

## THIRTY-FIRST DAY

Thursday, March 3, 1977

The Senate of the Ninth Legislature, 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 Dr. Curtis Askew of the Olivet Baptist Church, after which the Roll was called showing all Senators present with the exception of Senators Leopold and Taira, who were excused.

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

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

Senator Hulten introduced 100 students from the seventh grade at St. Anthony's School, Kailua, with their teachers, Mrs. Linsenmeyer, Mrs. McCarthy, Sister Joyce and Mr. Michael Weaver, and parents, Mrs. Dougerty, Mrs. Trask and Mrs. Rawlins.

Senator Anderson then introduced twenty-five Student Government Officers from Mililani High School, McKinley High School, Moanalua High School, Kalani High School and Waipahu High School.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 141 and 142) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 141), transmitting the Final Report prepared by the Steering Committee of the Hawaii State Conference on Employment, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 142), transmitting an addendum to a report prepared by the Department of Land and Natural Resources on Executive Orders issued pursuant to Section 171-11, Hawaii Revised Statutes (January 16, 1976 to December 31, 1976), was referred to the Committee on Economic Development.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 48 to 55) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 48), transmitting House Bill No. 9, which passed Third Reading in the House of Representatives on March 2, 1977, was placed on file.

On motion by Senator Ching, seconded by Senator Anderson and carried, H.B. No. 9, entitled: "A BILL FOR AN ACT RELATING TO THE CONTROLS TO BE EXERCISED IN THE EXECUTION OF THE BUDGET AND OTHER PROGRAM APPROPRIATIONS", passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 49), transmitting House Bill No. 103, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 1977, was placed on file.

On motion by Senator Ching, seconded by Senator Anderson and carried, H.B. No. 103, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE-OWNED LANDS SUITABLE AND AVAILABLE FOR RESIDENTIAL DEVELOPMENT", passed First Reading by title and was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 50), transmitting House Bill No. 155, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 1977, was placed on file.

On motion by Senator Ching, seconded by Senator Anderson and carried, H.B. No. 155, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POLICY PLANNING", passed First Reading by title and was referred to the Committee on Ecology, Environment and Recreation, then to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 51), transmitting House Bill No. 187, which passed Third Reading in the House of Representatives on March 2, 1977, was placed on file.

On motion by Senator Ching, seconded by Senator Anderson and carried, H.B. No. 187, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND", passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 52), transmitting House Bill No. 619, which passed Third Reading in the House of Representatives on March 2, 1977, was placed on file.

On motion by Senator Ching, seconded by Senator Anderson and carried, H.B. No. 619, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 53), transmitting House Bill No. 676, which passed Third Reading in the House of Representatives on March 2, 1977, was placed on file.

On motion by Senator Ching, seconded by Senator Anderson and carried, H.B. No. 676, entitled: "A BILL FOR AN ACT RELATING TO MEDICINE AND SURGERY", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 54), transmitting House Bill No. 679, which passed Third Reading in the House of Representatives on March 2, 1977, was placed on file.

On motion by Senator Ching, seconded by Senator Anderson and carried, H.B. No. 679, entitled: "A BILL FOR AN ACT RELATING TO BOARDS AND COMMISSIONS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 55), transmitting House Bill No. 732, which passed Third Reading in the House of Representatives on March 2, 1977, was placed on file.

On motion by Senator Ching, seconded by Senator Anderson and carried, H.B. No. 732, entitled: "A BILL FOR AN ACT RELATING TO COUNTY VEHICULAR TAXES", passed First Reading by title and was referred to the Committee on Ways and Means.

#### SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 108 to 112) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 108), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW OF EFFORTS TO IMPLEMENT ACT 243 OF 1974, PROVIDING FOR USE OF VACANT PUBLIC LAND AS AGRICULTURAL PLOTS", was jointly offered by Senators Hulten, Taira, Yamasaki, Kawasaki, F. Wong, King, George, Chong, Hara, Yee, Henderson, Kuroda, Toyofuku, Takitani, R. Wong, Ching and Soares.

By unanimous consent, S.C.R. No. 108 was referred to the Committee on Economic Development.

A concurrent resolution (S.C.R. No. 109), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO ADOPTION OF BUILDING CODE PROVISIONS PERTAINING TO ENERGY CONSERVATION AND ENERGY DEFICIENCY", was jointly offered by Senators Hulten, Taira, Yamasaki, F. Wong, King, Hara, Yee, Henderson, Kuroda, Toyofuku, Takitani, Chong, R. Wong, Ching and Soares.

