

EIGHTH DAY

Friday, January 27, 1978

The Senate of the Ninth Legislature of the State of Hawaii, Regular Session of 1978, convened at 8:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Reverend Christian Tirre of Hanapepe United Church of Christ, after which the Roll was called showing all Senators present, with the exception of Senators Ching, Chong, Kuroda, Leopold and Saiki, who were excused.

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

Senator Yee then introduced to the members of the Senate 50 students from the seventh and ninth grades of Central Intermediate School, accompanied by their teachers, Mrs. Galura, Miss Mende, Miss Matsumoto and Mr. Nitta.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 3 to 9) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 3), submitting for consideration and confirmation to the Filipino 75th Anniversary Commemoration Commission, under Act 181, Session Laws of Hawaii 1977, the following nominations: Eugene K. Jimenez, Barney B. Menor, Gary Bonifacio, Elizabeth C. Abrisce, Newton K. Miyagi, Wilhelm G. Solheim II, Ph.D., David Paco, Jacob M. Manegdeg, Raquel J. R. Andres, Gervacio Buenconsejo, Milagros S. Medallon, James J. M. Misajon, Danilo E. Ponce, M.D., Ben V. Cruz, Jr., and William W. Paty, Jr., all terms to expire December 31, 1981, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 4), submitting for consideration and confirmation to the Commission on the Handicapped, under Act 204, Session Laws of Hawaii 1977, the following nominations:

Henry B. Clark, Jr., term to expire December 31, 1979;

Alan M. Glomb, term to expire December 31, 1980;

Bill L. Hindman, term to expire December 31, 1980;

Ann C. Ito, term to expire December 31, 1981;

Thomas A. Jones, term to expire December 31, 1979;

Henry S. Kuniyuki, term to expire December 31, 1978;

Ah Kee Leong, term to expire December 31, 1981;

Toshio Nishioka, term to expire December 31, 1978;

Robert C. Pittman, term to expire December 31, 1980;

Mary S. Shern, term to expire December 31, 1981;

Mikki (Madeleine F.) Smith, term to expire December 31, 1980; and

Patricia D. Young, term to expire December 31, 1978,

was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 5), submitting for consideration and confirmation to the Advisory Commission on Manpower and Full Employment, under Act 19, Session Laws of Hawaii 1977, the following nominations:

Constance E. Dobson, term to expire December 31, 1978; and

Francisco Latorre, term to expire December 31, 1979,

was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 6), submitting for consideration and confirmation to the Hawaii Commission on Crime, under Act 16, 1977 Special Session, the following nominations: Rafael P. Acoba, Gene A. Albano, Reverend John D. Beck, Maggie Bunson, A. Van Horn Diamond, Alwyn Kakuda, Thomas T. Oshiro, Boric Peroff, Anson O. Rego, Frank P. White, Jr., and Napua Stevens Poire, all terms to expire December 31, 1978, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 7), submitting for consideration and confirmation to the Hawaii County Subarea Health Planning Council, the nomination of Larry K. Stephenson, Ph.D., Consumer Member, term to expire December 31, 1979, was referred to

the Committee on Health.

A message from the Governor (Gov. Msg. No. 8), submitting for consideration and confirmation to the Central Oahu Subarea Health Planning Council, the following nominations:

Ralph Nakamoto, O.D., Direct Provider Member, term to expire December 31, 1981;

David Parsons, Consumer Member, term to expire December 31, 1980;

Russell F. Sowers, term to expire December 31, 1979; and

Ingrid M. Cabunoc, Consumer Member, term to expire December 31, 1980,

was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 9), submitting for consideration and confirmation to the Board of Radiologic Technologists, the nomination of James R. Williams, M.D., term to expire December 31, 1980, was referred to the Committee on Health.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 17 to 28) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 17), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY OF A FULL-TIME LAND USE COMMISSION", was offered by Senator Ushijima, by request.

By unanimous consent, S.C.R. No. 17 was referred to the Committee on Economic Development.

A concurrent resolution (S.C.R. No. 18), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING CONGRESSIONAL ACTION", was offered by Senator Ushijima, by request.

By unanimous consent, S.C.R. No. 18 was referred to the Committee on Transportation.

