

FORTY-SEVENTH DAY

Monday, March 28, 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 Bishop Kyotsu Hori of the Nichiren Mission, after which the Roll was called showing all Senators present with the exception of Senators Kuroda and R. Wong, who were excused.

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

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

Senator Hulten introduced twenty-seven students from the third grade at Ahuimanu School, with their teacher, Mrs. Higa.

Senator Anderson introduced a group from the Makua Alii Senior Citizens Club.

Senator Kawasaki introduced a group from Hiroshima who are here to attend the grand opening of the Hiroshima Festival and to honor the Senior Citizens from Hiroshima as follows: Mr. Hiroshi Miyazawa, the Governor of Hiroshima; Mr. Shuichi Nishida, Speaker of the Hiroshima Prefecture Assembly, Kenkai Gicho; Mr. Tetsuo Kan-o, the Mayor of Otake City; and Mr. Tadayasu Yamanouchi, President of the Hiroshima Chamber of Commerce. Accompanying them were Mr. Frank Oda of the United Japanese Society and Mr. Kiyochi Fujii, President of the Hiroshima Kenjinkai.

The President requested that Senator Kawasaki escort Governor Miyazawa to the rostrum where he addressed the members of the Senate as follows:

"Mr. President, Ladies and Gentlemen: It is indeed a great honor and privilege to have an opportunity to be introduced to you Honorable Senators. We are always proud of the activities of the Japanese/American citizens here in Hawaii, especially those from Hiroshima who have contributed greatly to the progress of Hawaii.

We in Hiroshima do not produce nor export TV sets or something like that. What we have produced and exported is the fellowship between two states--that is, Hawaii and Hiroshima.

Thank you."

At 11:44 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:46 o'clock a.m.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 322), transmitting the Annual Report for the Department of Labor and Industrial Relations pursuant to Sections 371-7 and 26-20, Hawaii Revised Statutes, was read by the Clerk and was referred to the Committee on Human Resources.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 370 to 374) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 370), transmitting House Concurrent Resolution No. 49, H.D. 1, which was adopted by the House of Representatives on March 24, 1977, was placed on file.

By unanimous consent, H.C.R. No. 49, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO INVESTIGATE THE POSSIBILITY OF USING THE FEDERAL BUILDING TO HOUSE THE LAW SCHOOL", was referred to the Committee on Higher Education.

A communication from the House (Hse. Com. No. 371), transmitting House Concurrent Resolution 52, which was adopted by the House of Representatives on March 24, 1977, was placed on file.

By unanimous consent, H.C.R. No. 52, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU DEPARTMENT OF TRANSPORTATION SERVICES TO EXPEDITE THE IMPLEMENTATION OF EXPRESS BUS SERVICES FOR THE RESIDENTS OF THE LEEWARD-CENTRAL OAHU AREA TO THE HONOLULU CENTRAL BUSINESS DISTRICT", was referred to the Committee on Transportation.

A communication from the House (Hse. Com. No. 372), transmitting House Concurrent Resolution No. 83, which was adopted by the House of Representatives on March 24, 1977, was placed on file.

By unanimous consent, H.C.R. No. 83, entitled: "HOUSE CONCURRENT RESOLUTION URGING THAT STATE OF HAWAII DETERMINATIONS OF PREVAILING WAGES BE ACCEPTED AS THE MINIMUM WAGES THAT MUST BE PAID ON FEDERAL PROJECTS FOR PURPOSES OF THE DAVIS-BACON ACT", was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 373), transmitting House Concurrent Resolution No. 84, which was adopted by the House of Representatives on March 24, 1977, was placed on file.

By unanimous consent, H.C.R. No. 84, entitled: "HOUSE CONCURRENT RESOLUTION URGING PROHIBITION OF USE OF FOREIGN LABOR ON FEDERALLY FUNDED PROJECTS IN THE SOUTH AND WESTERN PACIFIC AREAS UNLESS SUCH QUALIFIED PERSONNEL ARE NOT READILY AVAILABLE FIRST FROM HAWAII AND SUBSEQUENTLY, THE MAINLAND UNITED STATES", was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 374), transmitting House Concurrent Resolution No. 89, which was adopted by the House of Representatives on March 24, 1977, was placed on file.

By unanimous consent, H.C.R. No. 89, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONGRESS OF THE UNITED STATES TO ENACT LEGISLATION TO CANCEL THE INDEBTEDNESS OF THE STATES TO THE FEDERAL ACCOUNT IN THE UNEMPLOYMENT COMPENSATION TRUST FUND FOR ADVANCES TO PAY UNEMPLOYMENT BENEFITS", was referred to the Committee on Human Resources.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 371 to 374) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 371), entitled: "SENATE RESOLUTION RELATING TO THE DELIVERY OF MERCHANDISE AT PUBLIC AIRPORTS", was jointly offered by Senators Ushijima, Young, Takitani, F. Wong, King, Ching, Toyofuku, Chong, Yim, Anderson, Hara, Yamasaki, Taira, Saiki, Soares, Henderson, Nishimura, O'Connor, Hulten, R. Wong, Leopold, Kawasaki and Yee.

By unanimous consent, S.R. No. 371 was referred to the Committee on Transportation.

A resolution (S.R. No. 372), entitled: "SENATE RESOLUTION REQUESTING THE APPOINTMENT OF A STUDY COMMITTEE TO STUDY AND DRAFT A NATURAL DEATH LAW FOR THE STATE OF HAWAII", was jointly offered by Senators Kawasaki, Ching, Taira, F. Wong, Leopold, Saiki, Toyofuku, King, Yamasaki, Takitani, Kuroda, O'Connor, Chong, Yee, Henderson and R. Wong.

By unanimous consent, S.R. No. 372 was referred to the Committee on Judiciary.

A resolution (S.R. No. 373), entitled: "SENATE RESOLUTION RELATING TO FAMILY PLANNING SERVICES", was offered by Senator Yim.

By unanimous consent, S.R. No. 373 was referred to the Committee on Ways and Means.

A resolution (S.R. No. 374), entitled: "SENATE RESOLUTION REQUESTING THAT THE SEAWEED RESEARCH-DEMONSTRATION PROJECT CURRENTLY UNDERWAY AT THE HAWAII INSTITUTE OF MARINE BIOLOGY BY DR. MAXWELL DOTY BE EXTENDED TO INCLUDE KAHUKU SEAFOOD PLANTATION", was offered by Senator Yim.

By unanimous consent, S.R. No. 374 was referred to the Committee on Energy/Natural Resources.

RE-REFERRAL OF A HOUSE BILL

At this time, the President re-referred a House Bill which had been received on Wednesday, March 16, 1977:

House Bill Referred to:

No. 1215, H.D. 1 Committee on Human Resources

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 696), informing the Senate that Senate Resolution Nos. 368 to 374 and Standing Committee Report Nos. 697 to 732 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 Kuroda, for the Committee on Consumer Protection, presented a report (Stand. Com. Rep. No. 697), recommending that House Bill No. 164 pass Second Reading and

be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 697 and H.B. No. 164 was deferred to the afternoon session.

Senator Kuroda, for the Committee on Consumer Protection, presented a report (Stand. Com. Rep. No. 698), recommending that House Bill No. 1321 pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 698 and H.B. No. 1321 was deferred to the afternoon session.

Senator Hara, for the Committee on Education, presented a report (Stand. Com. Rep. No. 699), recommending that House Bill No. 84, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 699 and H.B. No. 84, H.D. 1, S.D. 1, was deferred to the afternoon session.

Senator Hara, for the Committee on Education, presented a report (Stand. Com. Rep. No. 700), recommending that House Bill No. 1062, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 700 and H.B. No. 1062, H.D. 1, S.D. 1, was deferred to the afternoon session.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 701), recommending that House Bill No. 135, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 701 and H.B. No. 135, H.D. 1, S.D. 2, was deferred to the afternoon session.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 702), recommending that House Bill No. 210, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 702 and H.B. No. 210, S.D. 1, was deferred to the afternoon session.

Senator Toyofuku, for the Committee

on Human Resources, presented a report (Stand. Com. Rep. No. 703), recommending that House Bill No. 215, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 703 and H.B. No. 215, H.D. 1, was deferred to the afternoon session.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 704), recommending that House Bill No. 217 pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 704 and H.B. No. 217 was deferred to the afternoon session.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 705), recommending that House Bill No. 1658 pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 705 and H.B. No. 1658 was deferred to the afternoon session.

Senator Chong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 706), recommending that House Bill No. 1105, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 706 and H.B. No. 1105, H.D. 1, S.D. 1, was deferred to the afternoon session.

