

FORTY-FIFTH DAY

Wednesday, March 23, 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 Ralph Hirota of the Church of World Messianity, after which the Roll was called showing all Senators present with the exception of Senators Anderson and Ching, who were excused.

The President announced that he had read and approved the Journal of the Forty-Fourth Day.

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

Senator Young introduced forty-two members of the Ewa Hui Aloha Senior Citizens Club.

Senator F. Wong then introduced ten students from the Waipahu Adult Education, Citizenship Class, with their teacher Mr. Theodore Taba.

Senator Yamasaki introduced two groups as follows: forty-eight students from the sixth grade at Lanai Elementary School, with their chaperones and teachers, Mr. Bob Saiki, Miss Paula Pang, Miss Martha Haia, Mr. and Mrs. John Gabriel, Mrs. Saruwatari and Mr. Dennis Hokama; and sixty-three students from the seventh grade at Lihikai School, Maui, with their chaperones and teachers, Mrs. Judith Matoi, Mrs. Sharon Yanagida, Miss Judy Chong, Mr. Roy Nakasone, Mrs. Ellen Walton, Mrs. Michiko Toyama, Mr. Masao Ansai and Mrs. Nina Sajolan.

Senator Hulten then introduced eight students from Castle High School with Project Kaena, with their Project Counselor, Marla Kawamoto and Project Coordinator, Dexter Soares.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 318), transmitting a report on the implementation of the State Plan for Substance Abuse, prepared by the Department of Health pursuant to Section 2, Act 190, Session Laws of Hawaii, 1975, was read by the Clerk and was referred to the Committee on Health.

DEPARTMENTAL COMMUNICATION

A communication from the Office of the Legislative Auditor (Dept. Com. No. 15), transmitting a report entitled, "A Study of the Utilization of Faculty Resources in the College of Business Administration of the University of Hawaii", was read by the Clerk and was referred to the Committee on Higher Education.

HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 369), returning Senate Concurrent Resolution No. 130 which was adopted by the House of Representatives on March 22, 1977, was read by the Clerk and was placed on file.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 133 and 134) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 133), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE DEVELOPMENT AND COMPLETION OF THE STATE PLAN", was jointly offered by Senators F. Wong, Taira, Toyofuku, Takitani, Ching, Yamasaki, Chong, Soares, Saiki, Kuroda, Kawasaki, Nishimura and Hara.

By unanimous consent, S.C.R. No. 133 was referred to the Committee on Economic Development.

A concurrent resolution (S.C.R. No. 134), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING CONTINUED FEDERAL DESIGNATION OF HAWAII AS A 'HIGH-COST HOUSING AREA' ", was jointly offered by Senators Young, F. Wong, Chong, Takitani, Hulten, Yee, King, Toyofuku, R. Wong, Taira, Henderson, Kuroda, Anderson, Hara, Ching, Yamasaki, O'Connor and Soares.

By unanimous consent, S.C.R. No. 134 was referred to the Committee on Housing and Hawaiian Homes.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 355 to 358) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 355), entitled: "SENATE RESOLUTION RELATING TO THE DEVELOPMENT AND COMPLETION

OF THE STATE PLAN", was jointly offered by Senators F. Wong, Taira, Toyofuku, Takitani, Ching, Yamasaki, Soares, Saiki and Nishimura.

By unanimous consent, S.R. No. 355 was referred to the Committee on Economic Development.

A resolution (S.R. No. 356), entitled: "SENATE RESOLUTION HONORING ARTHUR D. WOOLAWAY FOR HIS MANY YEARS OF DEDICATED PUBLIC SERVICE", was jointly offered by Senators Ushijima, Chong, Hulten, George, O'Connor, Kuroda, Leopold, Yamasaki, Nishimura, Hara, Young, R. Wong, Takitani, King, F. Wong, Henderson, Anderson, Soares, Ching, Kawasaki, Taira, Toyofuku, Saiki, Yee and Yim.

On motion by Senator Taira, seconded by Senator Yee and carried, S.R. No. 356 was adopted.

Senator Taira then introduced to the members of the Senate Mr. Arthur Woolaway, the honoree of the resolution, and his wife, Mrs. Woolaway. Senator Taira then escorted Mr. Woolaway to the rostrum where the President presented him with a copy of the resolution just adopted.

Mr. Woolaway then addressed the members of the Senate expressing appreciation for the resolution and extending best wishes and warm aloha to them.

