

FORTY-EIGHTH DAY

Tuesday, March 29, 1977

The Senate of the Ninth Legislature of the State of Hawaii, Regular Session of 1977, convened at 4:55 o'clock p.m., with the President in the Chair.

The Divine Blessing was invoked by Reverend Kenjyo Urakami of the Jodo Mission, after which the Roll was called showing all Senators present.

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

At this time, Senator Chong introduced to the members of the Senate Mr. Lonny Wiig, a teacher at Roosevelt High School, who was a Peace Corps Volunteer in East Africa.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 380 to 416) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 380), transmitting House Concurrent Resolution No. 115, which was adopted by the House of Representatives on March 29, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.C.R. No. 115, entitled: "HOUSE CONCURRENT RESOLUTION SALUTING THE 31st ANNIVERSARY OF ALOHA WEEK AND URGING FULLEST COMMUNITY SUPPORT FOR THE UPCOMING ALOHA WEEK FESTIVAL", was adopted.

A communication from the House (Hse. Com. No. 381), returning Senate Bill No. 3, S.D. 1, which passed Third Reading in the House of Representatives on March 29, 1977 by not less than two-thirds vote of all the members to which the House is entitled, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 3, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS AND AUTHORIZING THE ISSUANCE OF BONDS", was deferred until Wednesday, March 30, 1977.

A communication from the House (Hse. Com. No. 382), returning Senate Bill No. 47, S.D. 2, which passed Third Reading in the House of Representatives on March 29, 1977, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 47, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE POSTSECONDARY EDUCATION COMMISSION", was deferred until Wednesday, March 30, 1977.

A communication from the House (Hse. Com. No. 383), returning Senate Bill No. 74, which passed Third Reading in the House of Representatives on March 29, 1977, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 74, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TAXATION OF THE SALE OF RESIDENTIAL LEASEHOLDS", was deferred until Wednesday, March 30, 1977.

A communication from the House (Hse. Com. No. 384), returning Senate Bill No. 122, which passed Third Reading in the House of Representatives on March 29, 1977, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 122, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MARRIAGE LICENSE ISSUANCE", was deferred until Wednesday, March 30, 1977.

A communication from the House (Hse. Com. No. 385), returning Senate Bill No. 140, S.D. 1, which passed Third Reading in the House of Representatives on March 29, 1977, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 140, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT", was deferred until Wednesday, March 30, 1977.

A communication from the House (Hse. Com. No. 386), returning Senate Bill No. 144, which passed Third Reading in the House of Representatives on March 29, 1977, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 144, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INSURANCE LAW", was deferred until Wednesday, March 30, 1977.

A communication from the House (Hse. Com. No. 387), returning Senate Bill No. 237, S.D. 1, which passed Third Reading in the House of Representatives on March 29, 1977, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 237, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING", was deferred until Wednesday, March 30, 1977.

A communication from the House (Hse. Com. No. 388), returning Senate Bill No. 245, S.D. 1, which passed Third Reading in the House of Representatives on March 29, 1977, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 245, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RIDING ON ROADWAYS AND BICYCLE PATHS", was deferred until Wednesday, March 30, 1977.

A communication from the House (Hse. Com. No. 389), returning Senate Bill No. 251, S.D. 1, which passed Third Reading in the House of Representatives on March 29, 1977, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 251, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES", was deferred until Wednesday, March 30, 1977.

A communication from the House (Hse. Com. No. 390), returning Senate Bill No. 416, which passed Third Reading in the House of Representatives on March 29, 1977, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 416, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES OF COUNTY LEGISLATIVE BODIES", was deferred until Wednesday, March 30, 1977.

A communication from the House (Hse. Com. No. 391), returning Senate Bill No. 454, which passed Third Reading in the House of Representatives on March 29, 1977, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 454, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BANKING", was deferred until Wednesday, March 30, 1977.

A communication from the House (Hse. Com. No. 392), returning Senate Bill No. 475, S.D. 2, which passed Third Reading in the House of Representatives on March 29, 1977, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 475, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH", was deferred until

Wednesday, March 30, 1977.

A communication from the House (Hse. Com. No. 393), returning Senate Bill No. 533, S.D. 1, which passed Third Reading in the House of Representatives on March 29, 1977, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 533, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR-DRIVEN BICYCLES", was deferred until Wednesday, March 30, 1977.

A communication from the House (Hse. Com. No. 394), returning Senate Bill No. 563, S.D. 1, which passed Third Reading in the House of Representatives on March 29, 1977, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 563, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VEHICLE WEIGHT", was deferred until Wednesday, March 30, 1977.

A communication from the House (Hse. Com. No. 395), returning Senate Bill No. 731, S.D. 1, which passed Third Reading in the House of Representatives on March 29, 1977, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 731, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONVEYANCES", was deferred until Wednesday, March 30, 1977.

A communication from the House (Hse. Com. No. 396), returning Senate Bill No. 761, S.D. 2, which passed Third Reading in the House of Representatives on March 29, 1977, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 761, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SERIAL NUMBERS AND IDENTIFICATION MARKS ON MERCHANDISE", was deferred until Wednesday, March 30, 1977.

A communication from the House (Hse. Com. No. 397), returning Senate Bill No. 799, which passed Third Reading in the House of Representatives on March 29, 1977, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 799, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES", was deferred until Wednesday, March 30, 1977.

A communication from the House (Hse. Com. No. 398), returning Senate Bill No. 804, S.D. 2, which passed

Third Reading in the House of Representatives on March 29, 1977, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 804, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AUTOMOBILE NO-FAULT INSURANCE", was deferred until Wednesday, March 30, 1977.

A communication from the House (Hse. Com. No. 399), returning Senate Bill No. 1074, S.D. 1, which passed Third Reading in the House of Representatives on March 29, 1977, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1074, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PROBATE CODE", was deferred until Wednesday, March 30, 1977.

A communication from the House (Hse. Com. No. 400), returning Senate Bill No. 1100, S.D. 1, which passed Third Reading in the House of Representatives on March 29, 1977, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1100, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY TAXATION", was deferred until Wednesday, March 30, 1977.

A communication from the House (Hse. Com. No. 401), returning Senate Bill No. 1193, S.D. 1, which passed Third Reading in the House of Representatives on March 29, 1977, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1193, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IMPROVEMENTS AT WAIKIKI, OAHU", was deferred until Wednesday, March 30, 1977.

A communication from the House (Hse. Com. No. 402), returning Senate Bill No. 1202, which passed Third Reading in the House of Representatives on March 29, 1977, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1202, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONSERVATION, MANAGEMENT AND PROTECTION OF ENDANGERED OR THREATENED SPECIES OF WILDLIFE OR PLANTS", was deferred until Wednesday, March 30, 1977.

A communication from the House (Hse. Com. No. 403), returning Senate

Bill No. 1203, S.D. 1, which passed Third Reading in the House of Representatives on March 29, 1977, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1203, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ACQUISITION OF VOTING STOCK BY FOREIGN INVESTORS", was deferred until Wednesday, March 30, 1977.

A communication from the House (Hse. Com. No. 404), returning Senate Bill No. 1209, S.D. 1, which passed Third Reading in the House of Representatives on March 29, 1977, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1209, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE", was deferred until Wednesday, March 30, 1977.