Senator Taira, for the Committee on Public Utilities, presented a report (Stand. Com. Rep. No. 707), recommending that House Bill No. 1641, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 707 and H.B. No. 1641, H.D. 1, S.D. 1, was deferred to the afternoon session.

Senator Taira, for the Committee on Public Utilities, presented a report (Stand. Com. Rep. No. 708), recommending that House Bill No. 1667 pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action

on Stand. Com. Rep. No. 708 and H.B. No. 1667 was deferred to the afternoon session.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 709), recommending that House Bill No. 162, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 709 and H.B. No. 162, H.D. 1, S.D. 1, was deferred to the afternoon session.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 710), recommending that House Bill No. 374, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 710 and H.B. No. 374, H.D. 1, was deferred to the afternoon session.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 711), recommending that House Bill No. 817, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 711 and H.B. No. 817, H.D. 1, S.D. 1, was deferred to the afternoon session.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 712), recommending that House Bill No. 841, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 712 and H.B. No. 841, H.D. 1, was deferred to the afternoon session.

Senator Chong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 713), recommending that House Bill No. 829 pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 713 and H.B. No. 829 was deferred to the afternoon session.

Senator King, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 714), recommending that House

Bill No. 199, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 714 and H.B. No. 199, S.D. 1, was deferred to the afternoon session.

Senator King, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 715), recommending that House Bill No. 220, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 715 and H.B. No. 220, H.D. 1, S.D. 1, was deferred to the afternoon session.

Senator King, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 716), recommending that House Bill No. 1065, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 716 and H.B. No. 1065, H.D. 1, S.D. 1, was deferred to the afternoon session.

Senator Yim, for the Committee on Energy/Natural Resources, presented a report (Stand. Com. Rep. No. 717), recommending that House Bill No. 131, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 717 and H.B. No. 131, H.D. 1, S.D. 1, was deferred to the afternoon session.

Senator Chong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 718), recommending that House Bill No. 1425, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 718 and H.B. No. 1425, H.D. 1, was deferred to the afternoon session.

Senator F. Wong, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 719), recommending that House Bill No. 833, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action

on Stand. Com. Rep. No. 719 and H.B. No. 833, H.D. 1, S.D. 1, was deferred to the afternoon session.

Senator F. Wong, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 720), recommending that House Bill No. 176, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 720 and H.B. No. 176, H.D. 1, S.D. 1, was deferred to the afternoon session.

Senator F. Wong, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 721), recommending that House Bill No. 778, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 721 and H.B. No. 778, H.D. 1, S.D. 1, was deferred to the afternoon session.

Senator F. Wong, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 722), recommending that House Bill No. 1059, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 722 and H.B. No. 1059, H.D. 1, S.D. 1, was deferred to the afternoon session.

Senator F. Wong, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 723), recommending that House Bill No. 870, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 723 and H.B. No. 870, H.D. 1, S.D. 1, was deferred to the afternoon session.

Senator Toyofuku, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 724), recommending that House Bill No. 187 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 724 and H.B. No. 187 was deferred to the afternoon session.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 725), recommending that House Bill No. 132, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 725 and H.B. No. 132, H.D. 1, S.D. 1, was deferred to the afternoon session.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 726), recommending that House Bill No. 207, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 726 and H.B. No. 207, H.D. 1, S.D. 1, was deferred to the afternoon session.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 727), recommending that House Bill No. 212 pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 727 and H.B. No. 212 was deferred to the afternoon session.

Senator Toyofuku, for the majority of the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 728), recommending that House Bill No. 1215, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 728 and H.B. No. 1215, H.D. 1, was deferred to the afternoon session.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 729), recommending that House Bill No. 1353 pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 729 and H.B. No. 1353 was deferred to the afternoon session.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No.

730), recommending that House Bill No. 1696, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 730 and H.B. No. 1696, H.D. 1, S.D. 1, was deferred to the afternoon session.

Senator Hulten, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 731), recommending that House Bill No. 1547, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 731 and H.B. No. 1547, H.D. 1, was deferred to the afternoon session.

Senator F. Wong, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 732), recommending that House Bill No. 1505, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 732 and H.B. No. 1505, H.D. 1, S.D. 1, was deferred to the afternoon session.

At 11:48 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:58 o'clock a.m.

MATTERS DEFERRED FROM MARCH 24, 1977

House Bill No. 170:

By unanimous consent, action on H.B. No. 170 was deferred to the afternoon session.

House Bill No. 208:

By unanimous consent, action on H.B. No. 208 was deferred to the afternoon session.

House Bill No. 213:

By unanimous consent, action on H.B. No. 213 was deferred to the afternoon session.

House Bill No. 218:

By unanimous consent, action on H.B. No. 218 was deferred to the afternoon session.

House Bill No. 1221:

By unanimous consent, action on H.B. No. 1221 was deferred to the afternoon session.

House Bill No. 152, H.D. 1:

By unanimous consent, action on H.B. No. 152, H.D. 1, was deferred to the afternoon session.

House Bill No. 178:

By unanimous consent, action on H.B. No. 178 was deferred to the afternoon session.

House Bill No. 177:

By unanimous consent, action on H.B. No. 177 was deferred to the afternoon session.

House Bill No. 511, H.D. 1:

By unanimous consent, action on H.B. No. 511, H.D. 1, was deferred to the afternoon session.

House Bill No. 1060:

By unanimous consent, action on H.B. No. 1060 was deferred to the afternoon session.

House Bill No. 1247:

By unanimous consent, action on H.B. No. 1247 was deferred to the afternoon session.

At 11:59 o'clock a.m. the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:02 o'clock p.m.

At 12:04 o'clock p.m., the Senate stood in recess until 4:30 o'clock p.m., this afternoon.

AFTERNOON SESSION

The Senate reconvened at 5:15 o'clock p.m., with all Senators present with the exception of Senators Anderson and Kawasaki who were excused.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 323 to 325) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 323), advising the Senate that Gov. Msg. No. 261 is amended to read that Miles Y. Honda will be

replacing Franklin Y.K. Sunn on the Environmental Council, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 324), requesting the withdrawal of the nomination to the Environmental Council of Dr. Jerrold M. Michael, term to expire December 31, 1980, under Governor's Message No. 263, was placed on file.

In compliance with the request of Gov. Msg. No. 324, the nomination listed under Gov. Msg. No. 263 was returned.

A message from the Governor (Gov. Msg. No. 325), requesting various adjustments to the General Appropriations Bill, was referred to the Committee on Ways and Means.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 375 to 379) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 375), returning Senate Bill No. 244, S.D. 1, which passed Third Reading in the House of Representatives on March 28, 1977, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 244, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SAFETY EQUIPMENT FOR MOTORCYCLES AND MOTOR SCOOTERS", was deferred until Tuesday, March 29, 1977.

A communication from the House (Hse. Com. No. 376), returning Senate Bill No. 462, S.D. 1, which passed Third Reading in the House of Representatives on March 28, 1977, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 462, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RESIDENTS OF KALAUPAPA, MOLOKAI", was deferred until Tuesday, March 29, 1977.

A communication from the House (Hse. Com. No. 377), returning Senate Bill No. 485, S.D. 1, which passed Third Reading in the House of Representatives on March 28, 1977, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 485, S.D. 1, H.D.

1, entitled: "A BILL FOR AN ACT RELATING TO RECONSTRUCTED VEHICLES", was deferred until Tuesday, March 29, 1977.

A communication from the House (Hse. Com. No. 378), returning Senate Bill No. 982, which passed Third Reading in the House of Representatives on March 28, 1977, was placed on file.

A communication from the House (Hse. Com. No. 379), returning Senate Bill No. 1049, S.D. 1, which passed Third Reading in the House of Representatives on March 28, 1977, was placed on file.

STANDING COMMITTEE REPORTS

Senator R. Wong, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 733), recommending that House Bill No. 10, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 10, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR".

Senator R. Wong, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 734), recommending that House Bill No. 15, H.D. 1, S.D. 1, pass Third Reading.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 15, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF REVISOR OF STATUTES".

Senator R. Wong, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 735), recommending that House Bill No. 113, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 113, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION".

Senator R. Wong, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 736), recommending that House Bill No. 151, S.D. 1,

as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 151, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO POLICY PLANNING".

Senator R. Wong, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 737), recommending that House Bill No. 154, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 154, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO REGIONAL DESIGN PLANS".

Senator R. Wong, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 738), recommending that House Bill No. 197, H.D. 1, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 197, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES".

