

SIXTEENTH DAY

Wednesday, February 8, 1978

The Senate of the Ninth Legislature of the State of Hawaii, Regular Session of 1978, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend James Pratt of Star of the Sea Church, after which the Roll was called showing all Senators present.

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

HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 9) transmitting House Concurrent Resolution No. 49, which was adopted by the House of Representatives on February 7, 1978, was read by the Clerk and was placed on file.

By unanimous consent, action on H.C.R. No. 49, entitled: "HOUSE CONCURRENT RESOLUTION HONORING JULIETTE MAY FRASER FOR HER MANY CONTRIBUTIONS TO THE CULTURAL ENRICHMENT OF THE PEOPLE OF HAWAII", was deferred until Thursday, February 9, 1978.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 142 to 148) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 142), entitled: "SENATE RESOLUTION CONGRATULATING THE WAIANAE HIGH SCHOOL SEARIDERS ON WINNING THE 1977 OAHU INTERSCHOOLISTIC ASSOCIATION (OIA) VARSITY FOOTBALL CHAMPIONSHIP AND THE 1977 OAHU PREP BOWL FOOTBALL CHAMPIONSHIP", was jointly offered by Senators Young, Ching, Kuroda, Chong, Yamasaki, Taira, Takitani, Kawasaki, Toyofuku, R. Wong, O'Connor, Nishimura, Soares, F. Wong, Leopold and Hara.

On motion by Senator Young, seconded by Senator F. Wong and carried, S.R. No. 142 was adopted.

A resolution (S.R. No. 143), entitled: "SENATE RESOLUTION CONGRATULATING THE WAIANAE HIGH SCHOOL SEARIDERS ON WINNING THE 1977 OAHU INTERSCHOOLISTIC ASSOCIATION (OIA) JUNIOR VARSITY FOOTBALL LEEWARD DISTRICT TITLE, THE OIA WESTERN DIVISION TITLE, AND THE OIA CHAMPIONSHIP", was jointly offered by Senators Young, Ching, Kuroda, Chong, Yamasaki,

Taira, Takitani, Kawasaki, F. Wong, Toyofuku, R. Wong, Hara, O'Connor, Nishimura, Anderson, Leopold and Soares.

On motion by Senator Young, seconded by Senator Kuroda and carried, S.R. No. 143 was adopted.

A resolution (S.R. No. 144), entitled: "SENATE RESOLUTION RELATING TO THE STATE COUNCIL OF HOUSING AND CONSTRUCTION INDUSTRY FINDINGS AND RECOMMENDATIONS", was jointly offered by Senators Young, Toyofuku, Yamasaki, Taira, Takitani, Kuroda, Ching, Chong and George.

By unanimous consent, S.R. No. 144 was referred to the Committee on Housing and Hawaiian Homes.

A resolution (S.R. No. 145), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS AND RECOGNIZING THE WOMEN'S AUXILIARY TO THE HAWAII DENTAL ASSOCIATION FOR ITS EFFORTS TO PROVIDE A DENTAL HEALTH AND PREVENTIVE CARE PROGRAM FOR THE STATE OF HAWAII", was jointly offered by Senators Saiki, F. Wong, Leopold, Hara, Chong, Kuroda, Henderson, Toyofuku, Anderson, Soares, Young, George, King, Taira, O'Connor, Kawasaki and Yee.

On motion by Senator Saiki, seconded by Senator George and carried, S.R. No. 145 was adopted.

At 11:39 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:40 o'clock a.m.

A resolution (S.R. No. 146), entitled: "SENATE RESOLUTION CONGRATULATING MR. ALFRED Y. K. 'BLACKIE' WONG ON HIS RECEIVING THE NAVY SUPERIOR CIVILIAN SERVICE AWARD", was jointly offered by Senators Toyofuku, Ching, Taira, Takitani, Kawasaki, Hulten, Kuroda, Young, George, Soares, Leopold, Yamasaki, King, Chong, Hara, Ushijima, F. Wong, Anderson, R. Wong, Yee, Saiki, Henderson, O'Connor and Nishimura.

On motion by Senator Toyofuku, seconded by Senator Taira and carried, S.R. No. 146 was adopted.