A communication from the House (Hse. Com. No. 405), returning Senate Bill No. 1226, S.D. 2, which passed Third Reading in the House of Representatives on March 29, 1977, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1226, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTERGOVERNMENTAL PROCEDURES AFFECTING LAND USE", was deferred until Wednesday, March 30, 1977.

A communication from the House (Hse. Com. No. 406), returning Senate Bill No. 1308, S.D. 2, which passed Third Reading in the House of Representatives on March 29, 1977, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1308, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A CRIME COMMISSION", was deferred until Wednesday, March 30, 1977.

A communication from the House (Hse. Com. No. 407), returning Senate Bill No. 1368, S.D. 1, which passed Third Reading in the House of Representatives on March 29, 1977, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1368, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOREIGN LENDERS", was deferred until Wednesday, March 30, 1977.

A communication from the House (Hse. Com. No. 408), returning Senate Bill No. 1369, S.D. 2, which passed Third Reading in the House of Representatives on March 29, 1977, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1369, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES", was deferred until Wednesday, March 30, 1977.

A communication from the House (Hse. Com. No. 409), returning Senate Bill No. 1371, which passed Third Reading in the House of Representatives on March 29, 1977, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1371, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DIVORCE", was deferred until Wednesday, March 30, 1977.

A communication from the House (Hse. Com. No. 410), returning Senate Bill No. 1407, S.D. 2, which passed Third Reading in the House of Representatives on March 29, 1977, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1407, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AIRPORTS", was deferred until Wednesday, March 30, 1977.

A communication from the House (Hse. Com. No. 411), returning Senate Bill No. 1443, S.D. 1, which passed Third Reading in the House of Representatives on March 29, 1977, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1443, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXPENDITURE OF PUBLIC MONEY AND PUBLIC CONTRACTS", was deferred until Wednesday, March 30, 1977.

A communication from the House (Hse. Com. No. 412), returning Senate Bill No. 1452, S.D. 1, which passed Third Reading in the House of Representatives on March 29, 1977, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1452, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEBTOR EXEMPTIONS", was deferred until Wednesday, March 30, 1977.

A communication from the House (Hse. Com. No. 413), returning Senate Bill No. 1460, S.D. 1, which passed Third Reading in the House of Representatives on March 29, 1977, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1460, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GARNISHMENT OF PROPERTY AND CHOSSES IN ACTION", was deferred

until Wednesday, March 30, 1977.

A communication from the House (Hse. Com. No. 414), returning Senate Bill No. 1464, S.D. 2, which passed Third Reading in the House of Representatives on March 29, 1977, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1464, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY AND LITTER CONTROL", was deferred until Wednesday, March 30, 1977.

A communication from the House (Hse. Com. No. 415), returning Senate Bill No. 1479, which passed Third Reading in the House of Representatives on March 29, 1977, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1479, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE REPAIR INDUSTRY", was deferred until Wednesday, March 30, 1977.

A communication from the House (Hse. Com. No. 416), returning Senate Bill No. 1489, S.D. 1, which passed Third Reading in the House of Representatives on March 29, 1977, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1489, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LITTERING", was deferred until Wednesday, March 30, 1977.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 137 to 140) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 137), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE COLLEGE OF TROPICAL AGRICULTURE TO DEVELOP AN IMPROVED METHOD OF FUMIGATION FOR BANANAS", was offered by Senator Yim.

By unanimous consent, S.C.R. No. 137 was referred to the Committee on Economic Development.

A concurrent resolution (S.C.R. No. 138), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO IMPROVEMENTS AND CAPACITY OF KALANIANA'OLE HIGHWAY", was jointly offered by Senators O'Connor, Nishimura, Chong, Taira, Ching, Saiki and Soares.

By unanimous consent, S.C.R.

No. 138 was referred to the Committee on Transportation.

A concurrent resolution (S.C.R. No. 139), entitled: "SENATE CONCURRENT RESOLUTION URGING FEDERAL, STATE, AND COUNTY COOPERATION TO CONTINUE IMPLEMENTATION OF THE KAPAHULU GENERAL NEIGHBORHOOD RENEWAL PROGRAM", was jointly offered by Senators O'Connor, Soares, Nishimura, Chong, Taira, Ching and Saiki.

By unanimous consent, S.C.R. No. 139 was referred to the Committee on Economic Development.

A concurrent resolution (S.C.R. No. 140), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO IMPROVE THE OLDER SECTIONS OF THE H-1 TO EXISTING FEDERAL STANDARDS", was jointly offered by Senators O'Connor, Nishimura, Chong, Taira, Ching, Soares and Saiki.

By unanimous consent, S.C.R. No. 140 was referred to the Committee on Transportation.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 375 to 385) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 375), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS AND EXPRESSING HEARTFELT APPRECIATION TO PHILLIP NELSON ADAMS FOR HIS NINE YEARS OF DEDICATED SERVICE TO THE STUDENT GOVERNMENT OF JAMES B. CASTLE HIGH SCHOOL, was jointly offered by Senators Anderson, George, Hulten, Yee, Leopold, F. Wong, Kawasaki, Yamasaki, Nishimura, R. Wong, Ching, Soares, Chong, Toyofuku, Saiki, Young, Takitani, Kuroda, Taira, Henderson, Ushijima, Yim and O'Connor.

On motion by Senator Anderson, seconded by Senator George and carried, S.R. No. 375 was adopted.

At this time, Senator Anderson introduced to the members of the Senate Mr. and Mrs. Phillip Nelson Adams. He then presented Mr. Adams with a certified copy of the resolution just adopted.

Senator Anderson then introduced Mr. Harold Chong, Principal, Castle High School, and former, present and future officers of Student Government at Castle High School.

At 5:01 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 5:02 o'clock p.m.

A resolution (S.R. No. 376), entitled: "SENATE RESOLUTION REQUESTING THE UNITED STATES ATTORNEY GENERAL TO VIGOROUSLY ENFORCE FEDERAL STATUTES PROHIBITING THE INTERSTATE TRANSPORTATION OF OBSCENE MATERIAL INTO HAWAII", was jointly offered by Senators Soares, Saiki, Leopold, George, Henderson and R. Wong.

By unanimous consent, S.R. No. 376 was referred to the Committee on Judiciary.

A resolution (S.R. No. 377), entitled: "SENATE RESOLUTION REQUESTING THE COLLEGE OF TROPICAL AGRICULTURE TO DEVELOP AN IMPROVED METHOD OF FUMIGATION FOR BANANAS", was offered by Senator Yim.

By unanimous consent, S.R. No. 377 was referred to the Committee on Economic Development.

A resolution (S.R. No. 378), entitled: "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF A TRANSITION SCHOOL FOR FILIPINO IMMIGRANT STUDENTS", was jointly offered by Senators Leopold, Soares, George, Henderson, Saiki, Anderson, Yee, Young, Kuroda, Yamasaki, Nishimura, Toyofuku, King, Ushijima, Takitani and R. Wong.

By unanimous consent, S.R. No. 378 was referred to the Committee on Human Resources.

A resolution (S.R. No. 379), entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF THE RESERVE RATIO AND BENEFIT RATIO METHODS FOR FINANCING THE STATE'S UNEMPLOYMENT INSURANCE PROGRAM AND THE SUBMISSION OF APPROPRIATE LEGISLATION TO STRENGTHEN THE SOLVENCY OF THE STATE'S UNEMPLOYMENT INSURANCE TRUST FUND", was jointly offered by Senators Toyofuku, King, F. Wong, Chong, Kawasaki, Takitani, Taira, Young, Ching, Hara, R. Wong, Nishimura and Kuroda.

