

SIXTY-SECOND DAY

Tuesday, April 19, 1977

The Senate of the Ninth Legislature of the State of Hawaii, Regular Session of 1977, convened at 12:17 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Mrs. Linda Cravalho of St. Anthony's Church, after which the Roll was called showing all Senators present, with the exception of Senators Leopold and Yee who were excused.

The President announced that he had not read the Journal of the Sixty-First Day, and would report back at a later time.

CONFERENCE COMMITTEE REPORTS

Senator R. Wong, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2, H.D. 1, presented a report (Conf. Com. Rep. No. 47) recommending that H.B. No. 2, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

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

Senator R. Wong, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 5, H.D. 2, presented a report (Conf. Com. Rep. No. 48) recommending that H.B. No. 5, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final 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. 5, H.D. 2, S.D. 1, C.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".

At this time, Senator F. Wong moved that the Senate agree to the amendments proposed by the House to Senate Concurrent Resolution No. 28, S.D. 1, and that

S.C.R. No. 28, S.D. 1, H.D. 1, be finally adopted, seconded by Senator Hara.

Senator F. Wong then stated that the amendment made by the House was to "clarify the title".

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to Senate Concurrent Resolution No. 28, S.D. 1, and S.C.R. No. 28, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO URGE AND SUPPORT THE CONTINUATION OF FEDERAL SUBSIDIES FOR AMERICAN CRUISE SHIP FLEETS", was finally adopted.

At this time, Senator Chong moved that the Senate agree to the amendments proposed by the House to Senate Concurrent Resolution No. 93, S.D. 1, and that S.C.R. No. 93, S.D. 1, H.D. 1, be finally adopted, seconded by Senator Takitani.

Senator Chong then stated that the House amended the measure "very slightly, by changing the word 'family' to 'household' and by adding 'each State agency' to the final 'Be It Further Resolved' clause".

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to Senate Concurrent Resolution No. 93, S.D. 1, and S.C.R. No. 93, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION TO PROMOTE THE IMPORTANCE OF HEALTH EDUCATION, POSITIVE HEALTH MAINTENANCE, AND PREVENTIVE MEDICINE IN GOVERNMENT PROGRAMS", was finally adopted.

At 12:21 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:26 o'clock a.m.

At this time, Senator Chong introduced to the members of the Senate Mr. Jack Shimoda, AFL-CIO Mechanics Machine Inspector, Kapalama Military Reservation, and Mr. Richard Uechi, AFL-CIO Boilermakers Union official.

At 12:23 o'clock a.m., the Senate stood in recess until 9:00 o'clock a.m., this morning.

MORNING SESSION

The Senate reconvened at 9:08 o'clock

a.m.

At this time, the President directed the Clerk to note the presence of Senator Leopold.

The President announced that he had read and approved the Journal of the Sixty-First Day.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 666 and 667) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 666), returning Senate Concurrent Resolution No. 142, which was adopted by the House of Representatives on April 18, 1977, was placed on file.

A communication from the House (Hse. Com. No. 667), transmitting House Concurrent Resolution No. 140, which was adopted by the House of Representatives on April 18, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Henderson and carried, H.C.R. No. 140, entitled: "HOUSE CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE HAWAII ARMY RESERVES FOR THEIR ACHIEVEMENTS IN COMMUNITY SERVICE PROJECTS", was adopted.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 506 to 512) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 506), entitled: "SENATE RESOLUTION COMMEMORATING THE 20TH ANNUAL NATIONWIDE OBSERVANCE OF LAW DAY U.S.A.", was jointly offered by Senators Ushijima, Taira, Hulten, Kuroda, Takitani, Nishimura, Chong, King, Yee, Anderson, Leopold, Soares, Saiki, George, Young, F. Wong, Ching, Henderson, O'Connor, Toyofuku and Kawasaki.

On motion by Senator Taira, seconded by Senator Henderson and carried, S.R. No. 506 was adopted.

A resolution (S.R. No. 507), entitled: "SENATE RESOLUTION CONGRATULATING THE BIG ISLAND BOXING TEAM FOR WINNING THE HAWAII STATE AAU BOXING CHAMPIONSHIPS' TEAM TITLE", was jointly offered by Senators Ushijima, Hara, Chong, F. Wong, Henderson, Yim, George, Leopold, Saiki, Kuroda, Ching, Hulten, Takitani, Nishimura, Yee, Soares, King, Young, Toyofuku and Kawasaki.

On motion by Senator Hara, seconded by Senator Henderson and carried, S.R. No. 507 was adopted.

