

FORTY-FIRST DAY

Thursday, March 17, 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 James Drew of St. John Vianney Church, after which the Roll was called showing all Senators present with the exception of Senator Ching, who was excused.

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

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

Senator Yee introduced twenty-two students from the fifth grade at Jefferson Elementary School, with their teacher, Mrs. Krantz.

Senator Anderson introduced a group of students from the American Problems class at Castle High School, with their teachers, Mr. Harry Fanning and Mrs. Asing.

Senator Anderson also introduced a group from the Koolau Senior Citizens.

Senator Chong introduced the former president of the Waikiki Residents Association, Mr. Ludwig Armerding.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 284), transmitting the Annual Report for the Commission on the Year 2000, was read by the Clerk and was referred to the Committee on Economic Development.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 333 to 361) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 333), transmitting House Bill No. 8, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 8, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE ECONOMIC DEVELOPMENT

BONDS", passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 334), transmitting House Bill No. 48, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 48, H.D. 1, 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. 335), transmitting House Bill No. 132, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 132, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY", passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 336), transmitting House Bill No. 498, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 498, 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. 337), transmitting House Bill No. 678, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 678, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONTRACTORS RECOVERY FUND", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House

(Hse. Com. No. 338), transmitting House Bill No. 894, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 894, entitled: "A BILL FOR AN ACT RELATING TO A STAGGERED SYSTEM OF MOTOR VEHICLE REGISTRATION", passed First Reading by title and was referred to the Committee on Transportation, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 339), transmitting House Bill No. 941, H.D. 2, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 941, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", passed First Reading by title and was referred to the Committee on Housing and Hawaiian Homes.

A communication from the House (Hse. Com. No. 340), transmitting House Bill No. 967, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 967, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PROBATE CODE", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 341), transmitting House Bill No. 978, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 978, 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 Consumer Protection, then to the Committee on Housing and Hawaiian Homes.

A communication from the House (Hse. Com. No. 342), transmitting House Bill No. 985, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 985, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 343), transmitting House Bill No. 992, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 992, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", 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. 344), transmitting House Bill No. 1013, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1013, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SECURITY DEPOSITS IN THE LANDLORD TENANT CODE", 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. 345), transmitting House Bill No. 1151, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1151, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BANKING", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 346), transmitting House Bill No. 1166, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1166, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CABLE TELEVISION", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House

(Hse. Com. No. 347), transmitting House Bill No. 1175, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1175, 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, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 348), transmitting House Bill No. 1182, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1182, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES", 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. 349), transmitting House Bill No. 1284, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1284, 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 Judiciary.

A communication from the House (Hse. Com. No. 350), transmitting House Bill No. 1347, H.D. 2, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1347, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO CONTINUE OPERATION OF WAIANAEE HAWAIIAN HERITAGE CULTURAL CENTER", passed First Reading by title and was referred to the Committee on Education, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 351), transmitting House Bill No. 1375, H.D. 2, which passed Third Reading in the House

of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1375, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO JOHN E. AND AIKO T. REINECKE", passed First Reading by title and was referred to the Committee on Education.

A communication from the House (Hse. Com. No. 352), transmitting House Bill No. 1436, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1436, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTION CAMPAIGN CONTRIBUTIONS AND EXPENDITURES", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 353), transmitting House Bill No. 1505, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1505, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE", passed First Reading by title and was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 354), transmitting House Bill No. 1531, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1531, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ASSESSMENT OF REAL PROPERTY", passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 355), transmitting House Bill No. 1547, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1547, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES", passed First Reading by title and was referred to the Committee

on Economic Development.

A communication from the House (Hse. Com. No. 356), transmitting House Bill No. 1604, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1604, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS", passed First Reading by title and was referred to the Committee on Intergovernmental Relations, then to the Committee on Transportation.

A communication from the House (Hse. Com. No. 357), transmitting House Bill No. 1660, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1660, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTEREST RATES", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 358), transmitting House Bill No. 1690, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1690, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AN AGRICULTURE PROTECTION PROGRAM", passed First Reading by title and was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 359), transmitting House Bill No. 1711, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1711, entitled: "A BILL FOR AN ACT RELATING TO MEASUREMENT STANDARDS AND INCREASED UTILIZATION OF THE METRIC SYSTEM", passed First Reading by title and was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 360), transmitting House Bill No. 250, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 250, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS", passed First Reading by title and was placed on the calendar for further consideration on Friday, March 18, 1977.