By unanimous consent, S.R. No. 379 was referred to the Committee on Human Resources.

A resolution (S.R. No. 380), entitled: "SENATE RESOLUTION REQUESTING AN INTERIM COMMITTEE ON HORIZONTAL PROPERTY REGIMES", was jointly offered by Senators Kawasaki, O'Connor, Hulten, King, Toyofuku, Chong, Nishimura, Takitani, Ching, F. Wong, Yim, Taira, Leopold, Soares, Hara, Young, Ushijima, George, Saiki, Kuroda, Henderson

and Yee.

By unanimous consent, S.R. No. 380 was referred to the Committee on Consumer Protection, then to the Committee on Legislative Management.

A resolution (S.R. No. 381), entitled: "SENATE RESOLUTION HONORING MR. ROBERT M. LEE FOR HIS OUTSTANDING CONTRIBUTION TO AMATEUR AND PROFESSIONAL BOXING IN HAWAII", was jointly offered by Senators Kawasaki, O'Connor, Yamasaki, Hulten, King, Toyofuku, Chong, Nishimura, Takitani, Ching, F. Wong, Yim, Taira, Young, Leopold, Soares, Hara, Ushijima, George, Saiki, Kuroda, Henderson and Yee.

On motion by Senator Kawasaki, seconded by Senator Yim and carried, S.R. No. 381 was adopted.

A resolution (S.R. No. 382), entitled: "SENATE RESOLUTION RECOGNIZING AND COMMENDING MR. HARRY MILLER, PRESIDENT OF THE NATIONAL GOLDEN GLOVES FOR HIS YEARS OF DEDICATED SERVICE IN THE FIELD OF AMATEUR BOXING AND FOR REVIVING THE GOLDEN GLOVES FRANCHISE IN HAWAII", was jointly offered by Senators Kawasaki, O'Connor, Yamasaki, Hulten, King, Toyofuku, Chong, Nishimura, Takitani, Ching, F. Wong, Yim, Taira, Young, Leopold, Soares, Hara, Ushijima, George, Saiki, Henderson and Yee.

On motion by Senator Kawasaki, seconded by Senator Taira and carried, S.R. No. 382 was adopted.

A resolution (S.R. No. 383), entitled: "SENATE RESOLUTION RELATING TO IMPROVEMENTS AND CAPACITY OF KALANIANA'OLE HIGHWAY", was jointly offered by Senators O'Connor, Nishimura, Chong, Taira, Ching, George, Saiki and Soares.

By unanimous consent, S.R. No. 383 was referred to the Committee on Transportation.

A resolution (S.R. No. 384), entitled: "SENATE RESOLUTION URGING FEDERAL, STATE, AND COUNTY COOPERATION TO CONTINUE IMPLEMENTATION OF THE KAPAHULU GENERAL NEIGHBORHOOD RENEWAL PROGRAM", was jointly offered by Senators O'Connor, Soares, Nishimura, Chong, Taira, Ching and Saiki.

By unanimous consent, S.R. No. 384 was referred to the Committee on Economic Development.

A resolution (S.R. No. 385), entitled: "SENATE RESOLUTION REQUESTING

THE DEPARTMENT OF TRANSPORTATION TO IMPROVE THE OLDER SECTIONS OF THE H-1 TO EXISTING FEDERAL STANDARDS", was jointly offered by Senators O'Connor, George, Nishimura, Chong, Taira, Ching, Soares and Saiki.

By unanimous consent, S.R. No. 385 was referred to the Committee on Transportation.

At 5:04 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 5:05 o'clock p.m.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 781) informing the Senate that Senate Concurrent Resolution No. 137, Senate Resolution Nos. 375 to 379, Standing Committee Report Nos. 733 to 780 and 782 to 797, and Governor's Message Nos. 323 and 325 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.

Senators King and Chong, for the Committees on Ecology, Environment and Recreation and Health, presented a joint report (Stand. Com. Rep. No. 782) recommending that Senate Concurrent Resolution No. 84 be adopted.

On motion by Senator King, seconded by Senator Chong and carried, the joint report of the Committees was adopted and S.C.R. No. 84, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING REVIEW OF THE ENVIRONMENTAL CAUSES OF CANCER AND RECOMMENDATIONS THEREON", was adopted.

Senators King and Chong, for the Committees on Ecology, Environment and Recreation and Health, presented a joint report (Stand. Com. Rep. No. 783) recommending that Senate Resolution No. 233 be adopted.

On motion by Senator King, seconded by Senator Chong and carried, the joint report of the Committees was adopted and S.R. No. 233, entitled: "SENATE RESOLUTION REQUESTING REVIEW OF THE ENVIRONMENTAL CAUSES OF CANCER AND RECOMMENDATIONS THEREON", was adopted.

Senator Toyofuku, for the Committee on Human Resources, presented a

report (Stand. Com. Rep. No. 784) recommending that House Concurrent Resolution No. 39 be adopted.

On motion by Senator Toyofuku, seconded by Senator Young and carried, the report of the Committee was adopted and H.C.R. No. 39, entitled: HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO WORK FOR LEGISLATION WHICH WILL ASSIST THE STATE OF HAWAII IN THE IMMIGRANT PROGRAM", was adopted.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 785) recommending that House Concurrent Resolution No. 41 be adopted.

On motion by Senator Toyofuku, seconded by Senator Young and carried, the report of the Committee was adopted and H.C.R. No. 41, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO EXTEND THE FEDERAL SUPPLEMENTAL UNEMPLOYMENT BENEFITS PROGRAM", was adopted.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 786) recommending that House Concurrent Resolution No. 42 be adopted.

On motion by Senator Toyofuku, seconded by Senator Young and carried, the report of the Committee was adopted and H.C.R. No. 42, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING EXPANSION OF THE FEDERAL COMPREHENSIVE EMPLOYMENT AND TRAINING ACT", was adopted.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 787) recommending that Senate Concurrent Resolution No. 75 be adopted.

On motion by Senator Toyofuku, seconded by Senator Young and carried, the report of the Committee was adopted and S.C.R. No. 75, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY RELATING TO AN INCOME SUPPLEMENTATION PROGRAM FOR FINANCIALLY NEEDY RETIREES AND PENSIONERS", was adopted.

Senator Chong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 788) recommending that Senate Resolution No. 123 be adopted.

On motion by Senator Chong, seconded by Senator Takitani and carried, the

report of the Committee was adopted and S.R. No. 123, entitled: "SENATE RESOLUTION RELATING TO A DIRECTORY OF PHYSICIANS SERVICES", was adopted.

Senator Chong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 789) recommending that Senate Resolution No. 83, as amended in S.D. 1, be adopted.

On motion by Senator Chong, seconded by Senator Takitani and carried, the report of the Committee was adopted and S.R. No. 83, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING ESTABLISHMENT OF A HEART DISEASE PREVENTION PROGRAM", was adopted.

Senator Chong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 790) recommending that Senate Resolution No. 317 be adopted.

On motion by Senator Chong, seconded by Senator Takitani and carried, the report of the Committee was adopted and S.R. No. 317, entitled: "SENATE RESOLUTION URGING THE FEDERAL DRUG ADMINISTRATION TO EXPEDITE THE AVAILABILITY OF BETA BLOCKERS", was adopted.