A resolution (S.R. No. 508), entitled: "SENATE RESOLUTION CONGRATULATING AND COMMENDING THE NEW EAGLE SCOUTS FROM THE ISLAND OF HAWAII", was jointly offered by Senators Hara, Ushijima, Henderson, Toyofuku, Anderson, F. Wong, Young, Takitani, Kuroda, Chong, King, Yee, Hulten, Nishimura, O'Connor, Soares, Saiki, George, Yim, Taira, Ching, Yamasaki, Kawasaki, R. Wong and Leopold.

On motion by Senator Hara, seconded by Senator Henderson and carried, S.R. No. 508 was adopted.

A resolution (S.R. No. 509), entitled: "SENATE RESOLUTION CONGRATULATING GREENPEACE MEMBER PAUL WATSON FOR HIS EFFORTS PREVENT THE KILLING OF SEALS IN CANADIAN WATERS", was jointly offered by Senators Chong, King, Takitani, George, Leopold, Taira, Hara, Yamasaki, Kuroda, Hulten, R. Wong, Yim, Saiki, Soares, Young, Nishimura and Toyofuku.

On motion by Senator Chong, seconded by Senator King and carried, S.R. No. 509 was adopted.

A resolution (S.R. No. 510), entitled: "SENATE RESOLUTION HONORING GEORGE YUEN ON HIS APPOINTMENT AS THE FIRST NON-MEDICAL MEMBER OF THE EXECUTIVE COMMITTEE OF THE ASSOCIATION OF STATE AND TERRITORIAL HEALTH OFFICERS", was jointly offered by Senators Chong, Takitani, George, Ching, Taira, Kuroda, Saiki, Young, Toyofuku, Yim, Leopold, Soares and Nishimura.

On motion by Senator Chong, seconded by Senator Takitani and carried, S.R. No. 510 was adopted.

A resolution (S.R. No. 511), entitled: "SENATE RESOLUTION CONGRATULATING 'HAWAII FIVE-O' ON THE COMMENCEMENT OF ITS TENTH YEAR IN HAWAII", was jointly offered by Senators F. Wong, Ching, Takitani, Hulten, Kuroda, Chong, R. Wong, Young, Yim, Henderson, Yee, King and Hara.

On motion by Senator Hara, seconded by Senator Taira and carried, S.R. No. 511 was adopted.

A resolution (S.R. No. 512), entitled: "SENATE RESOLUTION CONGRATULATING THE PUNAHOU SCHOOL BOYS AND GIRLS TENNIS TEAMS", was jointly offered by Senators O'Connor, Hara, Kuroda, Yim, Taira, Ching, Toyofuku, Anderson and King.

On motion by Senator Taira, seconded by Senator Henderson and carried, S.R. No. 512 was adopted.

CONFERENCE COMMITTEE REPORTS

Senator R. Wong, for the majority of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 15, H.D. 1, presented a report (Conf. Com. Rep. No. 49) recommending that H.B. No. 15, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

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

Senator R. Wong, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 3, S.D. 1, presented a report (Conf. Com. Rep. No. 50) recommending that S.B. No. 3, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on the Final Reading of S.B. No. 3, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS AND AUTHORIZING THE ISSUANCE OF BONDS".

Senator R. Wong, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 892, H.D. 1, presented a report (Conf. Com. Rep. No. 51) recommending that H.B. No. 892, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on the Final Reading of H.B. No. 892, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET".

STANDING COMMITTEE REPORTS

Senator Taira, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1234) informing the Senate that Senate Resolution Nos. 502 to 512, Governor's Message No. 471, Conference Committee Report

Nos. 45 to 51, and Standing Committee Report Nos. 1231 to 1233 and 1235 and 1236 have been printed and are ready for distribution.

On motion by Senator Taira, seconded by Senator Henderson and carried, the report of the Committee was adopted.

Senator F. Wong, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1235) recommending that Senate Concurrent Resolution No. 171, as amended in S.D. 1, be adopted.

On motion by Senator Hara, seconded by Senator Taira and carried, the report of the Committee was adopted and S.C.R. No. 171, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE GOVERNMENT AND THE PRIVATE SECTOR TO MAKE ALL EFFORTS TO ATTRACT CAPITAL TO THE STATE", was adopted.

Senator F. Wong, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1236) recommending that Senate Resolution No. 472, as amended in S.D. 1, be adopted.

On motion by Senator Hara, seconded by Senator Taira and carried, the report of the Committee was adopted and S.R. No. 472, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE STATE GOVERNMENT AND THE PRIVATE SECTOR TO MAKE ALL EFFORTS TO ATTRACT CAPITAL TO THE STATE", was adopted.