Senator R. Wong, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 739), recommending that House Bill No. 433, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 433, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTION PRECINCT OFFICIALS".

Senator R. Wong, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 740), recommending that House Bill No. 512, H.D. 1, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 512, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTION EMPLOYEES".

Senator R. Wong, for the Committee on Ways and Means, presented a

report (Stand. Com. Rep. No. 741), recommending that House Bill No. 879, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 879, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE".

Senator R. Wong, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 742), recommending that House Bill No. 261, H.D. 1, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 261, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX".

Senator R. Wong, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 743), recommending that House Bill No. 1173, H.D. 1, S.D. 1, pass Third Reading.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 1173, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED".

Senator R. Wong, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 744), recommending that House Bill No. 1297, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 1297, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HANDICAPPED".

Senator R. Wong, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 745), recommending that House Bill No. 1678, S.D. 1, pass Third Reading.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 1678, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING".

Senator R. Wong, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 746), recommending

that House Bill No. 1685, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 1685, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS, MOTOR CARRIER VEHICLES, AND MOTOR VEHICLES".

Senator R. Wong, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 747), recommending that House Bill No. 1687, S.D. 1, pass Third Reading.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 1687, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AIRPORT AND HARBOR REVENUE BONDS".

Senator R. Wong, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 748), recommending that House Bill No. 1694, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 1694, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH PLANNING".

Senator R. Wong, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 749), recommending that House Bill No. 2, H.D. 1, 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 H.B. No. 2, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR JUDICIARY PROGRAM EXPENDITURES AND FOR IMPROVEMENTS FOR THE FISCAL BIENNIUM JULY 1, 1977 TO JUNE 30, 1979, AND AUTHORIZING THE ISSUANCE OF BONDS", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 2, H.D. 1, S.D. 1.

Senator R. Wong, for the Committee

on Ways and Means, presented a report (Stand. Com. Rep. No. 750), recommending that House Bill No. 12, H.D. 2, 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 H.B. No. 12, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAPSING OF CERTAIN FUNDS", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 12, H.D. 2, S.D. 1.

Senator R. Wong, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 751), recommending that House Bill No. 190, 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 H.B. No. 190, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYER CONTRIBUTIONS TO THE EMPLOYEES' RETIREMENT SYSTEM AND PROVIDING FOR SEPARATE CONTRIBUTIONS TO THE PENSION ACCUMULATION FUND AND TO THE POST RETIREMENT FUND FOR POLICEMEN, FIREMEN AND CORRECTIONS OFFICERS", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 190, S.D. 1.

Senator R. Wong, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 752), recommending that House Bill No. 193, 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 H.B. No. 193, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII", passed Second Reading and was placed on the calendar for Third Reading.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 193, S.D. 1.

Senator R. Wong, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 753), recommending that House Bill No. 194, 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 majority of the Committee was adopted and H.B. No. 194, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVESTMENTS OF RETIREMENT SYSTEM FUNDS IN INSURANCE COMPANY CONTRACTS", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 194, S.D. 1.

Senator R. Wong, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 754), recommending that House Bill No. 231, H.D. 1, 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 majority of the Committee was adopted and H.B. No. 231, H. D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY TAX", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 231, H.D. 1, S.D. 1.

Senator R. Wong, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 755), recommending that House Bill No. 325, H.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 H.B. No. 325, H.D.

1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 325, H.D. 1.

Senator O'Connor, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 756), recommending that House Bill No. 264, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Ching and carried, the report of the Committee was adopted and H.B. No. 264, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSTRUCTION AND MAINTENANCE OF SIDEWALKS", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 264, H.D. 1, S.D. 1.

At 5:15 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 5:22 o'clock p.m.

Senator O'Connor, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 757), recommending that House Bill No. 998, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Ching and carried, the report of the Committee was adopted and H.B. No. 998, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BIKEWAYS AND THE OPERATION OF BICYCLES", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 998, H.D. 1, S.D. 1.

Senator Young, for the Committee on Housing and Hawaiian Homes,

presented a report (Stand. Com. Rep. No. 758), recommending that House Bill No. 672, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Young, seconded by Senator Toyofuku and carried, the report of the Committee was adopted and H.B. No. 672, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 672, S.D. 1.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 759), recommending that House Bill No. 1144, H.D. 1, pass Third Reading.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 1144, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING".

Senator R. Wong, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 760), recommending that House Bill No. 137, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 137, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT".

Senator R. Wong, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 761), recommending that House Bill No. 180, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 180, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FARM LOANS".

Senator R. Wong, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 762), recommending that House Bill No.

5, H.D. 2, 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 H.B. No. 5, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS AND FOR SALARY ADJUSTMENTS OF EMPLOYEES EXCLUDED FROM CERTAIN BARGAINING UNITS", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 5, H.D. 2, S.D. 1.

Senator R. Wong, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 763), recommending that House Bill No. 28, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 763 and H.B. No. 28, H.D. 2, S.D. 1, was deferred to the end of the calendar.

Senator F. Wong, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 764), recommending that House Bill No. 155, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 155, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO POLICY PLANNING".

Senator Nishimura, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 765), recommending that House Bill No. 168, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 168, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTAKE SERVICE CENTERS".

Senator Nishimura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 766), recommending that House Bill No. 1198, H.D. 1, S.D. 1, pass Third Reading.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 1198, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEGREE GRANTING INSTITUTIONS".

Senator Nishimura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 767), recommending that House Bill No. 96, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, the report of the Committee was adopted and H.B. No. 96, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 96, H.D. 1, S.D. 1.

Senator Nishimura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 768), recommending that House Bill No. 171, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, the report of the Committee was adopted and H.B. No. 171, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 171, H.D. 1, S.D. 1.

Senator Nishimura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 769), recommending that House Bill No. 259, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, the report of the Committee was adopted and H.B. No. 259, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS

AND SALESMEN", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 259, S.D. 1.

Senator Nishimura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 770), recommending that House Bill No. 678, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, the report of the Committee was adopted and H.B. No. 678, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONTRACTORS RECOVERY FUND", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 678, H.D. 1, S.D. 1.

Senator Nishimura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 771), recommending that House Bill No. 727, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, the report of the Committee was adopted and H.B. No. 727, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE PROVIDERS", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 727, H.D. 1, S.D. 1.

Senator Nishimura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 772), recommending that House Bill No. 805, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, the report of the Committee

was adopted and H.B. No. 805, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PARENTAGE ACT", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 805, H.D. 2, S.D. 1.

Senator Nishimura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 773), recommending that House Bill No. 1143, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, the report of the Committee was adopted and H.B. No. 1143, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC MONEY AND PUBLIC CONTRACTS", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 1143, H.D. 1, S.D. 1.

Senator Nishimura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 774), recommending that House Bill No. 1153, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, the report of the Committee was adopted and H.B. No. 1153, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIFE INSURANCE", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 1153, H.D. 1, S.D. 1.

Senator Nishimura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 775), recommending that House Bill No. 1284, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, the report of the Committee was adopted and H.B. No. 1284, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 1284, H.D. 1, S.D. 1.

Senator Nishimura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 776), recommending that House Bill No. 1698, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, the report of the Committee was adopted and H.B. No. 1698, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MOTOR VEHICLE ACCIDENT REPARATIONS ACT", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 1698, H.D. 1, S.D. 1.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 777), recommending that House Bill No. 978, H.D. 1, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 978, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES".

Senator Hara, for the Committee on Education, presented a report (Stand. Com. Rep. No. 778), recommending that House Bill No. 78, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

By unanimous consent, the referral of H.B. No. 78, H.D. 2, S.D. 1, to the Committee on Ways and Means was waived.

On motion by Senator Hara, seconded by Senator Yim and carried, Stand. Com. Rep. No. 778 was received and placed on file, and H.B. No. 78, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BASIC SKILLS AND REAL-LIFE SKILLS IN THE PUBLIC SCHOOLS", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 78, H.D. 2, S.D. 1.

Senator F. Wong, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 779), recommending that House Bill No. 122, H.D. 1, as amended in S.D. 1, pass Third Reading.

Senator F. Wong moved that Stand. Com. Rep. No. 779 be received and placed on file, seconded by Senator Hara and carried.

Senator F. Wong offered the following amendment to H.B. No. 122, H.D. 1, S.D. 1:

"Amend House Bill No. 122, H.D. 1, S.D. 1 by inserting the word 'to' before the word 'facilitate' on Page 11, Line 16".

Senator F. Wong moved that the amendment be adopted, seconded by Senator Hara.