Senator Yim, for the Committee on Energy/Natural Resources, presented a report (Stand. Com. Rep. No. 791) recommending that Senate Concurrent Resolution No. 87 be adopted.

On motion by Senator Yim, seconded by Senator Hulten and carried, the report of the Committee was adopted and S.C.R. No. 87, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF EDUCATIONAL PROGRAMS ON ENERGY CONSERVATION PRACTICES AND METHODS", was adopted.

Senator Yim, for the Committee on Energy/Natural Resources, presented a report (Stand. Com. Rep. No. 792) recommending that Senate Concurrent Resolution No. 119 be adopted.

On motion by Senator Yim, seconded by Senator King and carried, the report of the Committee was adopted and S.C.R. No. 119, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING CONTINUED EFFORTS TO ENCOURAGE THE DEVELOPMENT OF OCEAN MINERAL RESOURCES", was adopted.

Senator Yim, for the Committee on Energy/Natural Resources, presented a report (Stand. Com. Rep. No. 793) recommending that Senate Resolution No. 307 be adopted.

On motion by Senator Yim, seconded by Senator King and carried, the report of the Committee was adopted and S.R. No. 307, entitled: "SENATE RESOLUTION REQUESTING CONTINUED EFFORTS TO ENCOURAGE THE DEVELOPMENT OF OCEAN MINERAL RESOURCES", was adopted.

Senator Chong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 794) recommending that Senate Concurrent Resolution No. 82, as amended in S.D. 1, be adopted.

On motion by Senator Chong, seconded by Senator Takitani and carried, the report of the Committee was adopted and S.C.R. No. 82, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING EXTENSION OF THE COMMUNITY PHYSICIAN PROGRAM TO NORTH KOHALA, HAWAII", was adopted.

Senator Chong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 795) recommending that House Bill No. 198 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chong, seconded by Senator Takitani and carried, the report of the Committee was adopted and H.B. No. 198, entitled: "A BILL FOR AN ACT RELATING TO SAFE DRINKING WATER", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 30, 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. 198.

Senator Chong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 796) recommending that House Bill No. 206, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chong, seconded by Senator Takitani and carried, the report of the Committee was adopted and H.B. No. 206, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATEWIDE EMERGENCY MEDICAL SERVICES PROGRAM", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 30, 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. 206, H.D. 1.

Senator Chong, for the Committee

on Health, presented a report (Stand. Com. Rep. No. 797) recommending that Senate Resolution No. 224, as amended in S.D. 1, be adopted.

On motion by Senator Chong, seconded by Senator Takitani and carried, the report of the Committee was adopted and S.R. No. 224, S.D. 1, entitled: "SENATE RESOLUTION URGING EXTENSION OF THE COMMUNITY PHYSICIAN PROGRAM TO NORTH KOHALA, HAWAII", was adopted.

ORDER OF THE DAY

RE-REFERRAL OF A SENATE CONCURRENT RESOLUTION

The President made the following re-referral of a Senate Concurrent Resolution that was offered on Friday, March 4, 1977:

Senate Concurrent Resolution	Referred to:
No. 114	Committee on Health

RE-REFERRAL OF A SENATE RESOLUTION

The President made the following re-referral of a Senate Resolution that was offered on Tuesday, January 25, 1977:

Senate Resolution	Referred to:
No. 35	Committee on Health

MATTERS DEFERRED FROM MARCH 28, 1977

Senate Bill No. 244, S.D. 1, H.D. 1:

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 Wednesday, March 30, 1977.

Senate Bill No. 462, S.D. 1, H.D. 1:

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 Wednesday, March 30, 1977.

Senate Bill No. 485, S.D. 1, H.D. 1:

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 Wednesday, March

30, 1977.

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 Wednesday, March 30, 1977.

House Bill No. 208:

By unanimous consent, action on H.B. No. 208, entitled: "A BILL FOR AN ACT RELATING TO EXTENDING THE WORK HOURS LIMITATION OF MINORS UNDER 16 YEARS OF AGE AND AMENDING CHAPTER 390, OF THE HAWAII REVISED STATUTES", was deferred until Wednesday, March 30, 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 Wednesday, March 30, 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 Wednesday, March 30, 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 Wednesday, March 30, 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 Wednesday, March 30, 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 Wednesday, March 30, 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 Wednesday, March 30, 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 Wednesday, March 30, 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 Wednesday, March 30, 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 Wednesday, March 30, 1977.

At 5:10 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.

THIRD READING

Standing Committee Report No. 733 (H.B. No. 10, H.D. 1, S.D. 2):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 733 was adopted and 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", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 734 (H.B. No. 15, H.D. 1, S.D. 1):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 734 was adopted and H.B. No. 15, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF REVISOR OF STATUTES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Kawasaki and King).

Standing Committee Report No. 735

(H.B. No. 113, H.D. 2, S.D. 2):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 735 was adopted and H.B. No. 113, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 736
(H.B. No. 151, S.D. 2):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 736 was adopted and H.B. No. 151, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO POLICY PLANNING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 737
(H.B. No. 154, H.D. 2, S.D. 2):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 737 was adopted and H.B. No. 154, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO REGIONAL DESIGN PLANS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 738
(H.B. No. 197, H.D. 1, S.D. 1):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 738 was adopted and H.B. No. 197, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 739
(H.B. No. 433, H.D. 1, S.D. 2):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 739 was adopted and H.B. No. 433, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTION PRECINCT OFFICIALS", having been read throughout, passed Third Reading on the following

showing of Ayes and Noes:

Ayes, 23. Noes, 2 (George and Kawasaki).

Standing Committee Report No. 740
(H.B. No. 512, H.D. 1, S.D. 1):

Senator R. Wong moved that Stand. Com. Rep. No. 740 be adopted and H.B. No. 512, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Yamasaki.

At this time, Senator Kawasaki rose to speak against the measure as follows:

"Mr. President, I understand that the reason the Lieutenant Governor's office requested that four people in Elections be put on civil service is because they have been working there for many years and are proven employees of competent abilities. The House version added another four, making a total of eight positions under civil service.

As Chairman of the Government Operations and Efficiency Committee, I find that one of the problems we have in trying to make State government operations more efficient, is that many times agencies and departments are locked in with people of average abilities or dubious attitudes regarding their work...we lock them in by tenuring these people.

I think we do the same here, when we tenure eight people in the Lieutenant Governor's office under civil service.

I would like to adhere to the original request to put four people on civil service, giving the agency flexibility to remove four positions or find new people, if they see fit to do so in the future.

For this reason, I have to vote No on this bill."

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

"Mr. President, in answer to my distinguished colleague from the Fifth Senatorial District, we have been in contact with the Lieutenant Governor relative to the concerns raised by the members of this Honorable Body.

I spoke with him two nights ago, and he indicated to me that his feelings weren't that strong. However, he did feel that his present personnel is a very competent team...some of them have been in Elections about eight years and some three or four

years.

It was his feeling that he could buy the justification of making these people permanent employees...and, possibly, take this out of the realm of politics.

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

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 740 was adopted and H.B. No. 512, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTION EMPLOYEES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (George, Henderson, Kawasaki, Leopold and Soares).

