

## NINETEENTH DAY

Monday, February 14, 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 the Reverend Warren Fujimoto of the Soto Mission, after which the Roll was called showing all Senators present, with the exception of Senator Taira, who was excused.

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

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 13 to 16) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 13), transmitting House Bill No. 164, which passed Third Reading in the House of Representatives on February 11, 1977, was placed on file.

On motion by Senator Ching, seconded by Senator Anderson and carried, H.B. No. 164, entitled: "A BILL FOR AN ACT RELATING TO UNLICENSED ACTS", passed First Reading by title and was referred to the Committee on Consumer Protection.

A communication from the House (Hse. Com. No. 14), transmitting House Bill No. 186, H.D. 1, which passed Third Reading in the House of Representatives on February 11, 1977, was placed on file.

On motion by Senator Ching, seconded by Senator Anderson and carried, H.B. No. 186, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SUBMISSION OF COUNTY BUDGETS", passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 15), transmitting House Bill No. 219, which passed Third Reading in the House of Representatives on February 11, 1977, was placed on file.

On motion by Senator Ching, seconded by Senator Anderson and carried, H.B. No. 219, entitled: "A BILL FOR AN ACT RELATING TO RECORDATION IN THE BUREAU

OF CONVEYANCES", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 16), transmitting House Bill No. 227, which passed Third Reading in the House of Representatives on February 11, 1977, was placed on file.

On motion by Senator Ching, seconded by Senator Anderson and carried, H.B. No. 227, entitled: "A BILL FOR AN ACT RELATING TO THE FRANCHISE INVESTMENT LAW", passed First Reading by title and was referred to the Committee on Judiciary.

## SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 68 to 70) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 68), entitled: "SENATE CONCURRENT RESOLUTION URGING CONGRESS TO AMEND THE NATIONAL HOUSING ACT IN RELATION TO FEDERAL INSURANCE OF MORTGAGES ON LEASED LAND", was jointly offered by Senators Hulten, O'Connor, F. Wong, Chong, Kuroda, Hara, Ching, Toyofuku, Saiki, Takitani, Henderson, Yee, Soares, Taira, Young, Yamasaki and Ushijima.

By unanimous consent, S.C.R. No. 68 was referred to the Committee on Housing and Hawaiian Homes.

A concurrent resolution (S.C.R. No. 69), entitled: "SENATE CONCURRENT RESOLUTION PROVIDING FOR A DISTRICT PARK-CIVIC CENTER TO SERVE THE PRESENT AND PROJECTED RECREATIONAL AND CIVIC NEEDS OF THE COMMUNITY OF GREATER KAHALUU", was jointly offered by Senators Hulten, Anderson, Toyofuku, F. Wong, Nishimura, Hara, George, Takitani, Kuroda, Young, Henderson, Ching, Yamasaki, O'Connor, Chong, Yee, Soares, Taira and Ushijima.

By unanimous consent, S.C.R. No. 69 was referred to the Committee on Ecology, Environment and Recreation.

A concurrent resolution (S.C.R. No. 70), entitled: "SENATE CONCURRENT RESOLUTION ESTABLISHING A JOINT SPECIAL COMMITTEE ON FOOD AND NUTRITION", was jointly offered by Senators Leopold, Takitani, Henderson, F. Wong, Taira, Yee, George, Saiki, Young, King and Soares.

By unanimous consent, S.C.R.

No. 70 was referred to the Committee on Health.

## SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 189 to 198) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 189), entitled: "SENATE RESOLUTION COMMENDING HILO HATTIE, AND THE HAWAII HEART ASSOCIATION", was jointly offered by Senators Saiki, George, King, F. Wong, Anderson, Hara, Henderson, Chong, Soares, Yim, Young, Toyofuku, Ching, Taira, Takitani, Yamasaki, Hulten, Kuroda, R. Wong, Ushijima, O'Connor, Nishimura, Leopold, Yee and Kawasaki.

On motion by Senator Saiki, seconded by Senator George and carried, S.R. No. 189 was adopted.