Senator F. Wong then explained that the amendment merely corrects a typographical omission.

The motion to adopt the amendment was put by the Chair and carried.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 122, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT".

At 5: 25 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 5: 26 o'clock p.m.

Senator R. Wong, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 780), recommending that House Bill No. 892, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third

Reading.

By unanimous consent, action on Stand. Com. Rep. No. 780 and H.B. No. 892, H.D. 1, S.D. 1, was deferred to the end of the calendar.

ORDER OF THE DAY

MATTERS DEFERRED FROM EARLIER IN THE DAY

Standing Committee Report No. 697 (H.B. No. 164):

On motion by Senator Taira, seconded by Senator Yee and carried, Stand. Com. Rep. No. 697 was adopted and H.B. No. 164, entitled: "A BILL FOR AN ACT RELATING TO UNLICENSED ACTS", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 164.

Standing Committee Report No. 698 (H.B. No. 1321):

On motion by Senator Taira, seconded by Senator Yee and carried, Stand. Com. Rep. No. 698 was adopted and H.B. No. 1321, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MEAT INSPECTION ACT", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 1321.

Standing Committee Report No. 699 (H.B. No. 84, H.D. 1, S.D. 1):

On motion by Senator Taira, seconded by Senator Yee and carried, Stand. Com. Rep. No. 699 was adopted and H.B. No. 84, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ART IN STATE BUILDINGS AND STRUCTURES", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 84, H.D. 1, S.D. 1.

Standing Committee Report No. 700 (H.B. No. 1062, H.D. 1, S.D. 1):

On motion by Senator Taira, seconded by Senator Yee and carried, Stand. Com. Rep. No. 700 was adopted and H.B. No. 1062, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF SCHOOL BUILDINGS, FACILITIES AND GROUNDS", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 1062, H.D. 1, S.D. 1.

Standing Committee Report No. 701 (H.B. No. 135, H.D. 1, S.D. 2):

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 135, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYMENT SECURITY LAW".

Standing Committee Report No. 702 (H.B. No. 210, S.D. 1):

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 210, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION".

Standing Committee Report No. 703 (H.B. No. 215, H.D. 1):

On motion by Senator Taira, seconded by Senator Yee and carried, Stand. Com. Rep. No. 703 was adopted and H.B. No. 215, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PREPAID HEALTH CARE", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 215, H.D. 1.

Standing Committee Report No. 704 (H.B. No. 217):

On motion by Senator Taira, seconded by Senator Yee and carried, Stand. Com. Rep. No. 704 was adopted and H.B. No. 217, entitled: "A BILL FOR AN ACT RELATING TO PREPAID HEALTH CARE", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March

29, 1977.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 217.

Standing Committee Report No. 705 (H.B. No. 1658):

On motion by Senator Taira, seconded by Senator Yee and carried, Stand. Com. Rep. No. 705 was adopted and H.B. No. 1658, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977.

In accordance with Article III Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 1658.

Standing Committee Report No. 706 (H.B. No. 1105, H.D. 1, S.D. 1):

On motion by Senator Taira, seconded by Senator Yee and carried, Stand. Com. Rep. No. 706 was adopted and H.B. No. 1105, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 1105, H.D. 1, S.D. 1.

Standing Committee Report No. 707 (H.B. No. 1641, H.D. 1, S.D. 1):

On motion by Senator Taira, seconded by Senator Yee and carried, Stand. Com. Rep. No. 707 was adopted and H.B. No. 1641, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 1641, H.D. 1, S.D. 1.

Standing Committee Report No. 708 (H.B. No. 1667):

On motion by Senator Taira, seconded by Senator Yee and carried, Stand. Com. Rep. No. 708 was adopted and H.B. No. 1667, entitled: "A BILL

FOR AN ACT RELATING TO INJURY TO PUBLIC UTILITY PROPERTY", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 1667.

Standing Committee Report No. 709 (H.B. No. 162, H.D. 1, S.D. 1):

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 162, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A STAGGERED WORK HOUR AND/OR VARIABLE TIME PROGRAM FOR STATE EMPLOYEES".

Standing Committee Report No. 710 (H.B. No. 374, H.D. 1):

On motion by Senator Taira, seconded by Senator Yee and carried, Stand. Com. Rep. No. 710 was adopted and H.B. No. 374, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 374, H.D. 1.

Standing Committee Report No. 711 (H.B. No. 817, H.D. 1, S.D. 1):

On motion by Senator Taira, seconded by Senator Yee and carried, Stand. Com. Rep. No. 711 was adopted and H.B. No. 817, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING IN THE PUBLIC SECTOR AND AMENDING CHAPTER 89, HAWAII REVISED STATUTES", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 817, H.D. 1, S.D. 1.

Standing Committee Report No. 712 (H.B. No. 841, H.D. 1):

On motion by Senator Taira, seconded

by Senator Yee and carried, Stand. Com. Rep. No. 712 was adopted and H.B. No. 841, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PAYMENT OF WAGES BY PAYROLL CHECK", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 841, H.D. 1.

Standing Committee Report No. 713 (H.B. No. 829):

On motion by Senator Taira, seconded by Senator Yee and carried, Stand. Com. Rep. No. 713 was adopted and H.B. No. 829, entitled: "A BILL FOR AN ACT RELATING TO THE ENRICHMENT OF BREAD AND FLOUR", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 829.

Standing Committee Report No. 714 (H.B. No. 199, S.D. 1):

On motion by Senator Taira, seconded by Senator Yee and carried, Stand. Com. Rep. No. 714 was adopted and H.B. No. 199, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 199, S.D. 1.

Standing Committee Report No. 715 (H.B. No. 220, H.D. 1, S.D. 1):

On motion by Senator Taira, seconded by Senator Yee and carried, Stand. Com. Rep. No. 715 was adopted and H.B. No. 220, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONSERVATION, MANAGEMENT AND PROTECTION OF ENDANGERED OR THREATENED SPECIES OF WILDLIFE OR PLANTS", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977.

In accordance with Article III, Section 16, of the Constitution of

the State of Hawaii, the 24-hour notice was given on H.B. No. 220, H.D. 1, S.D. 1.

Standing Committee Report No. 716 (H.B. No. 1065, H.D. 1, S.D. 1):

On motion by Senator Taira, seconded by Senator Yee and carried, Stand. Com. Rep. No. 716 was adopted and H.B. No. 1065, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 1065, H.D. 1, S.D. 1.

Standing Committee Report No. 717 (H.B. No. 131, H.D. 1, S.D. 1):

On motion by Senator Taira, seconded by Senator Yee and carried, Stand. Com. Rep. No. 717 was adopted and H.B. No. 131, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COORDINATION OF MARINE AFFAIRS", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 131, H.D. 1, S.D. 1.

Standing Committee Report No. 718 (H.B. No. 1425, H.D. 1):

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 1425, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH, ENVIRONMENTAL PROTECTION".

Standing Committee Report No. 719 (H.B. No. 833, H.D. 1, S.D. 1):

On motion by Senator Taira, seconded by Senator Yee and carried, Stand. Com. Rep. No. 719 was adopted and H.B. No. 833, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING REGULATIONS", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977.

In accordance with Article III, Section 16, of the Constitution of

the State of Hawaii, the 24-hour notice was given on H.B. No. 833, H.D. 1, S.D. 1.

Standing Committee Report No. 720 (H.B. No. 176, H.D. 1, S.D. 1):

On motion by Senator Taira, seconded by Senator Yee and carried, Stand. Com. Rep. No. 720 was adopted and H.B. No. 176, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 176, H.D. 1, S.D. 1.

Standing Committee Report No. 721 (H.B. No. 778, H.D. 1, S.D. 1):

On motion by Senator Taira, seconded by Senator Yee and carried, Stand. Com. Rep. No. 721 was adopted and H.B. No. 778, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT TO AMEND SECTION 188-25(e) HAWAII REVISED STATUTES, RELATING TO SPEAR FISHING", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 778, H.D. 1, S.D. 1.

Standing Committee Report No. 722 (H.B. No. 1059, H.D. 1, S.D. 1):

On motion by Senator Taira, seconded by Senator Yee and carried, Stand. Com. Rep. No. 722 was adopted and H.B. No. 1059, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PARKS", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 1059, H.D. 1, S.D. 1.

Standing Committee Report No. 723 (H.B. No. 870, H.D. 1, S.D. 1):

On motion by Senator Taira, seconded

by Senator Yee and carried, Stand. Com. Rep. No. 723 was adopted and H.B. No. 870, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISH AND GAME", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 870, H.D. 1, S.D. 1.