At 9:12 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:45 o'clock a.m.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 513 to 517) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 513), entitled: "SENATE RESOLUTION IN APPRECIATION TO THE MINISTERS OF RELIGION FOR THEIR INSPIRATIONAL PRAYERS TO THE SENATE EACH DAY OF THE REGULAR SESSION OF 1977", was offered by Senator Ching.

On motion by Senator Taira, seconded by Senator Soares and carried, S.R. No. 513 was adopted.

A resolution (S.R. No. 514), entitled: "SENATE RESOLUTION COMMENDING THE HAWAII PUBLIC BROADCASTING

AUTHORITY FOR ITS COVERAGE OF THE 1977 LEGISLATIVE SESSION", was offered by Senator Ching.

On motion by Senator Taira, seconded by Senator Soares and carried, S.R. No. 514 was adopted.

A resolution (S.R. No. 515), entitled: "SENATE RESOLUTION AUTHORIZING THE PRESIDENT TO EXPEND FUNDS AFTER ADJOURNMENT", was offered by Senator Ching.

On motion by Senator Taira, seconded by Senator Soares and carried, S.R. No. 515 was adopted.

A resolution (S.R. No. 516), entitled: "SENATE RESOLUTION RELATING TO THE PRINTING OF THE JOURNAL OF THE SENATE", was offered by Senator Ching.

On motion by Senator Taira, seconded by Senator Soares and carried, S.R. No. 516 was adopted.

A resolution (S.R. No. 517), entitled: "SENATE RESOLUTION AUTHORIZING THE PRESIDENT TO DESIGNATE THE EMPLOYEES WHO WILL WORK AFTER ADJOURNMENT", was offered by Senator Ching.

On motion by Senator Taira, seconded by Senator Soares and carried, S.R. No. 517 was adopted.

At 9:46 o'clock a.m., the Senate stood in recess until 12:00 o'clock p.m., this afternoon.

AFTERNOON SESSION

The Senate reconvened at 12:01 o'clock p.m.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 518 to 520) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 518), entitled: "SENATE RESOLUTION CONGRATULATING DAVID ISHII ON WINNING THE 1977 COLLEGE ALL-AMERICA GOLF TOURNAMENT", was jointly offered by Senators Toyofuku, Ushijima, Young, Leopold, Ching, George, Hulten, Chong, Kuroda, Taira, Hara, F. Wong, Yim, King, Soares, Kawasaki, Saiki, Takitani, Nishimura, Yee, Anderson and Henderson.

On motion by Senator Toyofuku, seconded by Senator Taira and carried, S.R. No. 518 was adopted.

A resolution (S.R. No. 519), entitled: "SENATE RESOLUTION CONGRATULATING

THE PEARL CITY HIGH SCHOOL JUDO TEAM MEMBERS AND THEIR COACHES FOR A SUCCESSFUL SEASON", was jointly offered by Senators Ching, Kuroda, Young, King, Chong, Hulten, Takitani, Hara, Kawasaki, Taira, Henderson, Ushijima, George, Leopold, Soares, O'Connor, Yim and Nishimura.

On motion by Senator Ching, seconded by Senator F. Wong and carried, S.R. No. 519 was adopted.

A resolution (S.R. No. 520), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS TO MISS LOURDES RUIZ FELIPE ON BEING CHOSEN MISS OAHU-FILIPINA", was jointly offered by Senators R. Wong, Chong, King, Hara, Yim, Taira, Ching, Young, George, Takitani, Hulten, Kuroda, Leopold, Soares, Nishimura, Ushijima and O'Connor.

On motion by Senator R. Wong, seconded by Senator Chong and carried, S.R. No. 520 was adopted.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 472), transmitting an Executive Order providing for an extension of the 1977 Session of the Ninth Legislature as follows:

"EXECUTIVE ORDER

WHEREAS, SECTION 11, Article III of the Constitution of the State of Hawaii, provides that an extension of not more than fifteen days of any session may 'be granted by the presiding officers of both houses at the written request of two-thirds of the members of which each house is entitled or may be granted by the governor'; and

WHEREAS, pursuant thereto the governor extended the 1977 regular session of the Ninth Legislature for a period of forty-eight hours, excluding Saturday and Sunday, to 12:00 midnight, April 19, 1977; and

WHEREAS, it appears that a further extension is necessary in the public interest;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of Hawaii, pursuant to the power vested in me by Section 11, Article III of the Constitution of the State of Hawaii, do hereby further extend the 1977 regular session of the Ninth Legislature of the State of Hawaii for a period of eleven (11) hours following 12:00 midnight, April 19, 1977.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 19th day of April, 1977.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii",

was read by the Clerk and was placed
on file.

ORDER OF THE DAY

MATTERS DEFERRED
FROM APRIL 18, 1977

Senate Bill No. 47, S.D. 2, H.D. 2:

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, April 20, 1977.