A resolution (S.R. No. 357), entitled: "SENATE RESOLUTION CONGRATULATING ANDREW GANIGAN FOR HIS BOXING ACCOMPLISHMENTS", was jointly offered by Senators Young, Ching, Kuroda, Chong, Takitani, Hara, Taira, Leopold, Yamasaki, O'Connor, Toyofuku, Yim, Hulten, Anderson, F. Wong, Henderson, George, King, Kawasaki, Saiki, Soares, Nishimura, Yee and R. Wong.

On motion by Senator Young, seconded by Senator F. Wong and carried, S.R. No. 357 was adopted.

A resolution (S.R. No. 358), entitled: "SENATE RESOLUTION REQUESTING RETAIL MERCHANTS TO ESTABLISH POLICIES WHICH ASSIST IN THE DETERRING OF TRUANCY AND ABSENTEEISM", was jointly offered by Senators Young, Hara, Kuroda, Chong, Toyofuku, Ching, Yim, Takitani, Taira, Leopold, O'Connor, Hulten, Anderson, F. Wong, Henderson, George, King, Kawasaki, Saiki, Soares, Nishimura, Yee and R. Wong.

By unanimous consent, S.R. No.

358 was referred to the Committee on Education.

At 11:46 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:50 o'clock a.m.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 677), informing the Senate that Senate Concurrent Resolution No. 22, Senate Resolution Nos. 354 to 356, Governor's Message No. 315 and Standing Committee Report Nos. 641 to 676 and 678 to 684 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 Chong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 678), recommending that Senate Concurrent Resolution No. 12, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator Chong, seconded by Senator Takitani and carried, the report of the Committee was adopted and S.C.R. No. 12, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO PERSONS NOT COVERED BY MEDICAL INSURANCE", was referred to the Committee on Legislative Management.

Senator Chong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 679), recommending that Senate Resolution No. 82, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator Chong, seconded by Senator Takitani and carried, the report of the Committee was adopted and S.R. No. 82, S.D. 1, entitled: "SENATE RESOLUTION RELATING TO PERSONS NOT COVERED BY MEDICAL INSURANCE", was referred to the Committee on Legislative Management.

Senator Chong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 680), recommending that Senate Resolution No. 40, as amended in S.D. 1, be adopted.

On motion by Senator Chong, seconded by Senator Takitani and carried, the report of the Committee was adopted and S.R. No. 40, S.D. 1, entitled:

"SENATE RESOLUTION REQUESTING ADEQUATE MONITORING AND EVALUATION OF FACILITIES AND PROGRAM IN COMMUNITY-BASED RESIDENTIAL FACILITIES FOR THE ELDERLY, MENTALLY, EMOTIONALLY, AND DEVELOPMENTALLY DISABLED", was adopted.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 681), recommending that Senate Concurrent Resolution No. 81 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. 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 adopted.

Senator King, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 682), recommending that Senate Resolution No. 202, as amended in S.D. 1, be adopted.

On motion by Senator King, seconded by Senator Hulten and carried, the report of the Committee was adopted and S.R. No. 202, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEVELOPMENT OF A SAFETY PAMPHLET RELATING TO WATER AND LAND ACTIVITIES IN HAWAII", was adopted.

Senator King, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 683), recommending that Senate Resolution No. 218, as amended in S.D. 1, be adopted.

On motion by Senator King, seconded by Senator Hulten and carried, the report of the Committee was adopted and S.R. No. 218, S.D. 1, entitled: "SENATE RESOLUTION RELATING TO PESTICIDES TOLERANCE PETITIONS SUBMITTED TO THE U.S. ENVIRONMENTAL PROTECTION AGENCY", was adopted.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 684), recommending that Senate Resolution No. 6 be adopted.

On motion by Senator Young, seconded by Senator Toyofuku and carried, the report of the Committee was adopted and S.R. No. 6, entitled: "SENATE RESOLUTION REQUESTING THE COUNCIL OF HOUSING AND CONSTRUCTION

INDUSTRY TO EXAMINE CODES AND HOUSING COSTS", was adopted.