Standing Committee Report No. 724 (H.B. No. 187):

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 187, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND".

Standing Committee Report No. 725 (H.B. No. 132, H.D. 1, S.D. 1):

On motion by Senator Taira, seconded by Senator Yee and carried, Stand. Com. Rep. No. 725 was adopted and H.B. No. 132, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 132, H.D. 1, S.D. 1.

Standing Committee Report No. 726 (H.B. No. 207, H.D. 1, S.D. 1):

On motion by Senator Taira, seconded by Senator Yee and carried, Stand. Com. Rep. No. 726 was adopted and H.B. No. 207, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENFORCEMENT OF THE EMPLOYMENT PRACTICES LAW AND AMENDING CHAPTER 378, HAWAII REVISED STATUTES", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 207, H.D. 1, S.D. 1.

Standing Committee Report No. 727 (H.B. No. 212):

On motion by Senator Taira, seconded by Senator Yee and carried, Stand. Com. Rep. No. 727 was adopted and H.B. No. 212, entitled: "A BILL FOR AN ACT RELATING TO THE PAYMENT OF WAGES AND OTHER COMPENSATION", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 212.

Standing Committee Report No. 728 (H.B. No. 1215, H.D. 1):

On motion by Senator Taira, seconded by Senator Yee and carried, Stand. Com. Rep. No. 728 was adopted and H.B. No. 1215, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES IN CERTAIN EXEMPT POSITIONS OF THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 1215, H.D. 1.

Standing Committee Report No. 729 (H.B. No. 1353):

On motion by Senator Taira, seconded by Senator Yee and carried, Stand. Com. Rep. No. 729 was adopted and H.B. No. 1353, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE FOR THE COUNTIES OF HAWAII, MAUI, AND KAUAI", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 1353.

Standing Committee Report No. 730 (H.B. No. 1696, H.D. 1, S.D. 1):

On motion by Senator Taira, seconded by Senator Yee and carried, Stand. Com. Rep. No. 730 was adopted and H.B. No. 1696, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII OCCUPATIONAL SAFETY AND HEALTH LAW", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 1696, H.D. 1 S.D. 1.

Standing Committee Report No. 731 (H.B. No. 1547, H.D. 1):

On motion by Senator Taira, seconded by Senator Yee and carried, Stand. Com. Rep. No. 731 was adopted and H.B. No. 1547, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 1547, H.D. 1.

Standing Committee Report No. 732 (H.B. No. 1505, H.D. 1, S.D. 1):

On motion by Senator Taira, seconded by Senator Yee and carried, Stand. Com. Rep. No. 732 was adopted and H.B. No. 1505, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 1505, H.D. 1, S.D. 1.

MATTERS DEFERRED FROM EARLIER IN THE DAY

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 Tuesday, March 29, 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 SIXTEEN YEARS OF AGE AND AMENDING CHAPTER 390, OF THE HAWAII REVISED STATUTES", was deferred until Tuesday, March 29, 1977.

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 Tuesday, March 29, 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 Tuesday, March 29, 1977.

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 Tuesday, March 29, 1977.

House Bill No. 152, H.D. 1:

By unanimous consent, action on H.B. No. 152, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE PLANNING", was deferred until Tuesday, March 29, 1977.

House Bill No. 178:

By unanimous consent, action on H.B. No. 178, entitled: "A BILL FOR AN ACT RELATING TO EXPORTS OF FLOWERS AND FOLIAGE", was deferred until Tuesday, March 29, 1977.

House Bill No. 177:

By unanimous consent, action on H.B. No. 177, entitled: "A BILL FOR AN ACT RELATING TO MILK CONTROL", was deferred until Tuesday, March 29, 1977.

House Bill No. 511, H. D. 1:

By unanimous consent, action on H.B. No. 511, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS", was deferred until Tuesday, March 29, 1977.

House Bill No. 1060:

By unanimous consent, action on H.B. No. 1060, entitled: "A BILL FOR AN ACT RELATING TO FARM LOANS AND AMENDING CHAPTER 155, HAWAII REVISED STATUTES", was deferred until Tuesday, March 29, 1977.

House Bill No. 1247:

By unanimous consent, action

on H.B. No. 1247, entitled: "A BILL FOR AN ACT RELATING TO MILK CONTROL", was deferred until Tuesday, March 29, 1977.

MISCELLANEOUS COMMUNICATION

A communication from the Honorable Daniel K. Inouye, U.S. Senator (Misc. Com. No. 13), acknowledging receipt of Senate Resolution No. 115 (1977), was read by the Clerk and was placed on file.

At 5:26 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 5:45 o'clock p.m., and the Chair directed the Clerk to note the presence of Senator Anderson.

MATTERS DEFERRED FROM EARLIER IN THE CALENDAR

Standing Committee Report No. 763 (H.B. No. 28, H.D. 2, S.D. 1):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 763 was adopted and H.B. No. 28, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A CONSTITUTIONAL CONVENTION", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 28, H.D. 2, S.D. 1.

Standing Committee Report No. 780 (H.B. No. 892, H.D. 1, S.D. 1):

Senator R. Wong moved that Stand. Com. Rep. No. 780 be adopted and that H.B. No. 892, H.D. 1, S.D. 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Senator Yamasaki.

Senator Soares then offered the following amendment to H.B. No. 892, H.D. 1, S.D. 1:

"Amend Part III, relating to program appropriations for the University of Hawaii by adding a proviso to read as follows:

'Section 45A. All program appropriations intended for the University of Hawaii West Oahu College are hereby deleted and no funds herein appropriated shall be diverted

and used to operate or carry on the said West Oahu College.'"

Senator Soares moved that the amendment be adopted, seconded by Senator Leopold.

Senator Soares then rose to speak for the amendment as follows:

"Mr. President, this amendment is necessary if the State of Hawaii is going to maintain its financial integrity and provide leadership to the rest of the people of Hawaii concerning our budgetary process.

The amendment is also essential if we are going to maintain a quality system of higher education for more than 43,000 students in the University of Hawaii system.

Not passing this amendment is tantamount to telling Hawaii's taxpayers that this Body is more concerned with present political needs than it is in the future needs of thousands of students.

The unpleasant fact of life that we are called on to face is that the West Oahu Campus is not needed. It cannot be justified and the people of Hawaii cannot afford to pay for it now or in the future.

In the words of the late Governor John A. Burns, 'West Oahu College is plainly a political move which has no right or reason of existence, really.'

Before he died last year, Governor Burns emphatically stated that the West Oahu College was in no way justified. He attributed the push for the West Oahu College to regional politics seeking votes in the Leeward and Central Oahu areas.

But there are many other reasons for us as State Senators responsible for the public funds which have been spent and which will be spent on this boondoggle to vote in favor of the amendment.

I have before me a copy of testimony presented before the Ninth Legislature which categorically states why it is not in the best interests of our State to continue with this project:

1. There is no demonstrated need for West Oahu College as originally conceived and planned either at present or in the foreseeable future. Future enrollment projections have been revised downward.

2. Should West Oahu College be

allowed to continue its development, it will be a financial burden to the University and the State.

3. West Oahu College should not become a reality: planning toward that end should cease.

4. A reasonable alternative should be sought which would provide for higher educational needs that may exist in certain areas of the State not now being served by the present University system.

There are a number of other alternatives which have been proposed by responsible legislators and others who view our State's budget from an overall view rather than from narrow tunnel vision.

The first step in implementing the alternatives will be to halt funding for West Oahu operating funds once and for all.

This will serve as the important signal to delete millions more from the CIP budget and more millions to pay for the debt service.

All of us here today, in our hearts, recognize and know that this project is not needed. It is unreasonable. It is unfair. It is financially irresponsible.

Rather than admit this, however, we continue to take the easy route-- that is spending the taxpayer's money.

Rather than be responsible and take this step, we fear to say 'no' to a small group of voters or refuse some of our regional colleagues.

It's difficult in politics to say 'no' to anyone. The easy way is to say 'yes' even if we know the statement is financially irresponsible. I, for one, can no longer do this when it means serious curtailment to the education of thousands and thousands of our other students.

I urge you to join me in saying 'no' to the West Oahu Campus and vote 'yes' with me on this amendment.

Thank you."

Senator Kuroda then spoke against the amendment as follows:

"Mr. President, I had no intention to speak up, however, the last speaker made some insinuation with regards to political motives and I think that's a very dangerous accusation to make.