Conference Committee Report No.
20 (H.B. No. 154, H.D. 2, S.D. 2,
C.D. 1):

By unanimous consent, action on
Conf. Com. Rep. No. 20 and H.B.
No. 154, H.D. 2, S.D. 2, C.D. 1,
entitled: "A BILL FOR AN ACT RELATING
TO REGIONAL DESIGN PLANS", was
deferred until Wednesday, April 20,
1977.

Conference Committee Report No.
36 (S.B. No. 1464, S.D. 2, H.D. 2,
C.D. 1):

By unanimous consent, action on
Conf. Com. Rep. No. 36 and S.B.
No. 1464, S.D. 2, H.D. 2, C.D. 1,
entitled: "A BILL FOR AN ACT RELATING
TO ENVIRONMENTAL QUALITY AND
LITTER CONTROL", was deferred
until Wednesday, April 20, 1977.

Conference Committee Report No.
39 (H.B. No. 1685, H.D. 2, S.D. 2,
C.D. 1):

By unanimous consent, action on
Conf. Com. Rep. No. 39 and H.B.
No. 1685, H.D. 2, S.D. 2, C.D. 1,
entitled: "A BILL FOR AN ACT RELATING
TO MOTOR CARRIERS, MOTOR CARRIER
VEHICLES, AND MOTOR VEHICLES",
was deferred until Wednesday, April
20, 1977.

Conference Committee Report No.
41 (H.B. No. 180, S.D. 1, C.D. 1):

By unanimous consent, action on
Conf. Com. Rep. No. 41 and H.B.
No. 180, S.D. 1, C.D. 1, entitled:
"A BILL FOR AN ACT RELATING TO
FARM LOANS", was deferred until

Wednesday, April 20, 1977.

Conference Committee Report No.
43 (H.B. No. 28, H.D. 2, S.D. 1,
C.D. 1):

By unanimous consent, action on
Conf. Com. Rep. No. 43 and H.B.
No. 28, H.D. 2, S.D. 1, C.D. 1,
entitled: "A BILL FOR AN ACT RELATING
TO A CONSTITUTIONAL CONVENTION",
was deferred until Wednesday, April
20, 1977.

Conference Committee Report No.
44 (S.B. No. 1308, S.D. 2, H.D. 1,
C.D. 1):

By unanimous consent, action on
Conf. Com. Rep. No. 44 and S.B.
No. 1308, S.D. 2, H.D. 1, C.D. 1,
entitled: "A BILL FOR AN ACT RELATING
TO A CRIME COMMISSION", was deferred
until Wednesday, April 20, 1977.

Standing Committee Report No. 1206
(H.B. No. 1175):

By unanimous consent, action on
Stand. Com. Rep. No. 1206 and H.B.
No. 1175, entitled: "A BILL FOR AN
ACT RELATING TO THE PUBLIC EMPLOYEES
HEALTH FUND", was deferred until
Wednesday, April 20, 1977.

Standing Committee Report No. 1208
(H.B. No. 1713, H.D. 2):

By unanimous consent, action on
Stand. Com. Rep. No. 1208 and H.B.
No. 1713, H.D. 2, entitled: "A BILL
FOR AN ACT RELATING TO AQUACULTURE
DEVELOPMENT IN HAWAII AND MAKING
AN APPROPRIATION THEREFOR",
was deferred until Wednesday, April
20, 1977.

Standing Committee Report No. 904
(H.B. No. 1693):

By unanimous consent, action on
Stand. Com. Rep. No. 904 and H.B.
No. 1693, entitled: "A BILL FOR AN
ACT RELATING TO WITNESS EXPENSES
IN CRIMINAL PROCEEDINGS", was
deferred until Wednesday, April 20,
1977.

Standing Committee Report No. 1129
(H.B. No. 11, H.D. 2):

By unanimous consent, action on
Stand. Com. Rep. No. 1129 and H.B.
No. 11, H.D. 2, entitled: "A BILL
FOR AN ACT RELATING TO THE COMPENSA-
TION OF CERTAIN PERSONS UNDER
THE CRIMINAL INJURIES COMPENSATION
ACT AND PROVIDING APPROPRIATIONS
THEREFOR", was deferred until Wednesday,
April 20, 1977.

House Bill No. 1292, H.D. 1:

ADJOURNMENT

By unanimous consent, action on H.B. No. 1292, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENTS", was deferred until Wednesday, April 20, 1977.

At 12:03 o'clock p.m., on motion by Senator Taira, seconded by Senator Soares and carried, the Senate adjourned until 9:00 o'clock a.m., Wednesday, April 20, 1977.