A resolution (S.R. No. 147), entitled: "SENATE RESOLUTION REQUESTING THE DRAFTING, ADOPTION, AND MAINTENANCE OF A GENERIC DRUGS LIST", was jointly offered by Senators Chong, Takitani, Hara, F. Wong, Yamasaki, Young, Hulten, Ching, O'Connor and Kawasaki.

By unanimous consent, S.R. No. 147 was jointly referred to the Committee on Health and to the Committee on Consumer Protection.

A resolution (S.R. No. 148), entitled: "SENATE RESOLUTION COMMENDING THE ORDINATION OF THE MOST REVEREND JOSEPH A. FERRARIO AS A BISHOP OF THE CATHOLIC CHURCH IN HAWAII, AND EXPRESSING GRATITUDE TO THE CATHOLIC CHURCH, DIOCESE OF HONOLULU, FOR THEIR MINISTRY TO THE PEOPLE OF HAWAII", was jointly offered by Senators Hulten, Soares, Takitani, Taira, Kuroda, Chong, Yee, Young, F. Wong, George, Yamasaki, Henderson, Toyofuku, Ching, Anderson, Hara, O'Connor, Saiki, Kawasaki, Leopold, Nishimura, King, R. Wong and Ushijima.

On motion by Senator Hulten, seconded by Senator Soares and carried, S.R. No. 148 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 Thursday, February 9, 1978:

Senate Bills

No. 2078-78 "A Bill for an Act Making an Appropriation for the Development and Construction of a Supplemental Water System for South Kohala, Hawaii."

Introduced by: Senators Ushijima, Henderson and Hara.

No. 2079-78 "A Bill for an Act Relating to Maui Memorial Hospital Medicare Trust Funds."

Introduced by: Senators Yamasaki and Takitani.

No. 2080-78 "A Bill for an Act Relating to General Obligation Bonds of Counties of the State of Hawaii."

Introduced by: Senator Hulten, by request.

No. 2081-78 "A Bill for an Act Relating to the Furnishing of Facilities and Services by Counties to the Hawaii Housing Authority and Tenants."

Introduced by: Senator Hulten, by request.

No. 2082-78 "A Bill for an Act Relating to Secondhand Dealers."

Introduced by: Senator Hulten, by request.

No. 2083-78 "A Bill for an Act Relating to Government Publications."

Introduced by: Senators Hulten, F. Wong, King, Takitani, Yamasaki, Taira, Kuroda, Toyofuku, Hara, Chong, Soares, Ching, George and Anderson.

No. 2084-78 "A Bill for an Act Relating to the Hawaiian Homes Commission Act, 1920, as Amended."

Introduced by: Senators Young, Kuroda, Yim, Hara, Yamasaki, Henderson, Takitani, F. Wong, Toyofuku, Anderson, Nishimura and Soares.

No. 2085-78 "A Bill for an Act Making an Appropriation for the Planning and Construction of the Uncompleted Portion of Mokuola Street, Waipahu, Oahu."

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

No. 2086-78 "A Bill for an Act Relating to Sentencing."

Introduced by: Senators Kawasaki, Takitani, Kuroda, Yee, Hulten, Chong, Hara, F. Wong, Toyofuku, Yamasaki and Taira.

No. 2087-78 "A Bill for an Act Relating to Regulation of Employment Agencies."

Introduced by: Senators Kawasaki, Takitani, Kuroda, Yee, Hulten, Chong, King, Toyofuku, Yamasaki and Taira.

No. 2088-78 "A Bill for an Act Relating to Government Operations."

Introduced by: Senator Kawasaki, by request.

No. 2089-78 "A Bill for an Act Making an Appropriation for the Poison Information Center."

Introduced by: Senator Chong.

No. 2090-78 "A Bill for an Act Making an Appropriation for a Grant-in-Aid to the Queen's Medical Center, Oahu."

Introduced by: Senators Chong, Yee, Takitani, Henderson, Leopold, King, Ching, Hulten, Nishimura, Hara, Kuroda, Saiki, F. Wong, Yamasaki and Young.