A resolution (S.R. No. 190), entitled: "SENATE RESOLUTION COMMENDING MARCELIUS SILVESTER, AND THE HAWAII HEART ASSOCIATION", was jointly offered by Senators Saiki, George, King, F. Wong, Hara, Hulten, Chong, Soares, Henderson, Anderson, Young, Yim, Toyofuku, Ching, Taira, Takitani, Yamasaki, Kuroda, R. Wong, Ushijima, O'Connor, Nishimura, Leopold, Yee and Kawasaki.

On motion by Senator Saiki, seconded by Senator George and carried, S.R. No. 190 was adopted.

A resolution (S.R. No. 191), entitled: "SENATE RESOLUTION COMMENDING BUCK BUCHWACH, AND THE HAWAII HEART ASSOCIATION", was jointly offered by Senators Saiki, George, King, F. Wong, Hara, Chong, Kawasaki, Hulten, Soares, Henderson, Anderson, Young, Toyofuku, Yim, Ching, Taira, Takitani, Yamasaki, Kuroda, R. Wong, Ushijima, O'Connor, Nishimura, Leopold and Yee.

On motion by Senator Saiki, seconded by Senator George and carried, S.R. No. 191 was adopted.

A resolution (S.R. No. 192), entitled: "SENATE RESOLUTION HONORING DR. MORTON E. BERK, ONE OF THE FOUNDERS OF THE HAWAII HEART ASSOCIATION AND PRESIDENT OF THE ASIAN-PACIFIC SOCIETY OF CARDIOLOGY", was jointly offered by Senators Saiki, George, King, F. Wong, Hara, Soares, Chong, Taira, Henderson, Anderson, Young, Toyofuku, Ching, Yim, Takitani, Yamasaki, Hulten, Kuroda, R. Wong, Ushijima, O'Connor, Nishimura, Leopold, Yee and Kawasaki.

On motion by Senator Saiki, seconded by Senator George and carried, S.R. No. 192 was adopted.

Senator Saiki then introduced to the members of the Senate Mrs. Carlyle Nelson, affectionately and better known as Hilo Hattie, and her husband Mr. Nelson; and Marcellus Silvester from Waianae, the honorees of two of the resolutions just adopted. Senator Saiki noted that Dr. Morton Berk and Mr. Buck Buchwach were unable to be present this morning. Senators Soares and George presented leis to Mrs. Nelson and Marcellus Silvester, respectively.

At 11:40 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:41 o'clock a.m., and the President directed the Clerk to note the presence of Senator Taira.

A resolution (S.R. No. 193), entitled: "SENATE RESOLUTION RELATING TO LICENSURE OF PHYSICIANS", was jointly offered by Senators Chong and Takitani.

By unanimous consent, S.R. No. 193 was referred to the Committee on Health, then to the Committee on Judiciary.

A resolution (S.R. No. 194), entitled: "SENATE RESOLUTION REQUESTING THE INITIATION OF ACTIONS TO ENABLE HAWAII TO BECOME AN AGREEMENT STATE UNDER THE ATOMIC ENERGY ACT", was jointly offered by Senators Chong, Takitani, Hulten, Kuroda, F. Wong and King.

By unanimous consent, S.R. No. 194 was referred to the Committee on Energy/Natural Resources.

A resolution (S.R. No. 195), entitled: "SENATE RESOLUTION RELATING TO AN ASSESSMENT OF HEALTH CARE QUALITY AND COST CONTROL MECHANISMS", was jointly offered by Senators Chong, Takitani, Hulten, Kuroda, F. Wong and King.

By unanimous consent, S.R. No. 195 was referred to the Committee on Health.

A resolution (S.R. No. 196), entitled: "SENATE RESOLUTION URGING CONGRESS TO AMEND THE NATIONAL HOUSING ACT IN RELATION TO FEDERAL INSURANCE OF MORTGAGES ON LEASED LAND", was jointly offered by Senators Hulten, O'Connor, F. Wong, Chong, Kuroda, Yamasaki, Hara, Ching, Toyofuku, Saiki, Takitani, Henderson, Yee, Soares, Taira, Ushijima and Young.