I think that we have permitted the University of Hawaii Manoa Campus to become a concrete jungle and the attempt to purchase St. Francis High School grounds further indicated, an attempt to make Manoa a greater jungle.

In 1964, when a study was first initiated to review the needs of higher education in the Central and Leeward areas, this was done with the idea of protecting the needs of all the students of Hawaii.

Mr. President, I urge all my colleagues to vote against this amendment."

At 5:53 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 5:55 o'clock p.m.

Senator R. Wong moved to lay the amendment on the table, seconded by Senator O'Connor.

The motion was put by the Chair and Roll Call having been requested, carried on the following showing of Ayes and Noes:

Ayes, 15. Noes, 9 (Anderson, Chong, George, Henderson, King, Leopold, Saiki, Soares and Yee). Excused, 1 (Kawasaki).

Senator Soares then offered the following amendment to H.B. No. 892, H.D. 1, S.D. 1:

"Amend Part III, relating to program appropriations for the University of Hawaii by adding a proviso to read as follows:

'Section 45B. The University of Hawaii Law School and the John A. Burns Medical School shall be phased out and discontinued and the entering classes of September 1977 of both schools shall be the last students to be admitted. No funds herein appropriated for the University of Hawaii shall be diverted or used to operate or carry on the said law school or medical school beyond the completion of training of all students already enrolled or to be enrolled in September 1977.'

Senator Soares moved that the amendment be adopted, seconded by Senator Leopold.

Senator R. Wong moved to lay the amendment on the table, seconded by Senator O'Connor.

The motion was put by the Chair and Roll Call having been requested, carried on the following showing of Ayes and Noes:

Ayes, 19. Noes, 5 (Anderson, George, Henderson, Soares and Yee). Excused, 1 (Kawasaki).

Senator Leopold then offered the following amendment to H.B. No. 892, H.D. 1, S.D. 1:

"Part V, Supplemental Appropriations, Section _____, on page 52 is amended by adding a new appropriation to Formal Education to read as follows:

"To provide additional funds for instructional services at the University of Hawaii systemwide - \$1.8 million." "

Senator Leopold moved that the amendment be adopted, seconded by Senator Yee.

Senator R. Wong moved to lay the amendment on the table, seconded by Senator O'Connor.

The motion was put by the Chair and Roll Call having been requested, carried on the following showing of Ayes and Noes:

Ayes, 17. Noes, 7 (Chong, Henderson, King, Leopold, Nishimura, Saiki and Soares). Excused, 1 (Kawasaki).

Senator Leopold then moved to take away the recent amendment from the table, seconded by Senator Soares.

At 6:00 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 6:04 o'clock p.m.

Senator Leopold rose and stated that he would like to speak in favor of the motion to remove the amendment from the table.

The President ruled him out of order as the motion is not debatable.

Senator Leopold stated that it was his understanding that a motion to table a measure is not debatable but a motion to remove from a table is debatable.

At 6:05 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 6:06 o'clock p.m.

The motion to take away the amendment from the table was put by the Chair and Roll Call having been requested, failed to carry on the following showing of Ayes and Noes:

Ayes, 10. Noes, 14 (Ching, Hara, Hulten, Kuroda, O'Connor, Taira, Takitani, Toyofuku, F. Wong, R. Wong, Yamasaki, Yim, Young and Ushijima). Excused, 1 (Kawasaki).

Senator Saiki then offered the following amendment to H.B. No. 892, H.D. 1, S.D. 1:

"Section 1. H.B. No. 892, H.D. 1, S.D. 1, is amended by deleting Section 29, relating to school-by-school allocation of funds, in its entirety and renumbering Sections 30 through 81."

Senator Saiki moved that the amendment be adopted, seconded by Senator Anderson.

Senator R. Wong moved to lay the amendment on the table, seconded by Senator O'Connor.

The motion was put by the Chair and Roll Call having been requested, carried on the following showing of Ayes and Noes:

Ayes, 15. Noes, 9 (Anderson, Chong, George, Henderson, Leopold, Saiki, Soares, Takitani and Yee). Excused, 1 (Kawasaki).

Senator Anderson then moved that H.B. No. 892, H.D. 1, S.D. 1, be tabled, seconded by Senator Henderson.

At 6:09 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 6:10 o'clock p.m.

The motion to table H.B. No. 892, H.D. 1, S.D. 1 was put by the Chair, and Roll Call having been requested, failed to carry on the following showing of Ayes and Noes:

Ayes, 7. Noes, 17 (Ching, Chong, Hara, Hulten, King, Kuroda, Nishimura, O'Connor, Taira, Takitani, Toyofuku, F. Wong, R. Wong, Yamasaki, Yim, Young and Ushijima). Excused, 1 (Kawasaki).

Senator Anderson then spoke against the passage of H.B. No. 892, H.D. 1, S.D. 1, as follows:

"Mr. President, I rise to speak against this measure. I have witnessed for the first time in my fourteen years, several acts of trying to get away

from voting on controversial issues that most of you should be quite ashamed of. These amendments have merit. I don't think the cost that is contained in this budget for the Law School and the Medical School, taking out West Oahu Campus, talking to the point of budgeting school-by-school where the Board of Education and the Superintendent of Education himself are not in favor of it...I find it very irresponsible that a Body, supposedly..."

Senator O'Connor rose on a point of order and stated as follows:

"Mr. President. Point of order. The speaker is speaking on actions taken by this Body which were not debatable and is not speaking to the bill itself. I would ask the Chair to limit the speaker's talk and debate to the measure before us."

Senator Anderson then continued,

"Mr. President, all the points I speak to are subject matters in this bill that need discussion. I rise to speak against this bill and against all of the issues we have discussed thus far or have not discussed thus far.

This contains budgeting for West Oahu Campus. It also contains a \$25,000 study for a four-year campus on Maui, another boondoggle that's going to come up to haunt us in three or four years.

I think we've seen the University, the Community Colleges and West Oahu Campus all run out of money.

This budget also contains a proposal for the concept, evidently arrived at by the House, in school-by-school budgeting, and I'd like to show the inconsistencies of this. The committee report on page 10, second paragraph under Regular Instruction, 'For the purpose of stimulating interest and discussion on this concept, your Committee has provided for display of the appropriations under EDN 105 (Regular Instruction) on a school-by-school basis. This was done to illustrate how funds appropriated under this program are intended to be allocated among the schools of the State.'

I might say that when you go to the provisions on page 13 of the bill, it doesn't say that it is intended for discussion. It's not here for the sake of someone referring to it. It says, 'Section 29. Provided, that from the amounts appropriated

for EDN 105, the following amounts are allocated and shall be expended for regular instruction in the following schools.'

Mr. President, we have a new Superintendent of Education who came on board last year and we, majority and minority, have given him every support to try to curtail and harness the Department of Education. Just one year later when he has demonstrated some administrative ability to harness this department, we come in by trying to appropriate from 200 and some odd schools on a piecemeal basis.

I think the Board of Education in their remarks were very clear about it. There were no public hearings, they weren't discussed or considered. The Governor, the Board of Education and the Superintendent are opposed to it. A few minutes ago, you denied discussion on the amendments. Yet in the very committee report before us, you say encourage and stimulate interest and discussion.

You don't encourage discussion, gentlemen and ladies, you're trying to hamper it. This far-reaching type of concept should have been full blown in public hearing. It should have been discussed in detail on how it's going to affect the child or how the teacher may participate in the evaluation and accountability.

This entire budget, Mr. President, is no more than a continuation of the type of budgets we've passed here for the last four or five years.

Nowhere in this budget does it take to the question of the \$28 or \$30 million that collective bargaining is going to cost us this year. Nowhere do we think about or hold ourselves accountable to the tremendous deficit that is facing us. We've got programs in here that are pet projects to every legislator in this hall, including myself--not based on need or merit but because you were able to get the majority of the Ways and Means Committee.

By passing this budget, Mr. President, we will again give to the Governor a carte blanche as we've appropriated and authorized more money than we have and the only place the Governor will find \$25 or \$28 million for collective bargaining is by coming back into the budget and cutting your pet programs. Then during the year, you're all going to yell and scream because the Governor didn't implement, begin to initiate and foster your pet

program.

The time has come where you cut a budget realistically; you hold departments accountable, and you fund only enough dollars based on what you've got coming in. The day is coming where you will be accountable for your actions--be it the West Oahu Campus, a new Maui four-year campus, more collective bargaining, \$90,000 for language programs, \$100,000 for seed corn, or the Malaekahana Bay for myself.

