

TWENTY-SEVENTH DAY

Friday, February 24, 1978

The Senate of the Ninth Legislature of the State of Hawaii, Regular Session of 1978, convened at 10:00 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Bishop Glen Bendixen of the Church of Jesus Christ of Latter-day Saints, Makiki Ward, after which the Roll was called showing all Senators present with the exception of Senator Soares, who was excused.

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

The following introductions were then made to the members of the Senate:

Senator Yee introduced a group of twenty Seniors from St. Louis High School with their teacher, Mr. Rod Santos.

Senator Kuroda introduced 80 students from the fifth grade at Iroquois Point Elementary School, with their teachers, Mrs. Cathy Ong, Mrs. Sue Arsiga, Mr. Jack Rathburn and Miss Judy Hamamoto, and parents, Mrs. Hutchison, Mrs. McCleer, Mrs. Harper and Mr. and Mrs. Payne.

Senator Anderson then introduced 41 senior citizens from the Hui Lea Lea O'Hawaii Kai group.

Senator O'Connor introduced a delegation from Kaiser High School together with their principal Mrs. Margaret Oda, who are delivering a petition to the members of the Senate from the Seventh Senatorial District.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 136 and 137) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 136), transmitting a report prepared by the Department of Health and the Department of Social Services and Housing in response to House Resolution No. 520 (1977) which requested a review of cost factor in extended term care, was referred to the Committee on Ways and Means.

A message from the Governor (Gov.

Msg. No. 137), transmitting a final report prepared by the University of Hawaii in response to Senate Resolution No. 35 (1977) which related to the University of Hawaii School of Public Health and its development of planning information systems, was referred to the Committee on Higher Education.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 32 to 34) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 32), transmitting House Concurrent Resolution No. 71, which was adopted by the House of Representatives on February 23, 1978, was placed on file.

On motion by Senator Taira, seconded by Senator Yee and carried, H.C.R. No. 71, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE WEEK OF FEBRUARY 24 THROUGH MARCH 3, 1978, AS 'BIG BROTHERS WEEK' ", was adopted.

A communication from the House (Hse. Com. No. 33), transmitting House Bill No. 1912-78, H.D. 1, which passed Third Reading in the House of Representatives on February 23, 1978, was placed on file.

On motion by Senator Taira, seconded by Senator Yee and carried, H.B. No. 1912-78, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAZARDOUS MATERIALS TRANSPORTED UPON HIGHWAYS", passed First Reading by title and was referred to the Committee on Transportation.

A communication from the House (Hse. Com. No. 34), transmitting House Bill No. 2141-78, H.D. 1, which passed Third Reading in the House of Representatives on February 23, 1978, was placed on file.

On motion by Senator Taira, seconded by Senator Yee and carried, H.B. No. 2141-78, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WATER CONSERVATION IN COOLING PROCESS EQUIPMENT", passed First Reading by title and was referred to the Committee on Economic Development.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 59 to 62) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 59), entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING LEGISLATIVE ENDORSEMENT FOR THE ESTABLISHMENT AND OPERATION OF A MASS FRUIT FLY REARING LABORATORY ON OAHU FOR RESEARCH RELATING TO THE ERADICATION OF FRUIT FLIES AND IMPLEMENTATION OF AN ERADICATION PROGRAM", was jointly offered by Senators F. Wong, Hara, Soares, Henderson, Yamasaki, Yim, Nishimura, Toyofuku, King, Saiki, Hulten and Kuroda.

By unanimous consent, S.C.R. No. 59 was referred to the Committee on Economic Development.

A concurrent resolution (S.C.R. No. 60), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE DEPARTMENT OF TRANSPORTATION AND THE COUNTIES TO DEVELOP JOGGING TRAILS THROUGHOUT THE STATE", was jointly offered by Senators R. Wong, Yim, Soares, Takitani, Yee, George, Saiki, Henderson, Kuroda, Leopold, Hulten, King, Anderson, Ushijima, F. Wong, Yamasaki, Chong, Young, Hara, Toyofuku, Ching, Taira, Nishimura, O'Connor and Kawasaki.

By unanimous consent, S.C.R. No. 60 was referred to the Committee on Ecology, Environment and Recreation.

A concurrent resolution (S.C.R. No. 61), entitled: "SENATE CONCURRENT RESOLUTION CALLING FOR EMPLOYEES AND EMPLOYERS IN THE CONSTRUCTION INDUSTRY TO ESTABLISH COMMON EXPIRATION DATES IN CONTRACTS", was jointly offered by Senators Yamasaki, Ushijima, Toyofuku, Chong, Henderson, Ching, Takitani, Nishimura, Saiki, Soares and R. Wong.