By unanimous consent, S.R. No. 196 was referred to the Committee on Housing and Hawaiian Homes.

A resolution (S.R. No. 197), entitled: "SENATE RESOLUTION PROVIDING FOR A DISTRICT PARK-CIVIC CENTER TO SERVE THE PRESENT AND PROJECTED RECREATIONAL AND CIVIC NEEDS OF THE COMMUNITY OF GREATER KAHALUU", was jointly offered by Senators Hulten, Anderson, Toyofuku, F. Wong, Nishimura, Young, Kuroda, George, Chong, Hara, Takitani, Ching, Yamasaki, O'Connor, Henderson, Yee, Soares, Taira and Ushijima.

By unanimous consent, S.R. No. 197 was referred to the Committee on Ecology, Environment and Recreation.

A resolution (S.R. No. 198), entitled: "SENATE RESOLUTION RECOGNIZING AND CONGRATULATING THE PEARL CITY ALL-STAR LITTLE LEAGUE TOURNAMENT TEAM, STATE CHAMPIONS AND FIRST RUNNER-UP TEAM IN THE WESTERN REGIONAL PLAY-OFFS", was jointly offered by Senators Kuroda, Ching, F. Wong, Young, King, Chong, Anderson, Soares, Taira, R. Wong, George, O'Connor, Nishimura, Yim, Kawasaki, Takitani, Henderson, Toyofuku, Hulten, Yamasaki, Saiki, Leopold, Yee, Ushijima and Hara.

On motion by Senator Kuroda, seconded by Senator Ching and carried, S.R. No. 198 was adopted.

Senator Kuroda then introduced to the members of the Senate the following: Mr. Tony Glushenko, Team Manager; Mr. Fred Igawa, Head Coach; Mr. Mel Seki, Assistant Coach; members of the Pearl City Little League All-Star Team, and those who accompanied them, Mr. and Mrs. Toshi Okamura, Mr. John Santiago and Mr. and Mrs. Thomas Scharsch.

#### 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 Tuesday, February 15, 1977:

#### Senate Bill

No. 675 "A Bill for an Act Relating to the State Budget."

Introduced by: Senator Ushijima, by request.

No. 676 "A Bill for an Act Relating

to State Chartered Credit Unions."

Introduced by: Senator Ushijima, by request.

No. 677 "A Bill for an Act Relating to Insurance."

Introduced by: Senator Ushijima, by request.

No. 678 "A Bill for an Act Relating to Worker's Compensation."

Introduced by: Senators Taira, Hulten, Takitani, Yamasaki, F. Wong, Nishimura, Kuroda, Chong, Yee, Saiki, Soares, Ushijima, King and Ching.

No. 679 "A Bill for an Act Making an Appropriation to Provide a Grant-In-Aid to the City and County of Honolulu for the Planning and Design of a Multi-Story Parking Lot at the Kekaulike Off-Street Parking Lot, Oahu."

Introduced by: Senators Yim, R. Wong, Chong, F. Wong, Hulten, Kuroda, Takitani, Yamasaki and Taira.

No. 680 "A Bill for an Act Making an Appropriation for a Study of Leucaena (Haole Koa) as an Ingredient for Fish Diets."

Introduced by: Senator Yim.

No. 683 "A Bill for an Act Making an Appropriation for Poison Information."

Introduced by: Senators Chong, Saiki, Young, O'Connor, Takitani, F. Wong, Yee, Leopold, Nishimura, Henderson, Ching, Yamasaki and King.

No. 684 "A Bill for an Act Relating to Public Records."

Introduced by: Senators Chong, Hulten, Kuroda, R. Wong and Yim.

No. 685 "A Bill for an Act Relating to Used Motor Vehicles."

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

No. 686 "A Bill for an Act Relating to Partial Payment of Taxes and to Interest Charged on Penalties."

Introduced by: Senators Kawasaki, Henderson, Yamasaki, Toyofuku, Yim, Kuroda, Takitani, Nishimura, F. Wong, Chong, Hulten, O'Connor, Ching, Soares, Saiki, Hara and Taira.

No. 687 "A Bill for an Act Relating to Mortgages."