A communication from the House (Hse. Com. No. 361), transmitting House Bill No. 1643, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1643, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GARNISHMENT OF PROPERTY AND CHOSSES IN ACTION", passed First Reading by title and was placed on the calendar for further consideration on Friday, March 18, 1977.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 126 to 128) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 126), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY ON THE PROPOSAL TO PROVIDE FOR RETIREMENT OF STATE AND COUNTY EMPLOYEES AFTER 30 YEARS OF SERVICE REGARDLESS OF AGE WITHOUT LOSS OF BENEFITS", was jointly offered by Senators Toyofuku, Takitani, Young, Yamasaki, Henderson, Taira, F. Wong, Hara, Soares, Chong and R. Wong.

By unanimous consent, S.C.R. No. 126 was referred to the Committee on Human Resources, then to the Committee on Legislative Management.

A concurrent resolution (S.C.R. No. 127), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE COMMUNITY COLLEGE SYSTEM AND THE COLLEGE OF CONTINUING EDUCATION AND COMMUNITY SERVICES OF THE UNIVERSITY OF HAWAII TO ESTABLISH A STATEWIDE PRE-RETIREMENT TRAINING PROGRAM", was jointly offered by Senators Toyofuku, Takitani, Young, Yamasaki, Henderson, Taira, F. Wong, Hara, Chong, Soares and R. Wong.

By unanimous consent, S.C.R. No. 127 was referred to the Committee on Higher Education.

A concurrent resolution (S.C.R.

No. 128), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO STUDY THE FEASIBILITY OF ESTABLISHING A PROCESSING PLANT ON KAUAI TO AID THE GROWTH OF DIVERSIFIED AGRICULTURE AND AQUACULTURE", was jointly offered by Senators Toyofuku, King, Takitani, Young, Yamasaki, Henderson, Taira, F. Wong, Hara, Chong, Soares and R. Wong.

By unanimous consent, S.C.R. No. 128 was referred to the Committee on Economic Development.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 330 to 339) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 330), entitled: "SENATE RESOLUTION REQUESTING A FEASIBILITY STUDY ON THE PROPOSAL TO PROVIDE FOR RETIREMENT OF STATE AND COUNTY EMPLOYEES AFTER 30 YEARS OF SERVICE REGARDLESS OF AGE WITHOUT LOSS OF BENEFITS", was jointly offered by Senators Toyofuku, Takitani, Young, Yamasaki, Henderson, Taira, F. Wong, Hara, Chong, Soares and R. Wong.

By unanimous consent, S.R. No. 330 was referred to the Committee on Human Resources, then to the Committee on Legislative Management.

A resolution (S.R. No. 331), entitled: "SENATE RESOLUTION REQUESTING THE COMMUNITY COLLEGE SYSTEM AND THE COLLEGE OF CONTINUING EDUCATION AND COMMUNITY SERVICES OF THE UNIVERSITY OF HAWAII TO ESTABLISH A STATEWIDE PRE-RETIREMENT TRAINING PROGRAM", was jointly offered by Senators Toyofuku, Takitani, Young, Yamasaki, Henderson, Taira, F. Wong, Hara, Chong, Soares and R. Wong.

By unanimous consent, S.R. No. 331 was referred to the Committee on Higher Education.

A resolution (S.R. No. 332), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO STUDY THE FEASIBILITY OF ESTABLISHING A PROCESSING PLANT ON KAUAI TO AID THE GROWTH OF DIVERSIFIED AGRICULTURE AND AQUACULTURE", was jointly offered by Senators Toyofuku, King, Takitani, Young, Yamasaki, Henderson, Taira, F. Wong, Hara, Chong, Soares and R. Wong.

By unanimous consent, S.R. No.

332 was referred to the Committee on Economic Development.

A resolution (S.R. No. 333), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO MAKE IT POSSIBLE FOR TEACHERS TO DEVELOP EDUCATIONAL ALTERNATIVES FOR STUDENTS WHOSE NEEDS ARE NOT MET BY THE TRADITIONAL CURRICULUM", was jointly offered by Senators Hara, Young, Takitani, Hulten, Yee, F. Wong, Chong, Yim, Kuroda, R. Wong, King, Yamasaki, Ching, Nishimura, Taira and Toyofuku.