By unanimous consent, S.C.R. No. 61 was referred to the Committee on Human Resources.

A concurrent resolution (S.C.R. No. 62), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING CONGRESS TO AMEND THE NATIONAL LABOR RELATIONS ACT TO REQUIRE COMMON EXPIRATION DATES IN CONSTRUCTION INDUSTRY CONTRACTS", was jointly offered by Senators Yamasaki, Ushijima, Takitani, Nishimura, Chong, Toyofuku, Ching, Henderson, Saiki, Soares and R. Wong.

By unanimous consent, S.C.R. No. 62 was referred to the Committee on Human Resources.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 228 to 238) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 228), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS AND BEST WISHES TO THE REVEREND YOSHIAKI FUJITANI, BISHOP OF HONPA HONGWANJI MISSION OF HAWAII", was jointly offered by Senators Taira, Yamasaki, Ushijima, Young, Takitani, Hara, Ching, Kuroda, F. Wong, Yee, Toyofuku, Saiki, Chong, Leopold, Nishimura, Kawasaki, Hulten, Henderson and George.

On motion by Senator Taira, seconded by Senator Yamasaki and carried, S.R. No. 228 was adopted.

A resolution (S.R. No. 229), entitled: "SENATE RESOLUTION RECOGNIZING THE 75TH ANNIVERSARY OF THE FOUNDING OF THE MOILILI JAPANESE LANGUAGE SCHOOL AND HONORING AND COMMENDING THE FOUNDERS, COMMUNITY LEADERS, AND OTHERS WHO HAVE CONTRIBUTED TO ITS DEVELOPMENT AND CONTINUANCE", was jointly offered by Senators Kawasaki, Ushijima, Yamasaki, Hulten, Takitani, Kuroda, Yee, Soares, Toyofuku, Chong, Ching, Nishimura, Henderson, Young, George, Leopold, Saiki, King, R. Wong, F. Wong, Hara, O'Connor, Taira and Anderson.

Senator Kawasaki moved that S.R. No. 229 be adopted, seconded by Senator King.

Senator Kawasaki then stated as follows:

"Mr. President, I would like to comment on this resolution.

I am particularly appreciative of the great impact and the contribution the Moiliili Japanese School and its founders have made to this State of ours. There is one subject taught in language schools, Japanese language schools, which is the subject of ethics, in Japanese called 'shushin' and I think the impact of this particular item in their curriculum has had a very salutary effect on the State.

It is reflected in the fact that most of the graduates of the Japanese language schools are not part of the criminal statistics that appall us. They are not, generally speaking, part of the statistics involving great welfare costs to welfare recipients.

I would like very much to see the public schools incorporate into their curriculum, the basic course of ethics as it is practiced by the Japanese language schools, but I am appreciative, as a member of this Senate, of the contributions made, not only by the Moiliili Japanese School, but by all language schools... Chinese language schools, the Korean language schools, the Japanese language schools.

I think this Body should support with great energy and encouragement for the continuance of schools of this nature, after the regular public school hours, to keep our youngsters busy, but more importantly, to help develop their character in subjects like ethics.

Thank you, Mr. President."

The motion was put by the Chair and carried and S.R. No. 229 was adopted.

A resolution (S.R. No. 230), entitled: "SENATE RESOLUTION CONGRATULATING THE GENERAL ELECTRIC COMPANY ON RELOCATING ITS FAR EASTERN OPERATIONS OFFICE IN HONOLULU", was jointly offered by Senators F. Wong, Yamasaki, Kuroda, Takitani, Chong, Hulsten, Taira, Ching, Soares, Henderson, King, Young, Leopold, Toyofuku, George, Saiki and Yee.

On motion by Senator F. Wong, seconded by Senator Young and carried, S.R. No. 230 was adopted.

A resolution (S.R. No. 231), entitled: "SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII AND OTHER INVOLVED AGENCIES TO GIVE THE HIGHEST POSSIBLE PRIORITY IN CONSTRUCTING FACILITIES FOR THE COLLEGE OF AGRICULTURE, UNIVERSITY OF HAWAII-HILO", was jointly offered by Senators F. Wong, King, Ching, Yamasaki, Takitani, Hulsten, Kuroda, Young, Leopold, Saiki, Yee, Henderson, Toyofuku and George.

By unanimous consent, S.R. No. 231 was referred to the Committee on Higher Education.