A concurrent resolution (S.C.R. No. 19), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY AND RECOMMENDATIONS FOR AN AGRICULTURAL WATER POLICY FOR THE STATE OF HAWAII", was offered by Senator Ushijima, by request.

By unanimous consent, S.C.R. No. 19 was referred to the Committee on Economic Development.

A concurrent resolution (S.C.R. No. 20), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES TO DISPOSE OF PUBLIC LANDS FOR AGRICULTURAL PURPOSES BY MEANS OTHER THAN PUBLIC AUCTION", was offered by Senator Ushijima, by request.

By unanimous consent, S.C.R. No. 20 was referred to the Committee on Economic Development.

A concurrent resolution (S.C.R. No. 21), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE NATURE AND LOCATION OF INTRA-ISLAND RESORT DEVELOPMENT", was offered by Senator Ushijima, by request.

By unanimous consent, S.C.R. No. 21 was referred to the Committee on Economic Development.

A concurrent resolution (S.C.R. No. 22), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE LOCATION OF RESORT DEVELOPMENT", was offered by Senator Ushijima, by request.

By unanimous consent, S.C.R. No. 22 was referred to the Committee on Economic Development.

A concurrent resolution (S.C.R. No. 23), entitled: "SENATE CONCURRENT RESOLUTION URGING THE CITY AND COUNTY OF HONOLULU TO LIMIT NEW BUILDING PERMITS IN WAIKIKI AND TO ENCOURAGE REDEVELOPMENT WHERE POSSIBLE", was offered by Senator Ushijima, by request.

By unanimous consent, S.C.R. No. 23 was referred to the Committee on Economic Development.

A concurrent resolution (S.C.R. No. 24), entitled: "SENATE CONCURRENT RESOLUTION AFFIRMING SUPPORT FOR A COMPREHENSIVE STATE FAMILY PLANNING PROGRAM", was offered by Senator Ushijima, by request.

By unanimous consent, S.C.R. No. 24 was referred to the Committee on Health.

A concurrent resolution (S.C.R. No. 25), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY TO IDENTIFY THE COSTS OF GROWTH AND EXPLORE METHODS FOR EQUITABLY DISTRIBUTING THESE COSTS AMONG PRESENT AND FUTURE RESIDENTS", was offered by Senator Ushijima, by request.

By unanimous consent, S.C.R. No. 25 was referred to the Committee on

Human Resources.

A concurrent resolution (S.C.R. No. 26), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW AND STUDY OF OCCUPATIONAL LICENSING PRACTICES", was offered by Senator Ushijima, by request.

By unanimous consent, S.C.R. 26 was referred to the Committee on Judiciary.

A concurrent resolution (S.C.R. No. 27), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING CONGRESSIONAL ACTION TO STRENGTHEN THE IMMIGRATION LAWS", was offered by Senator Ushijima, by request.

By unanimous consent, S.C.R. No. 27 was referred to the Committee on Judiciary.

A concurrent resolution (S.C.R. No. 28), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING PRESIDENT CARTER AND THE CONGRESS TO PROVIDE HAWAII ITS RIGHTFUL SHARE OF THE U. S. DEPARTMENT OF ENERGY'S PROPOSED BUDGET FOR THE STRATEGIC PETROLEUM RESERVE", was jointly offered by Senators Yim, Hara, Henderson, Hulten, Kuroda, F. Wong, Yamasaki, King, Leopold, Yee, George, Toyofuku, Taira and Chong.

By unanimous consent, S.C.R. No. 28 was referred to the Committee on Energy/Natural Resources.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 90 to 94) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 90), entitled: "SENATE RESOLUTION RELATING TO GENERAL AVIATION", was jointly offered by Senators O'Connor, Taira, Henderson, George, R. Wong, Soares, Takitani, Hulten and Chong.

By unanimous consent, S.R. No. 90 was referred to the Committee on Transportation.

A resolution (S.R. No. 91), entitled: "SENATE RESOLUTION RECOGNITION OF VOCATIONAL EDUCATION WEEK IN HAWAII", was jointly offered by Senators Hara, Yim, Ushijima, Young, Taira, Nishimura, Hulten, Kuroda, Ching, Chong, Yamasaki, Toyofuku, Henderson, King, Yee, Saiki, Takitani, Kawasaki, F. Wong and O'Connor.