Standing Committee Report No. 741 (H.B. No. 879, H.D. 1, S.D. 2):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 741 was adopted and H.B. No. 879, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (O'Connor).

Standing Committee Report No. 742 (H.B. No. 261, H.D. 1, S.D. 1):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 742 was adopted and H.B. No. 261, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 743 (H.B. No. 1173, H.D. 1, S.D. 1):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 743 was adopted and 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", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

Standing Committee Report No. 744 (H.B. No. 1297, S.D. 2):

On motion by Senator R. Wong,

seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 744 was adopted and H.B. No. 1297, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HANDICAPPED", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 745 (H.B. No. 1678, S.D. 1):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 745 was adopted and H.B. No. 1678, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 746 (H.B. No. 1685, H.D. 2, S.D. 2):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 746 was adopted and 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", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 747 (H.B. No. 1687, S.D. 1):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 747 was adopted and H.B. No. 1687, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AIRPORT AND HARBOR REVENUE BONDS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

The Senate reconvened at 5:54 o'clock p.m.

Standing Committee Report No. 748 (H.B. No. 1694, H.D. 2, S.D. 2):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 748 was adopted and H.B. No. 1694, H.D. 2, S.D. 2, entitled: "A BILL FOR AN

ACT RELATING TO HEALTH PLANNING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 2, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 2, H.D. 1, S.D. 1, was

deferred to the end of the calendar.

House Bill No. 12, H.D. 2, S.D. 1:

Senator R. Wong moved that H.B. No. 12, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Yamasaki.

At this time, Senator Soares offered the following amendment:

"Section 1. House Bill No. 12, H.D. 2, S.D. 1, is hereby amended by adding a new section to read as follows:

'SECTION 3. Any law to the contrary notwithstanding, appropriations under the following acts in the amounts indicated are hereby lapsed:

FORMAL EDUCATION

<u>Act/SLH</u>	<u>Item</u>	<u>Project Title</u>	<u>Lapsing Amount</u>
218/1973	11-G-80	West Oahu College Instruction-West Oahu College Investment: Capital	\$ 321,000
218/1973	11-G-81	Academic Support-West Oahu College Investment: Capital	125,000
218/1973	11-G-82	Student Services-West Oahu College Investment: Capital	54,000
218/1973	11-G-83	Institutional Support-West Oahu College Investment: Capital	3,000,000
218/1974	IV-G-148	Instruction-West Oahu College. Plans and construction of a new campus, including temporary facilities, equipment and rental to accommodate approximately 400 students in 1975 and 1,500 students in 1976.	2,595,000
218/1974	IV-G-149	Academic Support-West Oahu College. Plans and construction for the incremental development of the campus, including temporary facilities, equipment and rental.	125,000
218/1974	IV-G-150	Student Services-West Oahu College. Plans and construction for the incremental development of the campus, including temporary facilities, equipment and rental.	54,000
218/1974	IV-G-151	Institutional Support-West Oahu College. West Oahu College-Site Development. West Oahu College-Site study, development of educational specifications, master plan for a new campus. Plans and construction for on-site and off-site improvements, including site improvements for temporary facilities.	3,000,000
195/1975	IV-G-125	West Oahu College Instruction-West Oahu College. Plans and construction for temporary facilities, including purchasing, leasing, renting, relocation and renovation of existing facilities. Prior appropriations in Act 218, SLH 1974, Item E-148 may be used to supplement this appropriation.	100,000

<u>Act/SLH</u>	<u>Item</u>	<u>Project Title</u>	<u>Lapsing Amount</u>
195/1975	IV-G-126	West Oahu College Plans and construction for temporary facilities, including the purchase, lease, rental, relocation and renovation of existing facilities.	\$ 100,000
226/1976	91F-E-6	West Oahu College Planning, engineering, renovation, leasing, and/or construction of existing and new facilities.	100,000

At 5:55 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 5:57 o'clock p.m.

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

At this time, Senator Soares rose to speak as follows:

"Mr. President, this amendment amends all prior appropriations affecting the West Oahu College. I illustrated in my speech last night about the unnecessary program. I hereby ask all members to vote for the amendment."

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

Ayes, 9. Noes, 16 (Ching, Chong, Hara, Hulten, Kuroda, Nishimura, O'Connor, Taira, Takitani, Toyofuku, Ushijima, F. Wong, R. Wong, Yamasaki, Yim and Young).

At this time, Senator Kawasaki rose to speak on the measure as follows:

"Mr. President, while I am voting Aye on House Bill No. 12, H.D. 2, S.D. 1, I think the fact that we have such a large list of lapsed funds and programs, indicates that perhaps we, in the Legislature, are a little too cavalier about our responsibility of examining budget and program implementation requests.

The fact that these many programs, with these huge amounts of monies, have lapsed, simply indicates to me that the State government was well able to get by without these expenditures and without these programs being implemented."

Senator Chong then rose to speak as follows:

"Mr. President, I would like to

support the former speaker's statements and, also, to commend the Senate Ways and Means Committee for cleaning up potential wastage of tax money.

I voted No on the amendment, even though I was in favor of some of the things in it... because to pass the amendment would have effectively killed this very important bill which, in the long run, will save the taxpayers of the State a lot of money."

Senator Anderson then rose on a point of clarification:

"Mr. President, supporting the amendment would in no way have killed the bill. Supporting the amendment would have included into the bill various programs, totalling some \$8 or \$9 million, previously appropriated for only seventy-six students."

The motion to pass House Bill No. 12, H.D. 2, S.D. 1, on Third Reading was put by the Chair and carried, and H.B. No. 12, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAPSING OF CERTAIN FUNDS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Soares).

House Bill No. 190, S.D. 1:

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, 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", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 193, S.D. 1:

On motion by Senator R. Wong,

seconded by Senator Yamasaki and carried, H.B. No. 193, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 194, S.D. 1:

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, H.B. No. 194, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVESTMENTS OF RETIREMENT SYSTEM FUNDS IN INSURANCE COMPANY CONTRACTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Kawasaki, King and O'Connor).

House Bill No. 231, H.D. 1, S.D. 1:

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, H.B. No. 231, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY TAX", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Hulten).

House Bill No. 325, H.D. 1:

By unanimous consent, action on H.B. No. 325, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION", was deferred until Wednesday, March 30, 1977.

House Bill No. 264, H.D. 1, S.D. 1:

By unanimous consent, H.B. No. 264, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSTRUCTION AND MAINTENANCE OF SIDEWALKS", was recommitted to the Committee on Transportation.

House Bill No. 998, H.D. 1, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Ching and carried, H.B. No. 998, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BIKEWAYS AND THE OPERATION OF BICYCLES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 672, S.D. 1:

On motion by Senator Young, seconded

by Senator Toyofuku and carried, H.B. No. 672, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 759 (H.B. No. 1144, H.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 759 and H.B. No. 1144, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", was deferred until Wednesday, March 30, 1977.

Standing Committee Report No. 760 (H.B. No. 137, H.D. 2, S.D. 2):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 760 was adopted and H.B. No. 137, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 761 (H.B. No. 180, S.D. 1):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 761 was adopted and H.B. No. 180, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FARM LOANS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 5, H.D. 2, S.D. 1:

Senator R. Wong moved that H.B. No. 5, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Yamasaki.

At this time, Senator Anderson rose on a point of information to inquire if the Chairman of the Committee on Ways and Means would yield to a question, to which Senator R. Wong answered in the affirmative.

