

## TWENTY-THIRD DAY

Friday, February 18, 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 Ryoso Kawai of the Jodo Mission, after which the Roll was called showing all Senators present, with the exception of Senator F. Wong, who was excused.

The President announced that he had read and approved the Journal of the Twenty-Second Day.

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

Senator Yee introduced thirty students from the fifth grade at Kaahumanu School, with their teachers, Miss Susan Imai and a parent, Mrs. Florence Imai.

Senator Ching introduced fifty-nine members of the fifth grade at Hale Kula Elementary School, Schofield, with their teachers, Miss Virginia Padayhag and Mr. Neal Tomita.

## MESSAGES FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 112), transmitting the 1976 Annual Report of the Department of Planning and Economic Development, was read by the Clerk and was referred to the Committee on Economic Development.

## DEPARTMENTAL COMMUNICATION

A communication from the Office of the Legislative Auditor (Dept. Com. No. 10), transmitting a report entitled "A Study of the Library System of the Department of Education", was read by the Clerk and was referred to the Committee on Education.

## HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 20), transmitting House Bill No. 487, H.D. 1, which passed Third Reading in the House of Representatives on February 17, 1977, was read by the Clerk and was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 487, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MARKETING OF DWELLING UNIT

PROJECTS", passed First Reading by title and was referred to the Committee on Housing and Hawaiian Homes.

## SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 79 to 82) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 79), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE MAKENALAPEROUSE STATE PARK", was jointly offered by Senators Yamasaki, Takitani, F. Wong, Chong, Toyofuku, Yee, Hara, Ching, Ushijima, Kawasaki, Kuroda, Young and R. Wong.

By unanimous consent, S.C.R. No. 79 was referred to the Committee on Ecology, Environment and Recreation.

A concurrent resolution (S.C.R. No. 80), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO PESTICIDES TOLERANCE PETITIONS SUBMITTED TO THE U.S. ENVIRONMENTAL PROTECTION AGENCY", was jointly offered by Senators Yamasaki, Takitani, F. Wong, Chong, Toyofuku, Yee, Hara, Ching, Ushijima, Kawasaki, Kuroda and R. Wong.

By unanimous consent, S.C.R. No. 80 was referred to the Committee on Ecology, Environment and Recreation.

A concurrent resolution (S.C.R. No. 81), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT NATIVE HAWAIIANS AND OTHER MINORITY GROUPS IN HAWAII BE DESIGNATED AS SPECIAL TARGET GROUPS FOR FEDERAL COMPREHENSIVE EMPLOYMENT AND TRAINING PROGRAMS", was jointly offered by Senators Ushijima, Hara, Henderson, Takitani, Yamasaki, Yee, Young, George, Saiki, Soares and Leopold.

By unanimous consent, S.C.R. No. 81 was referred to the Committee on Human Resources.

A concurrent resolution (S.C.R. No. 82), entitled: "SENATE CONCURRENT RESOLUTION URGING EXTENSION OF THE COMMUNITY PHYSICIAN PROGRAM TO NORTH KOHALA, HAWAII", was jointly offered by Senators Ushijima, Hara, Henderson, Takitani, Yamasaki, Yee, Young, George, Saiki, Soares, Leopold and Anderson.

By unanimous consent, S.C.R. No. 82 was referred to the Committee on Health.

## SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 217 to 228) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 217), entitled: "SENATE RESOLUTION RELATING TO THE MAKENA-LAPEROUSE STATE PARK", was jointly offered by Senators Yamasaki, Takitani, F. Wong, Chong, Toyofuku, Yee, Hara, Ching, Ushijima, Kawasaki, Leopold, Kuroda, Young and R. Wong.

By unanimous consent, S.R. No. 217 was referred to the Committee on Ecology, Environment and Recreation.

A resolution (S.R. No. 218), entitled: "SENATE RESOLUTION RELATING TO PESTICIDES TOLERANCE PETITIONS SUBMITTED TO THE U.S. ENVIRONMENTAL PROTECTION AGENCY", was jointly offered by Senators Yamasaki, Takitani, F. Wong, Chong, Toyofuku, Yee, Hara, Ching, Ushijima, Kawasaki, Leopold, Kuroda and R. Wong.