We all better realize that this State and its limited base, with its high unemployment, is in trouble and we better start passing budgets that are more meaningful and stop talking in the back halls and private offices of how we should have done this or should have done that.

I'm sorry to see the majority party not consider amendments to this bill today. I think amendments pertaining to various sections were in order. I think amendments to this bill in many other areas are in order. I think full blown discussion of this budget is long, long overdue. I think some serious interim work by the various sub-committees is long overdue.

I hope most of you are around someday when we've got to really evaluate this budget and report it out seriously. I hope the press, the media and the people of this State are aware of your actions today in tabling motions for amendments, thus stifling dialogue and conversation.

I request my colleagues to vote 'no'. I think this bill ought to go back to committee and be looked at more seriously."

Senator R. Wong then rose to speak in favor of the measure as follows:

"Mr. President, I am almost overwhelmed by the rhetoric expressed by the Honorable Minority Leader.

Mr. President, it has been a long road that we have travelled and many of us have been criticized publically for taking postures here at the Legislature to insure that we have a balanced budget. I challenge any Republican; I challenge the Minority Floor Leader and Minority Leader to go through this budget and to tell me with the amount of monies that are available, based on a projected revenue estimate, that we cannot fund the programs as proposed in the Senate version of the budget.

Mr. President, it's been a long time since I've heard rhetoric of this nature about fiscal responsibility and I think contrary to common belief, last year we made the first attempt to control our general obligation bond debt service and we tried in conference to keep it to \$150 million. I think we accomplished that purpose.

This year, Mr. President, I know that the Governor came in for an over-fiscal policy involving general obligation bonds on CIP, that the measures combined together approximated \$160 million over the next biennium. Our debt service in 1972, which goes to the payment of interest and principal, was \$42.5 million. By the end of the next fiscal year, we will be up to \$108 million in debt service alone, and this, Mr. President, must come off the top.

I think we discussed this last year, and this year, for the first time in our discussions in Ways and Means, I was most satisfied to find out that we have adopted what is considered to be a reasonable economic projection for the next biennium and that we have followed almost to the letter, the projections made by the revenue estimating committee, which is made up of various experts throughout this State.

Now in relation to the budget, Mr. President, the Committee on Ways and Means discussed the policy of West Oahu, the Medical School and the Law School. I think there is no one in this Body who feels more strongly than I that we should not have gotten into the Medical School, and my record in the House proves it when I voted against it. Then when it came to the Senate in 1975, I tried to delete it out of the budget and the same people who are today pronouncing an elimination of the Medical School were totally opposed in 1975. I think, personally, many of the motions made was to pacify the University.

I think it takes 'guts', Mr. President, to say 'no', because we have other needs in this State, outside of education.

Getting back to West Oahu and the Medical School and the Law School, we had a four-hour meeting which covered a period of two days, here with the University of Hawaii. At that time, the President of the University in dialogue with the committee members of Ways and Means, sat together, not to talk about \$10, \$25, \$50, but to talk about an idea. That idea was that the University would have to take a very serious look at selective

excellence.

At that meeting where we spent about two hours in discussion, we told the President in no uncertain terms that we were unhappy with what was happening at the University. We were unhappy because the students had indicated to us that the University Campus, instead of being an open, green-faced campus, was turning into nothing but a concrete jungle. We also told him that we must look at the University and that the University cannot be all things to all people.

Mr. President, in his arriving at some kind of selective excellence, we told him why not the University be known as the best tropical agricultural college in the world? Or the best aquaculture college in the world? Or the best Asian studies college in the whole world? Or the oceanographic capital of the whole Pacific?

Mr. President, as I look at the budget and the things that were brought up today, I cannot help but feel that the Minority Leader, in his sincerity to maintain some kind of fiscal controls over the State, might be overlooking one factor, that the programs contained in the budget can fit and will fit in the fiscal plan as discussed with the minority members in attendance.

The figures were flashed on the board. It was not just something picked out of the air. Everyone had input and everyone was asked to contribute their share towards the building of a Senate program so that we could move that program into the House.

Mr. President, I can go on with other programs here but I think the members of this Honorable Body have to know that your Committee on Ways and Means has tried to take up the challenge of keeping expenses here in the State at a minimum, and, it is possible to 'cut government'.

Mr. President, fiscal responsibility means that when you have a certain amount of money and you can fit your program, people programs, in this allotment, then you have a balanced budget. This is what we are sending to the House of Representatives.

I am sure, Mr. President, that by the time the conference is over, and I know the Senate position as mandated by the members of Ways and Means, that we will go into that conference with a top and a bottom, with fiscal responsibility as the major

concern in our discussions with the House. If the indication of support was true on Wednesday as it was on Sunday evening, I can assure you when we come out of the conference committee, we will have a balanced budget.

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

Senator Soares, in opposition to the measure, stated as follows:

"Mr. President, I rise to speak against this bill and in so doing would like to comment on a few statements made by the Ways and Means Committee Chairman, whom I know and have worked very closely with.

My stand on the Medical School, the Law School and the West Oahu Campus, Mr. President, was mailed to him by way of a letter about a month ago. I have discussed this problem of the budget in committee and I have faced the members in dialogue throughout the night, on the need to continue to fund the program that we cannot afford, the need to stay with something we cannot stay with no matter how we try to juggle the figures. All along I have made my statements and my stand as clear as crystal.

I might at this time indicate that unfortunately the great blue carpet of these halls did not have me here in 1975 to add a little color to this place.

Mr. President, I am very dismayed at the fact that when we try to make an amendment on the floor of the Senate dealing with a known subject, we cannot enlist one another and play the ball game like it is. I know how to lose, Mr. President, I've done it for years, but I don't like the idea of not even calling the play before this Body gets it shot down. If we cannot allow each member of this Body to speak his piece, to call it like it is, for or against the budget, or for or against the bill, is pretty bad when we cannot stand it..."

The President then requested that Senator Soares confine his remarks for or against the bill and not at what transpired earlier.

Senator Soares continued, "I'm speaking against the bill because it seems to me that when you make your feelings known and you decide to express your concern in committee against the bill, then you let the majority know that you plan to offer an amendment

or two against the bill on the floor, that the amendment cannot even be heard or discussed on the floor where it is supposed to be discussed and voted on. The least we can do is to vote them down with a little glory. Thank you, Mr. President."

Senator Saiki then spoke against the measure, as follows:

"Mr. President, in speaking against House Bill No. 892, H.D. 1, S.D. 1, I am not going to necessarily address myself to balancing the budget or unbalancing the budget, whatever you're trying to do with it, but I know what you are trying to do with it. You are changing the concept of school budgeting through this document that we have before us.

As a member of your Education Committee, Mr. President, I feel very resentful that this matter was never even discussed in committee. This concept truly will cripple our school system. It is not agreed to by the Superintendent of Schools, nor by the Board of Education, and I don't think that the general public has had an opportunity to really have input to this concept.

What we are doing is politicizing our schools and subjecting their funding to legislative whims and on a biennial basis at that. This certainly doesn't provide the stability that is so needed in our school system.

As you my colleagues know, I have been a long-time critic of the unclear lines of authority and fragmented responsibilities concerned with the DOE. I have on many occasions urged the Board of Education and the Department of Education to decentralize the administrative controls to allow greater flexibility and innovation and control at the grass roots level, but, my fellow Senators, what I read in this bill is not the way to do this.

I believe that if you don't like the system then, for heaven's sake, change it, but don't circumvent it by piecemeal, irresponsible legislation which subjects our children to the times and tides of politics.

Other states are now grappling with the problem of equal funding to ensure equal educational opportunities. We already have a state-wide funding approach. What this concept will do is to set us back.

We have all been together for many years, my colleagues, and you remember those days when

we had line item budgeting for the schools, then we went to lump sum budgeting, then we went to program budgeting. We are now back to looking at line items again in individual schools.

We are creating 225 political entities, each to compete for its own appropriation. Does this mean then that the larger schools or the schools where the parents have more political clout will get a larger share of the funding? Does this mean that the smaller schools or the schools that are politically unpopular will be discriminated against?

Every school will be vulnerable to the political whims and the political times and tides and I truly believe, Mr. President, that this is not the way to budget for our school system.

I am sorry that my amendment could not even be considered. I am forced to vote against this bill and I ask you all to join me."

Senator O'Connor, in speaking for the bill, commented as follows:

"Mr. President, the reason I rise to speak for this bill is that the previous speaker, my distinguished colleague from the Seventh District, and the House Minority Leader, are evidently reading from the section of the bill on the school budgeting differently than I am reading it.