By unanimous consent, S.C.R. No. 109 was referred to the Committee on Energy/Natural Resources.

A concurrent resolution (S.C.R. No. 110), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION, THE SUPERINTENDENT OF EDUCATION, AND THE ASSISTANT SUPERINTENDENT FOR LIBRARY SERVICES TO ENABLE CLASSIFIED EMPLOYEES OF THE STATE LIBRARY SYSTEM TO HAVE A NUMBER OF WORK-FREE WEEKENDS", was jointly offered by Senators Hulten, Taira, Yamasaki, F. Wong, King, Yee, Henderson, Takitani, Chong, R. Wong, Ching, George and Soares.

By unanimous consent, S.C.R. No. 110 was referred to the Committee on Education.

A concurrent resolution (S.C.R. No. 111), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO AN AGRICULTURAL PARK AT KEAHOLE, KONA", was jointly offered by Senators F. Wong, Henderson, Toyofuku, King, Chong, Hulten, O'Connor, Hara, Takitani, Young, Yamasaki, Taira, Yim and Ching.

By unanimous consent, S.C.R. No. 111 was referred to the Committee on Economic Development.

A concurrent resolution (S.C.R. No. 112), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ADOPTION OF THE WINDWARD OAHU REGIONAL PLAN", was jointly offered by Senators Hulten, Takitani, Taira, Ching, King, Yamasaki, Chong, Soares, R. Wong, Yim, O'Connor, Toyofuku, Kuroda and F. Wong.

By unanimous consent, S.C.R. No. 112 was referred to the Committee on Economic Development.

#### SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 291 to 295) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 291), entitled:

"SENATE RESOLUTION REQUESTING A REVIEW OF EFFORTS TO IMPLEMENT ACT 243 OF 1974, PROVIDING FOR USE OF VACANT PUBLIC LAND AS AGRICULTURAL PLOTS", was jointly offered by Senators Hulten, Taira, Yamasaki, Kawasaki, F. Wong, King, Hara, Chong, Yee, Henderson, Kuroda, Toyofuku, Takitani, R. Wong, Ching, George and Soares.

By unanimous consent, S.R. No. 291 was referred to the Committee on Economic Development.

A resolution (S.R. No. 292), entitled: "SENATE RESOLUTION RELATING TO ADOPTION OF BUILDING CODE PROVISIONS PERTAINING TO ENERGY CONSERVATION AND ENERGY DEFICIENCY", was jointly offered by Senators Hulten, Taira, Yamasaki, Kawasaki, F. Wong, King, Hara, Yee, Henderson, Kuroda, Toyofuku, Takitani, Chong, R. Wong, Ching and Soares.

By unanimous consent, S.R. No. 292 was referred to the Committee on Energy/Natural Resources.

A resolution (S.R. No. 293), entitled: "SENATE RESOLUTION RELATING TO AN AGRICULTURAL PARK AT KEAHOLE, KONA", was jointly offered by Senators F. Wong, Henderson, Toyofuku, King, Hulten, O'Connor, Hara, Takitani, Young, Yim and Ching.

By unanimous consent, S.R. No. 293 was referred to the Committee on Economic Development.

A resolution (S.R. No. 294), entitled: "SENATE RESOLUTION CONGRATULATING KALANI HIGH SCHOOL BAND", was jointly offered by Senators Nishimura, O'Connor, Saiki, Soares, Takitani, Yamasaki, Ching, Hulten, Kawasaki, Taira, Kuroda, R. Wong, F. Wong, Hara, Yim, Chong, George, King, Young, Leopold, Yee, Anderson and Henderson.

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, S.R. No. 294 was adopted.

A resolution (S.R. No. 295), entitled: "SENATE RESOLUTION REQUESTING THE ADOPTION OF THE WINDWARD OAHU REGIONAL PLAN", was jointly offered by Senators Hulten, Takitani, Taira, Ching, King, Kawasaki, Yamasaki, Chong, Soares, R. Wong, Yim, O'Connor, Toyofuku, Kuroda and F. Wong.

By unanimous consent, S.R. No. 295 was referred to the Committee on Economic Development.

#### STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 55), informing the Senate that Senate Concurrent Resolution Nos. 108 to 111, Senate Resolution Nos. 290 to 294 and Standing Committee Report Nos. 56 to 63 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 Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 56), recommending that Senate Concurrent Resolution No. 39 be adopted.

On motion by Senator Toyofuku, seconded by Senator Young and carried, the report of the Committee was adopted and S.C.R. No. 39, entitled: "SENATE CONCURRENT RESOLUTION CALLING UPON THE PRESIDENT OF THE UNITED STATES AND THE CONGRESS OF THE UNITED STATES TO ESTABLISH A NATIONAL COMMISSION ON REFORM OF SOCIAL WELFARE PROGRAMS", was adopted.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 57), recommending that Senate Concurrent Resolution No. 43 be adopted.

On motion by Senator Toyofuku, seconded by Senator Young and carried, the report of the Committee was adopted and S.C.R. No. 43, entitled: "SENATE CONCURRENT RESOLUTION RESPECTFULLY REQUESTING THE CONGRESS OF THE UNITED STATES AND THE PRESIDENT OF THE UNITED STATES TO IMPLEMENT THE RECOMMENDATIONS OF THE NATIONAL CONFERENCE OF STATE LEGISLATURES RELATING TO THE AFDC QUALITY CONTROL PROGRAM", was adopted.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 58), recommending that Senate Concurrent Resolution No. 48 be adopted.

On motion by Senator Toyofuku, seconded by Senator Young and carried, the report of the Committee was adopted and S.C.R. No. 48, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF THE GENERAL ASSISTANCE PROGRAM", was adopted.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 59), recommending that Senate Concurrent

Resolution No. 95 be adopted.

On motion by Senator Toyofuku, seconded by Senator Young and carried, the report of the Committee was adopted and S.C.R. No. 95, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO HUMAN SERVICES PROGRAM", was adopted.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 60), recommending that Senate Bill No. 105, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

Senator Toyofuku moved that Stand. Com. Rep. No. 60 and S.B. No. 105, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND", be recommitted to the Committee on Human Resources, and the President noting no objection, so ordered.

Senator King, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 61), recommending that Senate Concurrent Resolution No. 4 be adopted.

On motion by Senator King, seconded by Senator Hulten and carried, the report of the Committee was adopted and S.C.R. No. 4, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING INCREASED PUBLIC INVOLVEMENT IN ENVIRONMENTAL DECISION-MAKING", was adopted.

Senator King, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 62), recommending that Senate Concurrent Resolution No. 63 be adopted.

On motion by Senator King, seconded by Senator Hulten and carried, the report of the Committee was adopted and S.C.R. No. 63, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING CITIZENS OF HAWAII AND THE NATION TO SUPPORT THE ACTIVITIES OF THE AMERICAN LAND TRUST", was adopted.

Senator King, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 63), recommending that Senate Bill Nos. 15, 16 and 507 pass First Reading by title and be recommitted to the Committee on Ecology, Environment and Recreation.

On motion by Senator King, seconded by Senator Hulten and carried, the report of the Committee was adopted and

S.B. No. 15, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION";

S.B. No. 16, entitled: "A BILL FOR AN ACT RELATING TO LITTER AND SOLID WASTE"; and

S.B. No. 507, entitled: "A BILL FOR AN ACT RELATING TO ECOLOGY, ENVIRONMENT AND RECREATION",

passed First Reading by title and were recommitted to the Committee on Ecology, Environment and Recreation.

#### ORDER OF THE DAY

##### RE-REFERRAL OF A SENATE BILL

The President made the following re-referral of a Senate Bill which had been introduced on Wednesday, February 23, 1977:

Senate Bill Referred to:

No. 1267 Committee on Economic Development, then to the Committee on Ways and Means

##### RE-REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The President made the following re-referral of Senate Concurrent Resolutions which had been offered on Friday, February 4, 1977:

Senate  
Concurrent  
Resolution Referred to:

No. 61 Committee on Economic Development

No. 62 Committee on Economic Development

##### RE-REFERRAL OF SENATE RESOLUTIONS

The President made the following re-referral of Senate Resolutions which had been offered on Friday, February 4, 1977:

Senate  
Resolution Referred to:

No. 149 Committee on Economic Development

No. 150 Committee on Economic Development

At 11:46 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.

## ADJOURNMENT

At 11:49 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., Friday, March 4, 1977.