By unanimous consent, S.R. No. 218 was referred to the Committee on Ecology, Environment and Recreation.

A resolution (S.R. No. 219), entitled: "SENATE RESOLUTION COMMENDING HILO INTERMEDIATE SCHOOL STUDENTS FOR DECLARING A 'FACULTY APPRECIATION WEEK' ", was jointly offered by Senators Hara, Ushijima, Henderson, Yamasaki, Yim, Ching, Chong, F. Wong, Yee, Toyofuku, Young, Hulten, Takitani, King, Soares, George, Kawasaki, Saiki, R. Wong, Anderson, Nishimura, O'Connor, Taira, Kuroda and Leopold.

On motion by Senator Hara, seconded by Senator Henderson and carried, S.R. No. 219 was adopted.

A resolution (S.R. No. 220), entitled: "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF A MOTORCYCLE, MOTOR SCOOTER, MOTOR BIKE DRIVER EDUCATION COURSE", was jointly offered by Senators Takitani, Taira, F. Wong, Ching, Yamasaki, Hulten, Chong, Leopold, Young, Toyofuku, Nishimura, O'Connor, Hara, King, Kuroda, R. Wong, Yee, George, Soares and Henderson.

By unanimous consent, S.R. No. 220 was referred to the Committee on Transportation.

A resolution (S.R. No. 221), entitled: "SENATE RESOLUTION CONGRATULATING THE 1977 NARCISSUS FESTIVAL QUEEN DEBORAH LIN HEONG CHUN, AND HER COURT", was jointly offered by Senators Yee, F. Wong, Henderson,

Ching, Saiki, Chong, George, R. Wong, Yamasaki, Toyofuku, Taira, Soares, Kawasaki, Anderson, Leopold, Takitani, Young, Ushijima, Nishimura, Hara, Kuroda, King, Hulten and O'Connor.

On motion by Senator Yee, seconded by Senator Ching and carried, S.R. No. 221 was adopted.

Senator Yee then introduced to the members of the Senate the following: Mr. Anthony Ching, the President of the Chinese Chamber of Commerce, who sponsors the Narcissus Festival; Mr. Warren Yee, the President-elect; members of the Royal Court, Princesses Lorraine Ngit Inn Ching, Muriel Wai Sin Goo and Cindy Soi Jun Loui; and the Queen, Miss Deborah Lin Heong Chun. The members of the Royal Court were presented with leis by Senators Ching, Chong, Yee and Henderson.

Senator Yee then escorted Queen Deborah Chun to the rostrum where the President presented her with a certified copy of the resolution just adopted. She then addressed the members of the Senate noting their pleasure at being present at the session and appreciation for the resolution. She concluded by wishing all a very happy and prosperous new year in this the Year of the Snake.

A resolution (S.R. No. 222), entitled: "SENATE RESOLUTION CONGRATULATING THE SACRED HEARTS COMMUNITY - HAWAII UPON THE OCCASION OF ITS 150TH ANNIVERSARY", was jointly offered by Senators King, Ushijima, Takitani, Yim, Yamasaki, F. Wong, Anderson, Henderson, Yee, Young, Taira, Kawasaki, Kuroda, R. Wong, Hara, Ching, O'Connor, Nishimura, Toyofuku, George, Saiki, Soares, Leopold and Hulten.

On motion by Senator King, seconded by Senator O'Connor and carried, S.R. No. 222 was adopted.

Senator King then introduced to the members of the Senate the Very Reverend Jan Scheepens, SSCC, Father Superior General of the Congregation of the Sacred Hearts of Jesus and Mary, who came in from Rome for the occasion, and the Very Reverend Albert Leunens, SSCC, Provincial of the Fathers of the Sacred Hearts of Jesus and Mary, here in Hawaii. Senator King then presented them with copies of the resolution just adopted.

At 11:47 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:48 o'clock a.m.

