by request.
- No. 595 "A Bill for an Act Relating to Collective Bargaining in the Public Sector and Amending Chapter 89, Hawaii Revised Statutes."
- Introduced by: Senator Ushijima, by request.
- No. 596 "A Bill for an Act Relating to Deferred Compensation Plans."
- Introduced by: Senator Ushijima, by request.
- No. 597 "A Bill for an Act Relating to Purchasing Credits for Military Service Under the Employees' Retirement System."
- Introduced by: Senator Ushijima, by request.
- No. 598 "A Bill for an Act Relating to Office Hours."
- Introduced by: Senator Ushijima, by request.
- No. 599 "A Bill for an Act Relating to Leaves for Officers or Employees on Loan to Other Governments."
- Introduced by: Senator Ushijima, by request.
- No. 600 "A Bill for an Act Relating to Leaves of Absence and Amending Chapter 79, Hawaii Revised Statutes."
- Introduced by: Senator Ushijima, by request.
- No. 601 "A Bill for an Act Relating to Public Employment."
- Introduced by: Senator Ushijima, by request.
- No. 602 "A Bill for an Act Relating to the Class Structure of the Classification Plan and Amending Chapter 76, Hawaii Revised Statutes."
- Introduced by: Senator Ushijima, by request.
- No. 603 "A Bill for an Act Relating to Civil Service and Exemptions."
- Introduced by: Senator Ushijima, by request.
- No. 604 "A Bill for an Act Relating to Employer Violations of a Collective Bargaining Agreement."
- Introduced by: Senator Ushijima, by request.
- No. 605 "A Bill for an Act Relating to Educational Credits for Students Attending Institutions of Higher Education."
- Introduced by: Senators Hulten, Chong, Young, Nishimura, Toyofuku, F. Wong, Yamasaki, Henderson, King, Taira, Kawasaki, Takitani and Ushijima.
- No. 606 "A Bill for an Act Relating to Educational Credits for Students Attending School."
- Introduced by: Senators Hulten, Chong, Young, Nishimura, Toyofuku, F. Wong, Yamasaki, Henderson, King, Taira, Takitani and Ushijima.
- 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 Thursday, February 10, 1977:
- Senate Bill
- No. 580 "A Bill for an Act Relating to Providers and Consumers of Health Care Services."

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

## STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 13) informing the Senate that Senate Bill Nos. 540 to 559 and Senate Resolution Nos. 161 to 167 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.

## ORDER OF THE DAY

## REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Tuesday, February 8, 1977:

Senate Bills Referred to:

- No. 540 Committee on Human Resources, then to the Committee on Ways and Means
- No. 541 Committee on Health, then to the Committee on Ways and Means
- No. 542 Committee on Education, then to the Committee on Ways and Means
- No. 543 Committee on Education, then to the Committee on Ways and Means
- No. 544 Committee on Human Resources, then to the Committee on Ways and Means
- No. 545 Committee on Human Resources, then to the Committee on Ways and Means
- No. 546 Committee on Judiciary, then to the Committee on Ways and Means
- No. 547 Committee on Economic Development
- No. 548 Committee on Health, then to the Committee on Ways and Means
- No. 549 Committee on Military and Civil Defense, then to the Committee on Education
- No. 550 Committee on Ecology,

Environment and Recreation, then to the Committee on Ways and Means

No. 551 Committee on Ways and Means

No. 552 Committee on Ways and Means

No. 553 Committee on Economic Development, then to the Committee on Ways and Means

No. 554 Committee on Judiciary

No. 555 Committee on Economic Development, then to the Committee on Ways and Means

No. 556 Committee on Economic Development, then to the Committee on Ways and Means

No. 557 Committee on Judiciary

No. 558 Committee on Transportation, then to the Committee on Ways and Means

No. 559 Committee on Judiciary

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

The Senate reconvened at 11:43 o'clock a.m.

At this time, Senator Ching introduced to the members of the Senate 30 students from Waianae High School, as well as the following coordinators and advisors of the Waianae High School Campus Beautification Project: Miss Jody Naeole and Miss Mary Ann Waikiki, Co-Coordination; Miss Jocelyn Hughes, Project Secretary; Mr. Patrick Botelho, Contributing; Mr. Frank Commendador, Advisor, Student Union; and Mr. Peter Jackson, Advisor, Beautification Committee.

Senator R. Wong then rose on a point of personal privilege to speak as follows:

"Mr. President, in yesterday's Honolulu Star-Bulletin, I was quoted as being concerned about a potential loss of State tax revenues of \$100 million a year if the sugar industry should fail.

That, Mr. President, was a misstatement on my part, and I want to take this opportunity to set the record straight.

In 1975, the sugar industry paid about \$10.4 million in direct State taxes and \$2.2 million in real property taxes. When I mentioned the \$100 million figure, I was unconsciously

thinking about the total annual earnings of the 9,000 sugar workers in the State.

Mr. President, I want to thank you for allowing me to clarify this point."

## ADJOURNMENT

At 11:48 o'clock a.m., on motion by Senator Ching, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, February 10, 1977.