Senator Anderson then asked, "How much is appropriated for collective bargaining?"

Senator R. Wong answered, "I believe it amounts to \$2.9 million".

Senator Anderson then asked, "Does this include the white collar?"

Senator R. Wong answered, "No, only the blue collar".

The motion was put by the Chair and carried, 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", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 28, H.D. 2, S.D. 1:

Senator R. Wong moved that H.B. No. 28, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Yamasaki.

At this time, Senator Leopold rose to speak as follows:

"Mr. President, I had hoped that the election of delegates to this Convention would take place in 1977, not 1978.

I am also concerned about Section 6 of the bill, which states that the amendments proposed by the Convention shall be submitted to the electorate at the General Election in 1978, unless the Convention determines otherwise. It is my hope that the Convention will determine otherwise, so that amendments can be ratified in a special election and reforms, that many of us have been seeking, will take effect at the time of the election.

I would like the Clerk to register my vote as No."

Senator Kawasaki then rose to speak as follows:

"Mr. President, I would like to enter into the record some comments I hope will be taken very seriously by the House and Senate conferees for this Con-Con bill.

I would like very much for the conferees to consider the bill as it emerged from the Committee on Judiciary--specifically, that the number of delegates be limited to fifty-three.

I had the privilege of serving in the 1968 Constitutional Convention. It was my observation that the number of delegates was a little too large and unwieldy. I found, many times, that delegates did not attend sessions and

that, literally, only three dozen or so people, out of eighty-six, worked hard in committees to propose amendments to the Constitution.

I would like to remind the conferees, whoever they are going to be...and I assume the Chairman of Ways and Means will be the Chairman of the conferees from the Senate...that the constitutional convention that considered the document which is an insurance to all freedom loving peoples of this world, had only sixty-five delegates, representing thirteen states. They did their work expeditiously. As a matter of fact, when the Constitution of the United States of America was adopted in September 1798, only forty of the delegates were present to sign it. The document has withstood the test of time for almost two centuries...one hundred and ninety years to be exact...with only twenty-six amendments as of this year.

I don't think we can justify one hundred and two delegates to amend a few sections of our State Constitution.

The difference in cost to the taxpayers, between the fifty-three recommended by the Judiciary Committee and the one hundred and two now recommended, would be over a quarter of a million dollars in salaries alone.

In this day and age, when we are talking about saving money to provide human services, I think it behooves the members of the Senate to go into conference with a position of advocating fifty-three delegates who should do their work expeditiously--thereby, saving the taxpayers a quarter of a million dollars.

I am voting Aye, with an admonition to the conferees."

The motion was put by the Chair and carried, and H.B. No. 28, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A CONSTITUTIONAL CONVENTION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Leopold).

Standing Committee Report No. 764 (H.B. No. 155, H.D. 1, S.D. 2):

On motion by Senator F. Wong, seconded by Senator Hara and carried, Stand. Com. Rep. No. 764 was adopted and H.B. No. 155, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO POLICY PLANNING", having been read throughout, passed Third Reading

on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 765
(H.B. No. 168, H.D. 1, S.D. 2):

Senator Nishimura moved that Stand. Com. Rep. No. 765 be adopted and H.B. No. 168, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator O'Connor.

At this time, Senator O'Connor rose to speak as follows:

"Mr. President, the Intake Service Center is still a creature floating in the air, and where it should land still needs to be resolved.

This bill does not place the Intake Service Center, an integral part of our corrections system, into any part of the corrections system, but retains it in the Governor's Office.

Essentially, the Intake Service Center Advisory Board is being isolated to a board which will do basically nothing in the future. The Board originally was established to nominate to the Governor, the Director of the Intake Service Center. Today, under the amendments in this bill, the Governor will appoint the Director without the advice of the Intake Service Center Advisory Board, and that Director will then operate the overall system.

I am going to vote for this bill, because I believe the placement of the Intake Service Center people is properly under civil service.

However, I would urge all in the future to remember that the Intake Service Center still needs to be placed somewhere within our correctional system. This is something which is still left dangling."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 765 was adopted and H.B. No. 168, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTAKE SERVICE CENTERS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 7 (Anderson, George, Henderson, Kawasaki, Leopold, Saiki and Soares).

Standing Committee Report No. 766
(H.B. No. 1198, H.D. 1, S.D. 1):

On motion by Senator Nishimura,

seconded by Senator O'Connor and carried, Stand. Com. Rep. No. 766 was adopted and H.B. No. 1198, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEGREE GRANTING INSTITUTIONS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 96, H.D. 1, S.D. 1:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, H.B. No. 96, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 171, H.D. 1, S.D. 1:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, H.B. No. 171, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 259, S.D. 1:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, H.B. No. 259, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESMEN", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 678, H.D. 1, S.D. 1:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, H.B. No. 678, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONTRACTORS RECOVERY FUND", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 727, H.D. 1, S.D. 1:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, H.B. No. 727, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE PROVIDERS", having

been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 805, H.D. 2, S.D. 1:

Senator Nishimura moved that H.B. No. 805, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator O'Connor.

At this time, Senator Yee rose to request that the Chairman of the Committee on Judiciary "check with us later, as there is a legal defect in this bill which should be corrected in the House".

The motion was put by the Chair and carried, and H.B. No. 805, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PARENTAGE ACT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1143, H.D. 1, S.D. 1:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, H.B. No. 1143, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC MONEY AND PUBLIC CONTRACTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1153, H.D. 1, S.D. 1:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, H.B. No. 1153, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIFE INSURANCE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1284, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 1284, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1698, H.D. 1, S.D. 1:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, 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", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 777 (H.B. No. 978, H.D. 1, S.D. 1):

On motion by Senator Young, seconded by Senator Toyofuku and carried, Stand. Com. Rep. No. 777 was adopted and H.B. No. 978, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 78, H.D. 2, S.D. 1:

On motion by Senator Hara, seconded by Senator Yim and carried, 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", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 122, H.D. 1, S.D. 2:

By unanimous consent, action on H.B. No. 122, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 892, H.D. 1, S.D. 1:

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

House Bill No. 164:

By unanimous consent, action on H.B. No. 164, entitled: "A BILL FOR AN ACT RELATING TO UNLICENSED ACTS", was deferred until Wednesday, March 30, 1977.

House Bill No. 1321:

By unanimous consent, action on H.B. No. 1321, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MEAT INSPECTION ACT", was deferred until Wednesday, March 30, 1977.

House Bill No. 84, H.D. 1, S.D. 1:

On motion by Senator Hara, seconded by Senator Yim and carried, H.B. No. 84, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ART IN STATE BUILDINGS AND STRUCTURES", having been read throughout, passed

Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1062, H.D. 1, S.D. 1:

On motion by Senator Hara, seconded by Senator Yim and carried, 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", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

On motion by Senator Toyofuku, seconded by Senator Young and carried, Stand. Com. Rep. No. 701 was adopted and H.B. No. 135, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYMENT SECURITY LAW", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

On motion by Senator Toyofuku, seconded by Senator Young and carried, Stand. Com. Rep. No. 702 was adopted and H.B. No. 210, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 215, H.D. 1:

By unanimous consent, action on H.B. No. 215, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PREPAID HEALTH CARE", was deferred until Wednesday, March 30, 1977.