On motion by Senator Yim, seconded by Senator Taira and carried, S.R. No. 91 was adopted.

A resolution (S.R. No. 92), entitled: "SENATE RESOLUTION REQUESTING PRESIDENT CARTER AND THE CONGRESS TO PROVIDE HAWAII ITS RIGHTFUL SHARE OF THE U. S. DEPARTMENT OF ENERGY'S PROPOSED BUDGET FOR THE STRATEGIC PETROLEUM RESERVE", was jointly offered by Senators Yim, Hara, Hulten, Kuroda, Henderson, F. Wong, Yamasaki, King, Leopold, Yee, George, Toyofuku, Taira and Chong.

By unanimous consent, S.R. No. 92 was referred to the Committee on Energy/Natural Resources.

A resolution (S.R. No. 93), entitled: "SENATE RESOLUTION CONGRATULATING JUNE C. TAKASE UPON BEING SELECTED ONE OF HAWAII'S DELEGATES TO THE 16TH ANNUAL UNITED STATES SENATE YOUTH PROGRAM", was jointly offered by Senators Ching, F. Wong, Kuroda, Takitani, Hulten, O'Connor, Taira, King, Chong, George, Hara, Yamasaki, Saiki, Yee and Young.

On motion by Senator Young, seconded by Senator F. Wong and carried, S.R. No. 93 was adopted.

A resolution (S.R. No. 94), entitled: "SENATE RESOLUTION COMMENDING AND EXTENDING BEST WISHES TO ADOLPH SAMUELS", was jointly offered by Senators R. Wong, Taira, Yim, King, Hulten, Henderson, Takitani, Toyofuku, Yamasaki, F. Wong, Young, Anderson, Soares, Nishimura, Yee, George, Kawasaki, Hara and O'Connor.

On motion by Senator R. Wong, seconded by Senator Anderson and carried, S.R. No. 94 was adopted.

INTRODUCTION OF SENATE BILLS

On motion by Senator Taira, seconded by Senator Anderson and carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Monday, January 30, 1978:

Senate Bills

No. 1843-78 "A Bill for an Act Making an Appropriation for Public School Facilities in the Fourth Senatorial District."

Introduced by: Senators Ching, F. Wong, Kuroda and Young.

No. 1844-78 "A Bill for an Act Making an Appropriation for Public School Facilities in the Third Senatorial District."

Introduced by: Senators Hulten, George, Anderson, Toyofuku, Takitani, Ushijima, Nishimura, F. Wong, Ching,

Hara, Henderson, Saiki, Chong,
Yee, Taira, O'Connor, Leopold,
Yamasaki, King and Young.

Introduced by: Senators Takitani,
Yamasaki, Kuroda, Soares, Toyofuku,
Hara, Taira, Ching, Hulsten and Nishimura.

No. 1845-78 "A Bill for an Act Relating
to Parks and Playgrounds."

No. 1854-78 "A Bill for an Act Relating
to Repeat Offenders."

Introduced by: Senators Taira,
Hara, Henderson, Saiki, Takitani,
Nishimura, F. Wong and Yee.

Introduced by: Senators Takitani,
Yamasaki, Kuroda, Toyofuku, Hara,
Taira, Ching, Hulsten and Nishimura.

No. 1846-78 "A Bill for an Act Making
an Appropriation for the Planning
and Construction of a Multi-Purpose
Gymnasium for Moanalua High School."

No. 1855-78 "A Bill for an Act Relating
to Sentencing."

Introduced by: Senators Taira,
Kawasaki, Chong, Hara, Leopold,
Henderson, Saiki, Takitani, Nishimura,
F. Wong, Toyofuku and Yee.

Introduced by: Senators Takitani,
Yamasaki, Soares, Hara, Taira, Ching
and Hulsten.

No. 1847-78 "A Bill for an Act Relating
to the Penal Offense of Second Degree
Robbery."

No. 1856-78 "A Bill for an Act Relating
to Theft and Criminal Property Damage."

Introduced by: Senators Takitani,
Yamasaki, Kuroda, Soares, Hara,
Taira, Ching, Hulsten and Nishimura.

Introduced by: Senators Takitani,
Yamasaki, Kuroda, Toyofuku, Hara,
Taira, Ching, Hulsten and Nishimura.