No. 2091-78 "A Bill for an Act Making an Appropriation for a Grant-in-Aid

- to Kuakini Medical Center, Oahu."
- Introduced by: Senators Taira, Chong, Yim, F. Wong, Toyofuku, Leopold, Takitani, Yamasaki, Hara, Kuroda, Nishimura, Young and Ching.
- No. 2092-78 "A Bill for an Act Making an Appropriation for the Work Activity Program of the Lanakila Rehabilitation Center."
- Introduced by: Senators Taira, Kawasaki, Chong, Yim, F. Wong, Toyofuku, Kuroda, Nishimura, Young, Yamasaki, Ching, Takitani, Hara and Leopold.
- No. 2093-78 "A Bill for an Act Relating to Disposition of Convicted Persons."
- Introduced by: Senators Hulten, Taira, Kuroda, Takitani, F. Wong, George, Hara, Chong, Henderson, Soares, Ching, Kawasaki, Yee, R. Wong and Ushijima.
- No. 2094-78 "A Bill for an Act Making an Appropriation for a Grant-in-Aid to Hilo Interim Home, Hawaii."
- Introduced by: Senators Ushijima and Henderson.
- No. 2095-78 "A Bill for an Act Relating to Motor Vehicle Fees and Taxes."
- Introduced by: Senator Ushijima, by request.
- No. 2096-78 "A Bill for an Act Relating to Employment Security."
- Introduced by: Senator Ushijima, by request.
- No. 2097-78 "A Bill for an Act Relating to an Income Tax Credit."
- Introduced by: Senator Toyofuku, by request.
- No. 2098-78 "A Bill for an Act Relating to the Inheritance Tax."
- Introduced by: Senators Toyofuku, Yamasaki, Hara, Chong, F. Wong, Ching, Takitani, Kuroda, Nishimura and Young.
- No. 2099-78 "A Bill for an Act Relating to Unemployment Insurance."
- Introduced by: Senators Toyofuku, Ching, Taira, Hulten, Chong, F. Wong, Yamasaki, Takitani, Kuroda and Nishimura.
- No. 2100-78 "A Bill for an Act Relating to Unemployment Insurance."
- Introduced by: Senators Toyofuku, Ching, Taira, Hulten, F. Wong, Yamasaki, Takitani, Kuroda and Nishimura.
- No. 2101-78 "A Bill for an Act Making an Appropriation for a Grant-in-Aid to the Hilo Interim Home."
- Introduced by: Senators Hara, Henderson, Yamasaki, Takitani, Toyofuku, Young, Chong, King and Taira.
- No. 2102-78 "A Bill for an Act Relating to Income Tax."
- Introduced by: Senator Chong, by request.
- No. 2103-78 "A Bill for an Act Relating to Contractors."
- Introduced by: Senator Nishimura, by request.
- No. 2104-78 "A Bill for an Act Relating to Contractors."
- Introduced by: Senator Nishimura, by request.
- No. 2105-78 "A Bill for an Act Relating to Group Insurance."
- Introduced by: Senator Nishimura, by request.
- No. 2106-78 "A Bill for an Act Relating to the Landlord-Tenant Code."
- Introduced by: Senators Kawasaki, Ching, Takitani, O'Connor, Taira, Soares, Hulten, Henderson and Hara.
- No. 2107-78 "A Bill for an Act Relating to the County/State Hospital System."
- Introduced by: Senators Yamasaki, Takitani, Kuroda, Ching, Toyofuku, Nishimura, Yee, Chong and Ushijima.
- No. 2108-78 "A Bill for an Act Making an Appropriation for the Extension of Pukalani Community Center Building, Pukalani, Maui."
- Introduced by: Senators Yamasaki and Takitani.
- No. 2109-78 "A Bill for an Act Making an Appropriation for Plans and Construction of the Elderly Day Care Center, Maui."
- Introduced by: Senators Yamasaki and Takitani.
- No. 2110-78 "A Bill for an Act Making an Appropriation for Incremental Development of Treatment Plant Facilities for Maui County Water Systems."
- Introduced by: Senators Yamasaki

and Takitani.

No. 2111-78 "A Bill for an Act Making an Appropriation for Furnishing and Equipment for Hoolehua Recreation Center, Hoolehua, Molokai."

Introduced by: Senators Yamasaki and Takitani.

No. 2112-78 "A Bill for an Act Relating to Social Workers."

Introduced by: Senators Toyofuku, Takitani, Taira, Chong, King, Nishimura, Kuroda, Young, Yamasaki and Hulten.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 41-78), informing the Senate that Senate Resolution Nos. 142 to 147, Senate Bill Nos. 2064-78 to 2075-78, and Standing Committee Report Nos. 42-78 to 49-78 have been printed and are ready for distribution.