Introduced by: Senators Kawasaki, Toyofuku, Ching, Hara, Leopold, Yamasaki, Kuroda, Takitani, Henderson, Chong, Taira, King and Soares.

No. 688 "A Bill for an Act Relating to an Investment Tax Credit."

Introduced by: Senators Yamasaki, Kuroda, Ching, Takitani, Toyofuku, Taira, Chong, Henderson, F. Wong, Ushijima, Leopold and Soares.

No. 689 "A Bill for an Act Making an Appropriation for Land Acquisition for Mahinui Mini-Park, Kaneohe, Oahu."

Introduced by: Senators Hulten, George and Anderson.

No. 690 "A Bill for an Act Relating to Residential Leaseholds."

Introduced by: Senators Hulten, Taira, Kuroda, Takitani, F. Wong, Kawasaki, Toyofuku, Ching, O'Connor, Nishimura and Henderson.

On motion by Senator Taira, seconded by Senator Anderson and carried, the following bills were referred to print and were placed on the calendar for further consideration on Tuesday, February 15, 1977:

#### Senate Bill

No. 681 "A Bill for an Act Relating to Aquaculture."

Introduced by: Senator Yim.

No. 682 "A Bill for an Act Relating to Aquaculture."

Introduced by: Senator Yim.

#### STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 16), informing the Senate that Senate Bill Nos. 661 to 674, Senate Concurrent Resolution Nos. 68 to 70 and Senate Resolution Nos. 186 to 198 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 Friday, February 11, 1977:

Senate Bill Referred to:

No. 661 Committee on Judiciary

No. 662 Committee on Judiciary

No. 663 Committee on Health, then to the Committee on Ways and Means

No. 664 Committee on Human Resources, then to the Committee on Ways and Means

No. 665 Committee on Economic Development, then to the Committee on Ways and Means

No. 666 Committee on Health, then to the Committee on Ways and Means

No. 667 Committee on Health, then to the Committee on Ways and Means

No. 668 Committee on Higher Education, then to the Committee on Ways and Means

No. 669 Committee on Military and Civil Defense, then to the Committee on Economic Development

No. 670 Committee on Health, then to the Committee on Ways and Means

No. 671 Committee on Judiciary

No. 672 Committee on Ecology, Environment and Recreation

No. 673 Committee on Housing and Hawaiian Homes, then to the Committee on Judiciary

No. 674 Committee on Education

#### RE-REFERRAL OF SENATE BILLS

The President made the following re-referral of Senate Bills that were introduced on Tuesday, January 25, 1977:

Senate Bill Referred to:

No. 75 Committee on Economic Development, then to the Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means

No. 79 Committee on Economic Development, then to the Committee on Judiciary, then to the Committee on Ways and Means

No. 85 Committee on Human Resources, then to the Committee on Judiciary, then to the Committee on Ways and Means

No. 124 Committee on Health,  
then to the Committee on Ways  
and Means

The President then made the following re-referral of a Senate Bill that was introduced on Wednesday, January 26, 1977:

Senate Bill Referred to:

No. 176 Committee on Judiciary,  
then to the Committee on Ways  
and Means

The President then made the following re-referral of a Senate Bill that was introduced on Wednesday, February 9, 1977:

Senate Bill Referred to:

No. 584 Committee on Education,  
then to the Committee on Judiciary

At this time, Senator Chong rose and stated as follows:

"Mr. President, I rise on a point of personal privilege.

Last Saturday's issue of the Star

Bulletin printed a letter which referred to a public hearing which was held last week on the marijuana issue. It erroneously implied that this Honorable Body had financed these four mainland experts who had flown in to testify on the decriminalization of marijuana.

I would just like the record to be very clear that there was no State tax money at all. In fact those four people were financed by the National Organization for the Reform of Marijuana Laws. In addition to that, we had several testimonies which were against the bill, so contrary to some of the more dramatic news reports saying that it was weighted on one side, in natural fact it was a well-balanced public hearing just as the others on the same issue have been for the past three years.

Thank you, Mr. President."

ADJOURNMENT

At 11:47 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., Tuesday, February 15, 1977.