A resolution (S.R. No. 223), entitled: "SENATE RESOLUTION REQUESTING THAT NATIVE HAWAIIANS AND OTHER MINORITY GROUPS IN HAWAII BE DESIGNATED AS SPECIAL TARGET GROUPS FOR FEDERAL COMPREHENSIVE EMPLOYMENT AND TRAINING PROGRAMS", was jointly offered by Senators Ushijima, Hara, Henderson, Takitani, Yamasaki, Yee, Young, George, Saiki, Soares and Leopold.

By unanimous consent, S.R. No. 223 was referred to the Committee on Human Resources.

A resolution (S.R. No. 224), entitled: "SENATE RESOLUTION URGING EXTENSION OF THE COMMUNITY PHYSICIAN PROGRAM TO NORTH KOHALA, HAWAII", was jointly offered by Senators Ushijima, Hara, Henderson, Takitani, Yamasaki, Yee, Young, George, Saiki, Soares, Leopold and Anderson.

By unanimous consent, S.R. No. 224 was referred to the Committee on Health.

A resolution (S.R. No. 225), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON INTAKE SERVICE CENTERS", was jointly offered by Senators Nishimura, O'Connor, Chong, Taira, Ching, Takitani, F. Wong, Hara, George, Saiki, Leopold and Kawasaki.

By unanimous consent, S.R. No. 225 was referred to the Committee on Judiciary.

A resolution (S.R. No. 226), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS AND GOOD WISHES TO THE FIRST HAWAII STATE TAE KWON DO CHAMPIONS", was jointly offered by Senators Hulten, Takitani, Yamasaki, Kuroda, Ching, Young, Nishimura, Kawasaki, F. Wong, Soares, O'Connor, Hara, King, Saiki, Henderson, Yim, Chong, Toyofuku, George and R. Wong.

On motion by Senator Hulten, seconded by Senator Takitani and carried, S.R. No. 226 was adopted.

A resolution (S.R. No. 227), entitled: "SENATE RESOLUTION REQUESTING FEDERAL ACTION TO POSTPONE APPLICATION OF ENVIRONMENTAL REGULATIONS PERTAINING TO HAWAII AGRICULTURAL INDUSTRIES", was jointly offered by Senators F. Wong, Hara, Yee, George, Ching and Soares.

By unanimous consent, S.R. No. 227 was jointly referred to the Committee on Ecology, Environment and Recreation and the Committee on

Economic Development.

A resolution (S.R. No. 228), entitled: "SENATE RESOLUTION CONGRATULATING THE HILO VULCAN BASKETBALL TEAM", was jointly offered by Senators Ushijima, Hara, Henderson, Takitani, Young, F. Wong, Chong, Toyofuku, Soares, R. Wong, Yamasaki, Hulten, Kuroda, Nishimura, George, O'Connor, Saiki, Ching, Taira, Yee and King.

On motion by Senator Hara, seconded by Senator Henderson and carried, S.R. No. 228 was adopted.

#### 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 until later in the calendar for further consideration:

#### Senate Bill

No. 776 "A Bill for an Act Relating to New Industries."

Introduced by: Senators F. Wong, Hulten, Henderson and Soares.

No. 777 "A Bill for an Act Relating to Real Property Taxes."

Introduced by: Senators F. Wong, Takitani, Henderson, Hara, Soares and O'Connor.

No. 778 "A Bill for an Act Relating to Building Permits."

Introduced by: Senators F. Wong, Takitani, Nishimura, Hulten, Hara, Yee, Henderson, O'Connor and Ching.

No. 779 "A Bill for an Act Relating to Economic Development."

Introduced by: Senator F. Wong.

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 22, 1977:

#### Senate Bill

No. 780 "A Bill for an Act Relating to the Employees Retirement System of the State of Hawaii."

Introduced by: Senator Ushijima, by request.