House Bill No. 217:

By unanimous consent, action on H.B. No. 217, entitled: "A BILL FOR AN ACT RELATING TO PREPAID HEALTH CARE", was deferred until Wednesday, March 30, 1977.

House Bill No. 1658:

By unanimous consent, action on H.B. No. 1658, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", was deferred until

Wednesday, March 30, 1977.

House Bill No. 1105, H.D. 1, S.D. 1:

On motion by Senator Chong, seconded by Senator Takitani and carried, H.B. No. 1105, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1641, H.D. 1, S.D. 1:

On motion by Senator Taira, seconded by Senator Takitani and carried, H.B. No. 1641, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1667:

By unanimous consent, action on H.B. No. 1667, entitled: "A BILL FOR AN ACT RELATING TO INJURY TO PUBLIC UTILITY PROPERTY", was deferred until Wednesday, March 30, 1977.

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

On motion by Senator Toyofuku, seconded by Senator Young and carried, Stand. Com. Rep. No. 709 was adopted and 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", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 374, H.D. 1:

By unanimous consent, action on H.B. No. 374, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY", was deferred until Wednesday, March 30, 1977.

House Bill No. 817, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 817, H.D. 1, S.D. 1, was deferred to the end of the calendar.

At 6:19 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 6:20 o'clock p.m.

House Bill No. 841, H.D. 1:

By unanimous consent, action on H.B. No. 841, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PAYMENT OF WAGES BY PAYROLL CHECK", was deferred until Wednesday, March 30, 1977.

House Bill No. 829:

By unanimous consent, action on H.B. No. 829, entitled: "A BILL FOR AN ACT RELATING TO THE ENRICHMENT OF BREAD AND FLOUR", was deferred until Wednesday, March 30, 1977.

House Bill No. 199, S.D. 1:

On motion by Senator King, seconded by Senator Hulten and carried, H.B. No. 199, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 220, H.D. 1, S.D. 1:

By unanimous consent, 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", was recommended to the Committee on Ecology, Environment and Recreation.

House Bill No. 1065, H.D. 1, S.D. 1:

On motion by Senator King, seconded by Senator Hulten and carried, H.B. No. 1065, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 131, H.D. 1, S.D. 1:

On motion by Senator Yim, seconded by Senator King and carried, H.B. No. 131, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COORDINATION OF MARINE AFFAIRS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 718

(H.B. No. 1425, H.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 718 and H.B. No. 1425, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH, ENVIRONMENTAL PROTECTION", was deferred until Wednesday, March 30, 1977.

House Bill No. 833, H.D. 1, S.D. 1:

On motion by Senator F. Wong, seconded by Senator Hara and carried, H.B. No. 833, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING REGULATIONS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 176, H.D. 1, S.D. 1:

On motion by Senator F. Wong, seconded by Senator Hara and carried, H.B. No. 176, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 778, H.D. 1, S.D. 1:

On motion by Senator F. Wong, seconded by Senator Yamasaki and carried, 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", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1059, H.D. 1, S.D. 1:

On motion by Senator F. Wong, seconded by Senator Hara and carried, H.B. No. 1059, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PARKS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 870, H.D. 1, S.D. 1:

On motion by Senator F. Wong, seconded by Senator Hara and carried, H.B. No. 870, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

FISH AND GAME", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

By unanimous consent, action on Stand. Com. Rep. No. 724 and H.B. No. 187, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND", was deferred until Wednesday, March 30, 1977.

House Bill No. 132, H.D. 1, S.D. 1:

On motion by Senator Toyofuku, seconded by Senator Young and carried, H.B. No. 132, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 207, H.D. 1, S.D. 1:

On motion by Senator Toyofuku, seconded by Senator Young and carried, 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", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 212:

By unanimous consent, action on H.B. No. 212, entitled: "A BILL FOR AN ACT RELATING TO THE PAYMENT OF WAGES AND OTHER COMPENSATION", was deferred until Wednesday, March 30, 1977.

House Bill No. 1215, H.D. 1:

By unanimous consent, action on 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", was deferred until Wednesday, March 30, 1977.

House Bill No. 1353:

By unanimous consent, action on H.B. No. 1353, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE FOR THE COUNTIES OF HAWAII,

MAUI, AND KAUAI", was deferred until Wednesday, March 30, 1977.

House Bill No. 1696, H.D. 1, S.D. 1:

On motion by Senator Toyofuku, seconded by Senator Young and carried, 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", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1547, H.D. 1:

By unanimous consent, action on H.B. No. 1547, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES", was deferred until Wednesday, March 30, 1977.

House Bill No. 1505, H.D. 1, S.D. 1:

On motion by Senator F. Wong, seconded by Senator Hara and carried, H.B. No. 1505, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 6:24 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 6:50 o'clock p.m.

MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

House Bill No. 2, H.D. 1, S.D. 1:

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, 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", having been read throughout, passed Third Reading by not less than two-thirds vote of all the members to which the Senate is entitled, on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1284, H.D. 1, S.D. 1:

On motion by Senator Nishimura,

seconded by Senator O'Connor and carried, H.B. No. 1284, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 122, H.D. 1, S.D. 2:

On motion by Senator F. Wong, seconded by Senator Hara and carried, H.B. No. 122, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 892, H.D. 1, S.D. 1:

Senator R. Wong moved that H.B. No. 892, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Yamasaki.

The motion was put by the Chair and carried, and before the vote was announced, Senator O'Connor rose on a point of clarification:

"Mr. President, I understand that anyone who votes No on a bill--and that bill later goes to conference--may not be a member of the Conference Committee. Is that correct?"

The President answered, "That has been the rule".

Senator Anderson rose to state:

"Mr. President, that has not been the rule. The record will reflect that members have been conferees whether they voted Aye or No. They have never been denied that privilege."

Senator O'Connor then requested a ruling of the Chair:

"Mr. President, that has been the rule of this Body ever since I became a member, and we have always abided by it. People who vote No on bills have not been members of the Conference Committee, as they cannot sustain the Senate position.

Since this is the budget, I would like to request a ruling of the Chair before the vote is announced."

The President then stated, "The Chair is not prepared to make a ruling at this time. Research will be made as to what has been done in the past".

Senator Soares then rose to state, "I would like to respond to my colleague from the Third Senatorial District".

Senator Ching then rose on a point of order to state:

"Mr. President, I think all of this is not according to the rules. The vote has been taken and it has not been announced.

May we have the vote announced, please, so that other matters can be taken up."

The President then directed the Clerk to announce the vote.

The Clerk announced that H.B. No. 892, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET", having been read throughout, passed Third Reading by not less than two-thirds vote of all the members to which the Senate is entitled, on the following showing of Ayes and Noes:

Ayes, 18. Noes, 7 (Anderson, George, Henderson, Leopold, Saiki, Soares and Yee).

House Bill No. 817, H.D. 1, S.D. 1:

Senator Toyofuku moved that H.B. No. 817, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Young.

At this time, Senator King rose on a point of information to inquire if the Chairman of the Committee on Human Resources would yield to a question, to which Senator Toyofuku answered in the affirmative.

Senator King then stated, "The language on Page 4 of the bill is a little confusing to me. It says: 'Election by the employees in the unit involved, and certification by the board of such resulting employee organization shall not be required.' Will the employees be permitted to vote on the merger itself?"

Senator Toyofuku replied, "It is my understanding that the by-laws of each unit of union organizations provide that the membership shall vote on the measure".