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

Senator Chong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 42-78) recommending that Senate Resolution No. 23 be adopted.

On motion by Senator Chong, seconded by Senator Takitani and carried, the report of the Committee was adopted and S.R. No. 23, entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF DEPARTMENT OF HEALTH DENTAL SERVICES", was adopted.

Senator Chong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 4378) recommending that Senate Bill No. 1643-78 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chong, seconded by Senator Takitani and carried, the report of the Committee was adopted and S.B. No. 1643-78, entitled: "A BILL FOR AN ACT RELATING TO CERTIFIED COPIES OF VITAL RECORDS", passed Second Reading and was referred to the Committee on Judiciary.

Senator Chong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 44-78) recommending that Senate Bill No. 1649-78 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chong, seconded by Senator Takitani and carried, the report of the Committee was adopted and S.B. No. 1649-78, entitled: "A BILL FOR AN ACT RELATING TO VITAL RECORDS", passed Second Reading and was referred to the Committee on Judiciary.

Senator Hulten, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 45-78) recommending that Senate Resolution No. 43, as amended in S.D. 1, be adopted.

On motion by Senator Hulten, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.R. No. 43, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF THE DESIRABILITY OF DECENTRALIZING CERTAIN STATE FUNCTIONS", was adopted.

Senator Hulten, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 46-78) recommending that Senate Resolution No. 44 be adopted.

On motion by Senator Hulten, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.R. No. 44, entitled: "SENATE RESOLUTION REQUESTING THE SENATE INTERGOVERNMENTAL RELATIONS COMMITTEE TO STUDY AND REVIEW WAYS TO REDUCE RED TAPE, DUPLICATION, OVERLAPPING, OR UNNECESSARY GOVERNMENT PAPERWORK", was adopted.

Senator Hulten, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 47-78) recommending that Senate Bill Nos. 1558-78, 1559-78, 1560-78 and 1561-78 pass First Reading by title and be recommitted to the Committee on Intergovernmental Relations.

By unanimous consent, action on Stand. Com. Rep. No. 47-78 and:

S.B. No. 1558-78, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE REVIEW OF ADMINISTRATIVE RULES AND REGULATIONS";

S.B. No. 1559-78, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A LEGISLATIVE INFORMATION SYSTEM";

S.B. No. 1560-78, entitled: "A BILL FOR AN ACT RELATING TO STATE AND COUNTY GOVERNMENT"; and

S.B. No. 1561-78, entitled: "A BILL FOR AN ACT RELATING TO CIVIL

SERVICE",
was deferred until Thursday, February 9, 1978.

Senator Hulten, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 48-78) recommending that Senate Bill No. 1617-78 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hulten, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 1617-78, entitled: "A BILL FOR AN ACT RELATING TO STUDIES CONDUCTED BY THE STATE AND ITS POLITICAL SUBDIVISIONS", passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 9, 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. 1617-78.

Senator Chong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 49-78) recommending that Senate Bill No. 1644-78, as amended in S.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 S.B. No. 1644-78, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN BIRTH CERTIFICATES", passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 9, 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. 1644-78, S.D. 1.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of Senate bills

that were introduced on Tuesday, February 7, 1978:

Senate Bills Referred to:

No. 2064-78 Committee on Ecology, Environment and Recreation

No. 2065-78 Committee on Education, then to the Committee on Ways and Means

No. 2066-78 Committee on Economic Development, then to the Committee on Ways and Means

No. 2067-78 Committee on Education, then to the Committee on Ways and Means

No. 2068-78 Committee on Health, then to the Committee on Ways and Means

No. 2069-78 Committee on Human Resources, then to the Committee on Ways and Means

No. 2070-78 Committee on Human Resources, then to the Committee on Ways and Means

No. 2071-78 Committee on Human Resources

No. 2072-78 Committee on Human Resources

No. 2073-78 Committee on Human Resources

No. 2074-78 Committee on Human Resources

No. 2075-78 Committee on Consumer Protection, then to the Committee on Ways and Means

No. 2076-78 Committee on Human Resources, then to the Committee on Ways and Means

No. 2077-78 Committee on Economic Development, then to the Committee on Ways and Means

ADJOURNMENT

At 11:41 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., Thursday, February 9, 1978.