No. 781 "A Bill for an Act Making

- an Appropriation for a Capital Improvement Project at Hawaii School for the Deaf and the Blind."
- Introduced by: Senators O'Connor, Nishimura, Saiki and Soares.
- No. 782 "A Bill for an Act Relating to Motor-Bikes."
- Introduced by: Senator O'Connor.
- No. 783 "A Bill for an Act Relating to Individual Housing Accounts."
- Introduced by: Senators R. Wong, Yamasaki, Yim and Young.
- No. 784 "A Bill for an Act Making an Appropriation for the Planning Development and Implementation of a Computer Model for Construction Industry Forecasting and Studies."
- Introduced by: Senators Young, Toyofuku, O'Connor, Hara, Takitani, Hulten, Yamasaki, Kuroda, F. Wong, Chong and Ching.
- No. 785 "A Bill for an Act Making an Appropriation for the Council of Housing and Construction Industry."
- Introduced by: Senators Young, Toyofuku, O'Connor, Hara, Takitani, Hulten, Yamasaki, Kuroda, F. Wong, Chong and Ching.
- No. 786 "A Bill for an Act Making an Appropriation for a Feed and Forage Research Program."
- Introduced by: Senators Ushijima, Hara and Henderson.
- No. 787 "A Bill for an Act Relating to the Community Physician Program."
- Introduced by: Senators Ushijima, Hara and Henderson.
- No. 788 "A Bill for an Act Making an Appropriation for the Honokaa-Kohala Alternative Program."
- Introduced by: Senators Ushijima, Hara and Henderson.
- No. 789 "A Bill for an Act Making an Appropriation for a Grant-In-Aid to the Maui Economic Opportunity, Inc."
- Introduced by: Senators Yamasaki, Takitani, F. Wong, Toyofuku, Ushijima, Ching, Young, Hara, Henderson and Yee.
- No. 790 "A Bill for an Act Relating to the Allocation of Funds."
- Introduced by: Senators R. Wong, Hulten, Young, Yamasaki, Yim, Hara, Kuroda, Anderson, Henderson, King, Soares, Ushijima, Kawasaki, Chong, Takitani, Leopold, Nishimura, Taira and Ching.
- No. 791 "A Bill for an Act Relating to Farm Loans."
- Introduced by: Senator Ushijima, by request.
- No. 792 "A Bill for an Act Relating to the Public Employees Health Fund."
- Introduced by: Senator Ushijima, by request.
- No. 793 "A Bill for an Act Relating to the Source of Funding of Certain Capital Investment Programs and Projects."
- Introduced by: Senator Ushijima, by request.
- No. 794 "A Bill for an Act Making Appropriations for Collective Bargaining Cost Items and for Salary Adjustments of Employees Excluded from Bargaining Unit 1."
- Introduced by: Senator Ushijima, by request.
- No. 795 "A Bill for an Act Making Appropriations for Collective Bargaining Cost Items and Salary Adjustments for Employees Excluded from Certain Bargaining Units."
- Introduced by: Senator Ushijima, by request.
- No. 796 "A Bill for an Act Relating to the Legal Capacity of Minors for Hospital, Health Clinic, Medical Care and Services."
- Introduced by: Senator Ushijima, by request.
- No. 797 "A Bill for an Act Relating to Employment Security."
- Introduced by: Senator Ushijima, by request.
- No. 798 "A Bill for an Act Relating to Health Care and Medical Professional Liability."
- Introduced by: Senator Ushijima, by request.
- No. 799 "A Bill for an Act Relating to Industrial Loan Companies."
- Introduced by: Senator Ushijima, by request.

No. 800 "A Bill for an Act Establishing a Duplicating Services Revolving Fund for the University of Hawaii."

Introduced by: Senator Ushijima, by request.

No. 801 "A Bill for an Act Making an Appropriation for Plans and Construction of Artificial Habitats for Reef Fish to Aid Recreational Shoreline Fishing Throughout the State."

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

No. 802 "A Bill for an Act Relating to Leasehold Rents."

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

No. 803 "A Bill for an Act Relating to the State Ethics Commission."

Introduced by: Senators George, Leopold, Saiki, Anderson, Nishimura, Takitani, King, R. Wong, Hulten and Henderson.

#### STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 20), informing the Senate that Senate Bill Nos. 743 to 775, Senate Concurrent Resolution Nos. 79 to 82, Senate Resolution Nos. 216 to 226 and Standing Committee Report Nos. 21 to 24 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 O'Connor, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 21), recommending that Senate Bill No. 348 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator O'Connor, seconded by Senator Ching and carried, the report of the Committee was adopted and S.B. No. 348, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MOTOR VEHICLE SAFETY RESPONSIBILITY ACT", passed Second Reading and was referred to the Committee on Judiciary.

Senator F. Wong, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 22), recommending that Senate Bill No. 60, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Economic Development.

On motion by Senator Hara, seconded by Senator Ching and carried, the report of the Committee was adopted and S.B. No. 60, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT", passed First Reading and was recommitted to the Committee on Economic Development.

Senator F. Wong, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 23), recommending that Senate Bill No. 62, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Economic Development.

On motion by Senator Hara, seconded by Senator Ching and carried, the report of the Committee was adopted and S.B. No. 62, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT", passed First Reading and was recommitted to the Committee on Economic Development.

Senator F. Wong, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 24), recommending that Senate Bill No. 491, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Economic Development.

On motion by Senator Hara, seconded by Senator Ching and carried, the report of the Committee was adopted and S.B. No. 491, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT", passed First Reading and was recommitted to the Committee on Economic Development.

#### ORDER OF THE DAY

##### REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Thursday, February 17, 1977:

Senate Bill Referred to:

No. 743 Committee on Judiciary

No. 744 Committee on Economic Development

No. 745 Committee on Economic Development

No. 746 Committee on Economic

- Development
- No. 747 Committee on Economic Development, then to the Committee on Ways and Means
- No. 748 Committee on Judiciary
- No. 749 Committee on Education
- No. 750 Committee on Education
- No. 751 Committee on Health, then to the Committee on Education
- No. 752 Committee on Human Resources
- No. 753 Committee on Human Resources
- No. 754 Committee on Human Resources
- No. 755 Committee on Judiciary
- No. 756 Committee on Judiciary
- No. 757 Committee on Judiciary
- No. 758 Committee on Transportation
- No. 759 Committee on Education, then to the Committee on Ways and Means
- No. 760 Committee on Education, then to the Committee on Ways and Means
- No. 761 Committee on Consumer Protection, then to the Committee on Judiciary
- No. 762 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 763 Committee on Energy/Natural Resources
- No. 764 Committee on Higher Education, then to the Committee on Ways and Means
- No. 765 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 766 Committee on Ways and Means
- No. 767 Committee on Economic Development, then to the Committee on Judiciary
- No. 768 Committee on Human Resources
- No. 769 Committee on Ways and Means
- No. 770 Committee on Health, then to the Committee on Ways and Means
- No. 771 Committee on Higher Education
- No. 772 Committee on Judiciary
- No. 773 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 774 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 775 Committee on Human Resources, then to the Committee on Ways and Means

RE-REFERRAL OF  
SENATE BILLS

The President made the following re-referral of Senate Bills that were introduced on Thursday, January 27, 1977:

Senate Bill Referred to:

No. 192 Committee on Housing and Hawaiian Homes, then to the Committee on Judiciary

No. 193 Committee on Housing and Hawaiian Homes, then to the Committee on Judiciary

MATTERS DEFERRED FROM  
EARLIER IN THE CALENDAR

The President made the following committee assignments of bills that were introduced earlier in the calendar:

Senate Bill Referred to:

No. 776 Committee on Economic Development

No. 777 Committee on Economic Development, then to the Committee on Ways and Means

No. 778 Committee on Intergovernmental Relations, then to the Committee on Economic Development

No. 779 Committee on Economic Development, then to the Committee on Ways and Means

At 11:51 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:52 o'clock a.m.

At this time, Senator Anderson introduced to the members of the Senate twenty-five students from Olomana School, with their teacher, Ms. Linda Bogle.

## ADJOURNMENT

At 11:54 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 22, 1977.