ORDER OF THE DAY

RE-REFERRAL OF HOUSE BILLS

The President made the following re-referral of House Bills which had been received on Tuesday, March 15, 1977:

House Bill	Referred to:
No. 200, H.D. 1	Committee on Judiciary
No. 254, H.D. 1	Committee on Judiciary

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

House Bill	Referred to:
No. 201, H.D. 1	Committee on Judiciary
No. 505, H.D. 1	Committee on Judiciary

RE-REFERRAL OF MESSAGES FROM THE GOVERNOR

The President made the following re-referral of Messages from the Governor which had been received on Wednesday, March 9, 1977:

Gov. Msg.	Referred to:
No. 143	Committee on Ecology, Environment and Recreation
No. 144	Committee on Ecology, Environment and Recreation
No. 145	Committee on Ecology, Environment and Recreation
No. 146	Committee on Ecology, Environment and Recreation
No. 147	Committee on Ecology, Environment and Recreation

The President made the following re-referral of Messages from the Governor which had been received on Tuesday, March 15, 1977:

Gov. Msg.	Referred to:
No. 247	Committee on Ecology, Environment and Recreation
No. 248	Committee on Ecology, Environment and Recreation

No. 249 Committee on Ecology,
Environment and Recreation

No. 250 Committee on Ecology,
Environment and Recreation

No. 251 Committee on Ecology,
Environment and Recreation

No. 252 Committee on Ecology,
Environment and Recreation

No. 253 Committee on Ecology,
Environment and Recreation

The President made the following re-referral of a Message from the Governor which had been received on Tuesday, March 22, 1977:

Gov. Msg. Referred to:

No. 302 Committee on Ecology,
Environment and Recreation

THIRD READING

House Bill No. 170:

By unanimous consent, action on H.B. No. 170, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON MANPOWER AND FULL EMPLOYMENT", was deferred until Thursday, March 24, 1977.

House Bill No. 208:

By unanimous consent, action on H.B. No. 208, entitled: "A BILL FOR AN ACT RELATING TO EXTENDING THE WORK HOURS LIMITATION OF MINORS UNDER 16 YEARS OF AGE AND AMENDING CHAPTER 390 OF THE HAWAII REVISED STATUTES", was deferred until Thursday, March 24, 1977.

House Bill No. 210:

By unanimous consent, H.B. No. 210, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", was recommitted to the Committee on Human Resources.

House Bill No. 213:

By unanimous consent, action on H.B. No. 213, entitled: "A BILL FOR AN ACT RELATING TO WITHHOLDING OF WAGES", was deferred until Thursday, March 24, 1977.

House Bill No. 218:

By unanimous consent, action on H.B. No. 218, entitled: "A BILL FOR AN ACT RELATING TO THE WAGE AND HOUR LAW", was deferred until Thursday, March 24, 1977.

House Bill No. 135, H.D. 1, S.D. 1:

By unanimous consent, H.B. No. 135, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYMENT SECURITY LAW", was recommitted to the Committee on Human Resources.

House Bill No. 211, S.D. 1:

By unanimous consent, action on H.B. No. 211, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY DISABILITY INSURANCE", was deferred until Thursday, March 24, 1977.

House Bill No. 230, H.D. 2:

Senator R. Wong moved that H.B. No. 230, H.D. 2, having been read throughout, pass Third Reading, seconded by Senator Yamasaki.

Senator R. Wong then rose and spoke for the passage of the bill as follows:

"Mr. President, this bill will provide limited insurance protection for investors in industrial loan companies through the creation of a 'Thrift Guaranty Corporation of Hawaii'. Hopefully, this bill will bring about stability in the industrial loan industry and, much more important, Mr. President, restore investor confidence in the industry.

House Bill 230, H.D. 2, incorporates the various recommendations and amendments proposed by the various subject matter committees in both the Senate and the House. In particular, Mr. President, the work done by your Committee on Judiciary is most commendable. This is one measure that has received full investigation and a great deal of legislative input.

This is important and necessary legislation. The Governor has requested immediate passage of this bill.

Therefore, Mr. President, I urge the members of this Honorable Body to vote in favor of this measure.

Thank you."

The motion to pass H.B. No. 230, H.D. 2, on Third Reading, was put by the Chair and carried, and H.B. No. 230, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES", having been read throughout, passed Third Reading by not less than two-thirds vote of all the members to which the Senate is entitled, on the following showing of Ayes and

Noes:

Ayes, 22. Noes, none. Excused
3, (Anderson, Ching and Leopold).

House Bill No. 1221:

By unanimous consent, action
on H.B. No. 1221, entitled: "A
BILL FOR AN ACT RELATING TO

MARINE CONSERVATION", was deferred
until Thursday, March 24, 1977.

ADJOURNMENT

At 11:55 o'clock a.m., on motion
by Senator Taira, seconded by Senator
Yee and carried, the Senate adjourned
until 11:30 o'clock a.m., Thursday,
March 24, 1977.