By unanimous consent, S.R. No. 333 was referred to the Committee on Education.

A resolution (S.R. No. 334), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO PRESENT ITS IMPLEMENTATION PLAN FOR EARLY CHILDHOOD EDUCATION", was jointly offered by Senators Hara, Young, Takitani, Hulten, F. Wong, Toyofuku, Yamasaki, Yee, Chong, Yim, Kuroda, King, Ching and Nishimura.

By unanimous consent, S.R. No. 334 was referred to the Committee on Education.

A resolution (S.R. No. 335), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO FORMULATE PLANS FOR THE PHASING OUT OF THE DRIVERS EDUCATION PROGRAM", was jointly offered by Senators Hara, Yim, King, Kawasaki, F. Wong, Soares, Takitani, Yee, Chong, R. Wong and Nishimura.

By unanimous consent, S.R. No. 335 was referred to the Committee on Education.

A resolution (S.R. No. 336), entitled: "SENATE RESOLUTION RECOGNIZING AND COMMENDING DR. MASAO KANEMARU ON HIS THIRTY-SEVEN YEARS OF COMMUNITY SERVICE AS A CHARTER MEMBER OF THE WAHIAWA CLUB OF THE INTERNATIONAL ASSOCIATION OF LIONS CLUBS", was jointly offered by Senators Kuroda, Ching, F. Wong, Young, Hara, Takitani, Kawasaki, Toyofuku, Nishimura, Taira, R. Wong, Hulten, Yamasaki, Saiki, Yim, King, Chong, Yee, Anderson, Soares, Henderson, George, Ushijima and O'Connor.

On motion by Senator Kuroda, seconded by Senator Young and carried, S.R. No. 336 was adopted.

A resolution (S.R. No. 337), entitled: "SENATE RESOLUTION RELATING TO SAINT PATRICK OF IRELAND, SHAMROCKS, SNAKES, SHILLELAGHS AND EMERALD ISLES", was jointly offered by Senators

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

On motion by Senator O'Connor, seconded by Senator Hulten and carried, S.R. No. 337 was adopted.

A resolution (S.R. No. 338), entitled: "SENATE RESOLUTION COMMENDING RALPH SING CHOW FOR HIS UNTRIRING DEDICATION TO THE YOUTHS OF EAST HONOLULU", was jointly offered by Senators O'Connor, Soares, Chong, Ching, Kawasaki, George, Takitani, Henderson, Taira, F. Wong, Leopold, Toyofuku, Nishimura, Ushijima, Kuroda, Young, Anderson, Saiki, Hara, Yamasaki, Hulten, R. Wong, Yee and King.

On motion by Senator O'Connor, seconded by Senator Nishimura and carried, S.R. No. 338 was adopted.

A resolution (S.R. No. 339), entitled: "SENATE RESOLUTION COMMENDING RAYMOND VICTOR FOR HIS DEVOTED SERVICE TO THE ORGANIZATION OF YOUTH BASEBALL IN EAST HONOLULU", was jointly offered by Senators O'Connor, Soares, Chong, Ching, Kawasaki, George, Takitani, Henderson, Taira, F. Wong, Leopold, Toyofuku, Nishimura, Ushijima, Kuroda, Saiki, Anderson, Young, Hara, Yamasaki, Hulten, R. Wong, Yee and King.

On motion by Senator O'Connor, seconded by Senator Nishimura and carried, S.R. No. 339 was adopted.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 560), informing the Senate that Senate Concurrent Resolution Nos. 126 to 128, Senate Resolution Nos. 330 to 336 and Standing Committee Report No. 561 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 R. Wong, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 561), recommending that Senate Bill No. 3, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS AND AUTHORIZING THE ISSUANCE OF BONDS", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 18, 1977.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on S.B. No. 3, S.D. 1.

ORDER OF THE DAY

RE-REFERRAL OF HOUSE BILLS

The President made the following re-referral of House Bills which had been received on Wednesday, March 16, 1977:

House Bill Referred to:

No. 512, H.D. 1 Committee on Human Resources, then to the Committee on Ways and Means

No. 1355, H.D. 2 Committee on Education, then to the Committee on Ways and Means

ADJOURNMENT

At 11:47 o'clock a.m., on motion by Senator Taira, seconded by Senator Anderson and carried, the Senate adjourned until 11:00 o'clock a.m., Friday, March 18, 1977.