As I understand our present budgeting system for EDN 105, which is the regular education section of the school budget, today we lump sum budget this amount to the Department of Education and it is allocated by the Department of Education to the various schools in specific amounts with the Superintendent of Education retaining the ability to shift funds and positions between the various schools, to equalize educational abilities and educational requirements as he sees fit in our system.

If my distinguished minority colleagues would have read all the way through Section 29, which deals with this approach, they would have found that the first sentence in Section 29 mandates the allocation of certain amounts of monies and positions to various schools. But then on page 23, language is contained in that very section which simply continues the present practice of lump sum budget. It states very specifically that 'the Superintendent is authorized to transfer funds and personnel positions within the school-by-school allocations listed above; '.

Therefore, I believe that the committee report as drafted, which outlines this approach, simply is an illustration and the bill as drafted, which appropriates an EDN 105, one lump sum of money and which states specifically that the Superintendent has the ability to transfer funds and personnel at his desire, simply continues the system of appropriation which we are today using in this area.

The allocations contained in this provision, Section 29, are simply there for illustration purposes and the Chairman of the Education Committee has made this very plain, and has outlined this position in this plain, simple language to the Ways and Means. Therefore, I would suggest that if anyone would vote against this bill because it contains anything similar to that in the House Bill on school-by-school budgeting, simply hasn't read Section 29 throughout as they should have.

In very brief comment on an earlier statement by the Minority Floor Leader concerning collective bargaining, I would find it reprehensible, Mr. President, to put in this bill any amount of money which would go to collective bargaining in this year when we do not have before us a negotiated contract nor is there the likelihood that we will have a negotiated contract from any unit before this body before the end of the session.

If we put an amount of money in this budget for collective bargaining at this time, all that would represent would be a target for one side or the other to shoot at in their collective bargaining, thereby completely impairing the system of collective bargaining which we have established for our public employees in the State.

Mr. President, I would urge all to vote for this measure."

Senator Anderson then inquired if the Chairman of the Committee on Ways and Means would yield to a question, to which Senator R. Wong replied in the affirmative.

Senator Anderson then asked if the budget is school-by-school or is it a lump sum appropriation.

Senator Hara then asked if he could respond and Senator Anderson agreed.

Senator Hara then responded as follows:

"Mr. President, EDN 105 is total lump sum but the proviso is added

here on the school-by-school basis, so that the department can understand the basis in which these lump sums of money for the regular education in terms of its allocation schedule, and so it is displayed for that purpose.

Mr. President, from the tone of discussion that has been going on, I believe that you are reading into this discussion, the display and the budget that was sent over from the House.

I'd like to have you really look at the Senate display as presented here and you will find that the central salary account is well preserved and all of the manpower reflected in the 'A' account are all preserved again in the central salary account. What we have done in the Senate is to ask the Auditor's Office and their staff to assist us with working with the Department to get the displays school-by-school, so we know the amounts of money that are going into the 'B' and 'C' accounts as the Executive Budget presented it to us.

We have nothing here, nothing, in terms of dollars and cents reflected in what they call 'Special Need Category'. We don't have a red penny allotted and much of the references and inferences that has been placed in our discussion this afternoon apparently expresses this concern.

Our Ways and Means accountant, after careful scrutiny, came about with a final budget for our Department of Education that did not allow us this luxury, and therefore we took EDN 105 and re-allotted into slots by schools so we can better understand how much money in 'A', 'B' and 'C' accounts are being spent in the schools.

We also said that the Superintendent is to cast a plan, a guideline, policy of expenditures, to the respective principals. The principals in turn, in consultation with the teachers, parents and students, formulate a spending program to be submitted back to the District Superintendent and the Superintendent of the State for their approval before one cent is to be spent.

There is no political influence in here. There is none of that sort simply because the lump sum integrity in terms of the total EDN 105 is kept intact and that is the Senate position, Mr. President. I can say that it is a combination of both school-by-school and lump sum in terms of our efforts."

Senator Anderson then queried if

the Superintendent of Education would have the authority to transfer amounts of money, to which Senator Hara replied that he would have this authority.

Senator Anderson then asked if the Superintendent would have the authority to transfer under the proviso to transfer funds from the schools.

Senator Hara answered, "Yes, whenever there is a movement of students and there is a decline in enrollment, the Superintendent does have the authority to move positions and the dollars that go with the students to the new school. He has that flexibility."

Senator Anderson questioned as to when the determination for these dollars would be made.

Senator Hara replied, "This is quarterly type. We are not disturbing any fiscal arrangements. The budget is to be cast, the spending plan, by the various schools. We are asking that they be submitted by May 12th or 15th to the Department to formulate a biennium budget of their annual spending program."

Senator Anderson then asked, "Is this not somewhat out of order to move into such a basically potentially new way to funding without full dialogue and discussion by the people that are going to be affected?"

Senator Hara answered, "Mr. President, your Committee on Education did have prior discussions with the Superintendent's office in the formative stage when the matter was being discussed in the House as to the possible effect the school-by-school budget may have on the Department.

I'd like to state at this time, Mr. President, that after discussions and having dialogue with the Superintendent, he did discuss some of his areas of concern that are expressed in the House budget. We in the Senate corrected that.

We didn't have a meeting throughout the session because of the pressure of time. Prior to meeting the deadline of the Ways and Means Committee, I circulated to every member of my Committee a memo asking them to submit any requests or points of concern to the Committee on Education so if there was a desire or indication on a point which we would receive from the committee members...if it was that important to hold any hearings

on any given subject matter, then we would consider it.

I believe that I sent a copy of the school-by-school budget display to the members and I did not, Mr. President, receive any comments back. As a matter of fact, Mr. President, at one meeting when I submitted this display to the committee members, there was a request from one of the minority members that they be given a few extra days to take a look at the display and possibly come back to the committee with their comments. I obliged. I granted all this opportunity. So if there is any cutting off of any input from my members, there was no such intent on the Chair's part or on the part of my staff.

We sent written memos out and I, orally, personally, asked each of them to please submit their area of concern to be forwarded to the Committee on Ways and Means.

As far as having a full-fledged public hearing, I believe the House did have a public hearing on this matter. We did have a loose discussion, loose simply because it was an informal discussion with the Department, at one of our regular meetings. It was decided at that time that we would postpone further discussion. But, there was no intent on the part of your committee to cut anything off."

Senator Anderson responded, "Mr. President, I didn't mean to imply that input wasn't asked for. For such a major area to appear in a monetary or financial budget is really questionable as far as procedure is concerned. I'm sure that there is going to be enough discussion now on the subject that a compromise of some sort will be worked out in conference. I would only hope that everytime somebody, whether they be in the Superintendent's Office or here, turns a page, we don't end up with a different position to add further chaos and confusion in the Department of Education.

On another point, I would like to very quickly say that it was never my intention to say that 'x' number of dollars, be it \$25 or \$28 million, for collective bargaining be laid and singled out. I'm sure my learned colleague knows me and my experience in Ways and Means that I am not that amateurish.

Earlier, the Chairman of the Committee on Ways and Means spoke on behalf of the balanced budget and revenue

projections and I will say that next year I think the revenue projections by people like Mr. Hillendahl, Mr. Bennion, the Governor's Tax Advisory Committee and a few others, are recommending a 10.1 and 10.3 thereafter. I think the Ways and Means staff on the current figures, as of today, were at 6.8 and things don't look as good today as they did last month or the month before.

Unemployment in construction is still there; sugar is still in trouble; our whole economy is still in question. Asking our economy to jump from a 6.8 or 7% where we are now to 10.1, and with approximately \$28 million for collective bargaining, this brings the figure to about \$35 to \$40 million that will be needed very shortly and this is not in the budget."

Senator R. Wong then commented, "Mr. President, just a point of clarification to the Minority Leader. The amount of \$34 million that is provided for in the budget is there because it's a matter of law. If there is no approved contracts here at the Legislature, the Legislature must provide increments."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 780 was adopted and, Roll Call

having been requested, H.B. No. 892, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 29, 1977, on the following showing of Ayes and Noes:

Ayes, 16. Noes, 7 (Anderson, George, Henderson, Leopold, Saiki, Soares and Yee). Excused, 2 (Kawasaki and Taira).

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on H.B. No. 892, H.D. 1, S.D. 1.

At 6:50 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 6:55 o'clock p.m.

ADJOURNMENT

At 6:56 o'clock p.m., on motion by Senator Ching, seconded by Senator Anderson and carried, the Senate adjourned until 4:30 o'clock p.m., Tuesday, March 29, 1977.