No. 1848-78 "A Bill for an Act Relating
to the Costs of Court Orders."

No. 1857-78 "A Bill for an Act Making
an Appropriation for the Waianae Coast
Comprehensive Health Center."

Introduced by: Senators Takitani,
Yamasaki, Kuroda, Soares, Toyofuku,
Hara, Taira, Ching, Hulsten and
Nishimura.

Introduced by: Senators Young, F.
Wong, Kuroda, Ching, Yamasaki,
Toyofuku, Taira, Takitani, Chong,
O'Connor, Nishimura, Hara, King,
Leopold, Hulsten and George.

No. 1849-78 "A Bill for an Act Relating
to Deferred Acceptance of Guilty
Pleas."

No. 1858-78 "A Bill for an Act Making
an Appropriation for Public School
Facilities in the Eighth Senatorial
District."

Introduced by: Senators Takitani,
Yamasaki, Hara, Ching and Hulsten.

Introduced by: Senators Toyofuku,
Hara, Taira, Chong, Nishimura, F.
Wong, Takitani, King, Ching, Yamasaki,
Young, Hulsten and O'Connor.

No. 1850-78 "A Bill for an Act Relating
to Penalties for Credit Card Offenses."

STANDING COMMITTEE REPORTS

Introduced by: Senators Takitani,
Yamasaki, Kuroda, Soares, Toyofuku,
Hara, Taira, Ching, Hulsten and
Nishimura.

Senator Yamasaki, for the Committee
on Legislative Management, presented
a report (Stand. Com. Rep. No. 6-78),
informing the Senate that Governor's
Message Nos. 3 to 9, Senate Concurrent
Resolution Nos. 17 to 28, Senate Resolution
Nos. 90 to 93 and Senate Bill Nos. 1782-
78 to 1842-78 have been printed and
are ready for distribution.

No. 1851-78 "A Bill for an Act Relating
to Sentencing of Repeat Offenders."

Introduced by: Senators Takitani,
Yamasaki, Kuroda, Soares, Hara,
Taira, Ching and Hulsten.

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

No. 1852-78 "A Bill for an Act Relating
to Firearms, Ammunition, and Dangerous
Weapons."

Introduced by: Senators Takitani,
Yamasaki, Kuroda, Hara, Taira,
Ching, Hulsten and Nishimura.

Senator R. Wong, for the Committee
on Ways and Means, presented a report
(Stand. Com. Rep. No. 7-78), recommending
that Senate Bill No. 1736-78 pass Second
Reading and be placed on the calendar
for Third Reading.

No. 1853-78 "A Bill for an Act Relating
to Firearms, Ammunition, and Dangerous
Weapons."

On motion by Senator R. Wong, seconded
by Senator Yamasaki and carried, the

report of the Committee was adopted and S.B. No. 1736-78, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE LEGISLATIVE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN", passed Second Reading and was placed on the calendar for Third Reading on Monday, January 30, 1978.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on S.B. No. 1736-78.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Wednesday, January 25, 1978:

Senate Bills Referred to:

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| No. 1767-78 | Committee on Judiciary, then to the Committee on Ways and Means | No. 1781-78 | Committee on Education, then to the Committee on Ways and Means |
| No. 1768-78 | Committee on Judiciary | | The President then made the following committee assignments of bills that were introduced on Thursday, January 26, 1978: |
| No. 1769-78 | Committee on Judiciary | No. 1782-78 | Committee on Human Resources |
| No. 1770-78 | Committee on Energy/Natural Resources | No. 1783-78 | Committee on Human Resources |
| No. 1771-78 | Committee on Education, then to the Committee on Ways and Means | No. 1784-78 | Committee on Economic Development |
| No. 1772-78 | Committee on Ways and Means | No. 1785-78 | Committee on Human Resources |
| No. 1773-78 | Committee on Energy/Natural Resources, then to the Committee on Intergovernmental Relations | No. 1786-78 | Committee on Economic Development, then to the Committee on Ways and Means |
| No. 1774-78 | Committee on Judiciary | No. 1787-78 | Committee on Human Resources |
| No. 1775-78 | Committee on Health, then to the Committee on Intergovernmental Relations | No. 1788-78 | Committee on Human Resources |
| No. 1776-78 | Committee on Economic Development | No. 1789-78 | Committee on Economic Development, then to the Committee on Ways and Means |
| No. 1777-78 | Committee on Health, then to the Committee on Intergovernmental Relations | No. 1790-78 | Committee on Economic Development |
| No. 1778-78 | Committee on Consumer Protection, then to the Committee on Judiciary | No. 1791-78 | Committee on Economic Development |
| No. 1779-78 | Committee on Judiciary | No. 1792-78 | Committee on Economic Development |
| No. 1780-78 | Committee on Education, then to the Committee on Ways and Means | No. 1793-78 | Committee on Economic Development |
| | | No. 1794-78 | Committee on Economic Development, then to the Committee on Ways and Means |
| | | No. 1795-78 | Committee on Economic Development |
| | | No. 1796-78 | Committee on Economic Development |
| | | No. 1797-78 | Committee on Ways and Means |
| | | No. 1798-78 | Committee on Human Resources |
| | | No. 1799-78 | Committee on Human Resources |
| | | No. 1800-78 | Committee on Judiciary |
| | | No. 1801-78 | Committee on Judiciary |
| | | No. 1802-78 | Committee on Judiciary |
| | | No. 1803-78 | Committee on Judiciary |
| | | No. 1804-78 | Committee on Judiciary |
| | | No. 1805-78 | Committee on Human Resources |

- No. 1806-78 Committee on Ways and Means
- No. 1807-78 Committee on Economic Development
- No. 1808-78 Committee on Economic Development
- No. 1809-78 Committee on Human Resources
- No. 1810-78 Committee on Transportation, then to the Committee on Ways and Means
- No. 1811-78 Committee on Transportation, then to the Committee on Ways and Means
- No. 1812-78 Committee on Judiciary
- No. 1813-78 Committee on Transportation, then to the Committee on Judiciary
- No. 1814-78 Committee on Judiciary
- No. 1815-78 Committee on Ecology, Environment and Recreation
- No. 1816-78 Committee on Transportation, then to the Committee on Ways and Means
- No. 1817-78 Committee on Ways and Means
- No. 1818-78 Committee on Judiciary
- No. 1819-78 Committee on Judiciary
- No. 1820-78 Committee on Government Operations and Efficiency, then to the Committee on Judiciary
- No. 1821-78 Committee on Judiciary
- No. 1822-78 Committee on Health
- No. 1823-78 Committee on Education, then to the Committee on Health
- No. 1824-78 Committee on Judiciary
- No. 1825-78 Committee on Education, then to the Committee on Ways and Means
- No. 1826-78 Committee on Education, then to the Committee on Ways and Means
- No. 1827-78 Committee on Education, then to the Committee on Ways and Means
- No. 1828-78 Committee on Education, then to the Committee on Ways and Means
- No. 1829-78 Committee on Education, then to the Committee on Ways and Means
- No. 1830-78 Committee on Education, then to the Committee on Ways and Means
- No. 1831-78 Committee on Health, then to the Committee on Ways and Means
- No. 1832-78 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1833-78 Committee on Transportation, then to the Committee on Ways and Means
- No. 1834-78 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 1835-78 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1836-78 Committee on Transportation, then to the Committee on Ways and Means
- No. 1837-78 Committee on Transportation, then to the Committee on Ways and Means
- No. 1838-78 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 1839-78 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1840-78 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1841-78 Committee on Transportation, then to the Committee on Ways and Means
- No. 1842-78 Committee on Transportation, then to the Committee on Ways and Means

RE-REFERRAL OF
A SENATE BILL

The President made the following re-referral of a Senate Bill that was introduced on Tuesday, January 24, 1978:

Senate Bill Referred to:

No. 1750-78 Committee on Health, then to the Committee on Ways and Means

At this time, the President made the following appointments, effective immediately:

1. Senator Joseph Kuroda and Senator Wadsworth Yee will serve as additional members of the Committee on Energy/Natural Resources; and
2. Senator Robert Taira will replace Senator Dennis O'Connor as a member

of the Committee on Military and Civil Defense.

ADJOURNMENT

At 8:40 o'clock a.m., on motion by Senator Taira, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, January 30, 1978.