The motion was put by the Chair and carried, 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", having been read throughout, passed Third Reading on the following showing

of Ayes and Noes:

Ayes, 25. Noes, none.

At this time, Senator Anderson rose on a point of personal privilege to speak as follows:

"Mr. President,

I've been in discussions all day long with both Minority and Majority members, concerning the self-imposed deadline that the House and Senate leaderships have agreed to.

It's evidently caused all kinds of problems in moving legislation in a timely manner between the two bodies because of, one, the workload... I understand the House has been in session right around the clock since 10:00 o'clock this morning... understand-ably they are tired... and I understand the debate has been lengthy.

The number of bills that we have before us today are certainly complex--in number, in topic, in substance. But, I find it very discouraging when one house works to introduce extremely important legislation, and the other house, somewhat arbitrarily, bottles it up and doesn't keep it in position for conference and further discussion.

For instance, we went through pains to move the capital punishment bill out of this Body... it strained relationships between many of us. There was a full blown public hearing, which I was very proud to participate in-- I thought this was democracy really in action. Then the bill goes over to the House and gets bottled up because of the feelings of one committee chairman. This is highly unfair to the bill and to the public--the proponents and the opponents, really.

I notice that the renter's tax credit, an \$8 million package that would benefit people who are paying rent in this State, got bottled up in the House committee, arbitrarily, without any further hearings.

The child care services tax deduction bill got bottled up.

Probably one of the most important bills in this day of unemployment-- the economic package that came out of our Economic Development Committee-- has not even moved into position to be discussed further in conference. We are in a position now to ask them to move it out as it is written--Senate version or nothing.

Now, I've heard terms all day long... the

bill is tied to personalities... the bill is tied to one industry... the bill is too heavy.

It's really unfortunate that when unemployment is running rampant in our town, the badly needed stimulus is denied even a conference committee... and the Senate sits in disgust.

I'm not saying it should be passed. I'm not saying it should be forced out of the House. But, the bill should be kept in position to be discussed in length and depth with the budget and other bills related to our economy.

We were elected to solve people problems. We were elected to pass legislation that will keep our economy strong and healthy. And to have personalities, committees, pettiness, politics, or partisanship bottle up bills arbitrarily is really, really unfair.

It will be awfully hard to convince the thousands of people who are unemployed-- who might go to work if an economic package were passed-- that we are not going to put them to work this year because we have a self-imposed deadline between the House and Senate that says we can't consider legislation amended after today. The public pays us for sixty days of work. They could care less about our self-imposed deadlines!

If these measures mean solving problems for the community, if they mean people going to work, if they mean new innovative ideas, then it is incumbent on us to pass them, to experiment... and hope to heaven that people will be put back to work.

How am I going to tell some guy who is unemployed, and trying to pay a mortgage on his house and keep his kids in school, that an economic package, that might have put him back to work in the construction industry, died because we have a self-imposed deadline, or because some committee chairman, or policy committee, decided to kill it this Session because it's too heavy. I personally find that very hard to defend as a politician, as a Senator from my district. I don't think any of you could defend it either.

I've heard some say that because the Chairman of the Economic Development Committee is too close to that particular industry, they are suspicious. Well, if we can't come before this Body, Mr. President, and introduce legislation in our field, in our strength, what do we come for? I wouldn't be much good to this Body if I were to try and initiate legislation in a field where

I have no expertise. I come to participate in the areas where I have strengths, as you all have strengths.

You are supposed to help, to participate, to initiate legislation in your particular field. That's a representative form of government. You are supposed to be the specialist, because you are knowledgeable in your field.

We are supposed to keep you honest... there's a check and balance... we are supposed to make sure that one of our group doesn't run away, legislating and introducing legislation for his own special interest group. That's our responsibility.

But to deny legislation because it comes from someone who is in a particular field, is extremely unfair.

This Session, the House of Representatives--because of their factions, fighting and feuding, and new members, or wherever you want to put the blame--has been very, very unfair to this community. I've heard that it's because there are so many new members in the House, and they can't comprehend these heavy bills. Well, that's understandable, but next year will be election year--and that means they won't want to confront these major bills because they are too controversial. The following year there will be a new group of green legislators in the House and in the Senate. The only people getting shortchanged is the public.

I would ask that the Senate leadership continue tonight and tomorrow morning, if necessary, to try and get some of the major legislation in position. It's not our desire to ram legislation down anyone's throat. All we're asking for is a day in court. We're asking for the opportunity to convince our counterparts across the hall that some of these bills have merit, that they are an opportunity to put people back to work.

I'm sure I speak for the Minority when I say that we are willing to go along with extending the deadline if important legislation, for the sake of the public, will emerge from this legislative Body.

Thank you, Mr. President."

Senator Ching then rose to speak as follows:

"Mr. President, I would like to respond to the eloquent Minority Floor Leader. Efforts have been made, starting yesterday, along the lines he has suggested.

I think the key to this whole problem is that the deadlines are self-imposed--and whatever is self-imposed can be self-changed.

The offer has already been made that, with the agreement of the two parties to the contract, any deadline we have made can be extended. This message has been passed over to the other body."

Senator R. Wong then rose to speak as follows:

"Mr. President,

I was going to sit here very quietly, but may I respond to the oratory of the Minority Floor Leader.

I find it difficult, Mr. President, to understand the rationale that's been developed on this economic package. I've heard throughout the course of the day a kind of personal link-up between the Chairman of the Economic Development Committee and some members of the Senate in terms of hotel development. Mr. President, I want this Honorable Body to know that in our deliberations in Ways and Means, we did not consider who or what was involved in the industry. Our primary concern was how can we, by some innovative means, put people back to work.

On that basis, Mr. President, I own no hotels, I'm not in the process of planning a hotel, I have not discussed resort development with any developer, and I have not even taken a look at some of the places being suggested for possible hotel development.

My involvement, Mr. President, was a very simple one. I felt that the SCETA program, in terms of a cost benefit factor, was not getting the kind of results expected for an expenditure of \$12 million.

In addition to that, Mr. President, I met with all of the construction unions throughout the State. Most of you know that I've spent a good part of my life with the labor movement, and it concerns me, when I go down to the carpenter's union, the laborer's union, the electrical worker's union, the roofer's union, to find that approximately thirty-five to forty percent of the people who have been employed in the construction industry for the past fifteen to twenty years, are sitting on the bench, trying their best to meet payments and the cost of everyday living.

Mr. President, you know and I know that one of the greatest problems

facing this State is unemployment, pressured by other economic conditions... for example, the fate of sugar, the fate of pineapple, and the fate of military spending, our three out of four basic economic profits in the State.

I want it to be known here and now, Mr. President, that the support of this measure is not based on any personal benefit to me, or the Majority, or even the great number of Senators seated in this Honorable Body.

I hope, Mr. President, that the House will consider our offer, and in their wisdom grant us the opportunity to take this measure to a Conference

Committee to have it resolved one way or another.

Mr. President, in all honesty, I want to again commend the Minority Floor Leader for speaking out on the issue...that our approach to solving our great problem of unemployment in the State should be totally non-partisan."

ADJOURNMENT

At 7:09 o'clock p.m., on motion by Senator Taira, seconded by Senator Anderson and carried, the Senate adjourned until 11:00 o'clock a.m., Wednesday, March 30, 1977.