A resolution (S.R. No. 232), entitled: "SENATE RESOLUTION EXPRESSING LEGISLATIVE ENDORSEMENT FOR THE ESTABLISHMENT AND OPERATION OF A MASS FRUIT FLY REARING LABORATORY ON OAHU FOR RESEARCH RELATING TO THE ERADICATION OF FRUIT FLIES AND IMPLEMENTATION OF AN ERADICATION PROGRAM",

was jointly offered by Senators F. Wong, Hara, Soares, Henderson, Yamasaki, Yim, Nishimura, Toyofuku, King, Saiki, Hulsten and Kuroda.

By unanimous consent, S.R. No. 232 was referred to the Committee on Economic Development.

A resolution (S.R. No. 233), entitled: "SENATE RESOLUTION RELATING TO THE ACQUISITION OF PALMYRA ISLAND BY THE STATE OF HAWAII", was jointly offered by Senators Ushijima, King, Chong, Kawasaki, Takitani, Yamasaki, Ching, Taira, Leopold, Hara, Kuroda, F. Wong, Toyofuku, O'Connor, Saiki, Yee, Young and Nishimura.

By unanimous consent, S.R. No. 233 was referred to the Committee on Economic Development.

A resolution (S.R. No. 234), entitled: "SENATE RESOLUTION REQUESTING THE STATE DEPARTMENT OF TRANSPORTATION AND THE COUNTIES TO DEVELOP JOGGING TRAILS THROUGHOUT THE STATE", was jointly offered by Senators R. Wong, Yim, Soares, Takitani, Yee, George, Saiki, Henderson, Kuroda, Leopold, Hulsten, King, Anderson, Ushijima, F. Wong, Yamasaki, Chong, Young, Hara, Toyofuku, Ching, Taira, Nishimura, O'Connor and Kawasaki.

By unanimous consent, S.R. No. 234 was referred to the Committee on Ecology, Environment and Recreation.

A resolution (S.R. No. 235), entitled: "SENATE RESOLUTION CONGRATULATING CALVIN A. TOTTORI ON BEING AWARDED THE SILVER BEAVER FOR DISTINGUISHED SERVICE TO YOUTH", was jointly offered by Senators O'Connor, Chong, Saiki, George, Anderson, Taira, Takitani, King, Henderson, Toyofuku, Soares, Nishimura, Young, Hulsten, Leopold, F. Wong, Ching, Kawasaki, Yamasaki and Ushijima.

On motion by Senator O'Connor, seconded by Senator Nishimura and carried, S.R. No. 235 was adopted.

Senator O'Connor introduced to the members of the Senate Mr. Calvin A. Tottori, and presented him with a certified copy of the resolution just adopted. Accompanying Mr. Tottori was his wife, Mrs. Tottori and Dr. Higashionna, Director of Transportation.

At 10:20 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:21 o'clock a.m.

A resolution (S.R. No. 236), entitled: "SENATE RESOLUTION COMMENDING AND HONORING FARRAN F. ROSSETTI ON HIS SELECTION AS THE 1978 TRUCK DRIVER OF THE YEAR FOR HAWAII", was jointly offered by Senators O'Connor, Chong, Saiki, Anderson, Soares, Takitani, King, Taira, George, Henderson, Toyofuku, Nishimura, Young, Hulten, F. Wong, Ching, Kawasaki, Yamasaki and Ushijima.

On motion by Senator O'Connor, seconded by Senator Ching and carried, S.R. No. 236 was adopted.

Senator O'Connor introduced to the members of the Senate Mr. Farran F. Rossetti and presented him with a certified copy of the resolution.

At 10:22 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:23 o'clock a.m.

A resolution (S.R. No. 237), entitled: "SENATE RESOLUTION COMMENDING AND THANKING HAWAII TRUCKING ASSOCIATION FOR PUBLISHING AND DISTRIBUTING 'THE STORY OF A BILL' ", was jointly offered by Senators O'Connor, Chong, Saiki, Anderson, Kuroda, Takitani, King, Henderson, Toyofuku, Soares, Taira, George, Nishimura, Young, Hulten, F. Wong, Ching, Kawasaki, Yamasaki and Ushijima.

On motion by Senator O'Connor, seconded by Senator Ching and carried, S.R. No. 237 was adopted.

Senator O'Connor then introduced Mr. John M. Farnell, President of the Hawaii Trucking Association, who was seated in the gallery.

A resolution (S.R. No. 238), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS AND GOOD WISHES TO THE HAWAII FIFTH REGIONAL NATIONAL AMATEUR ATHLETIC UNION TAE KWON DO CHAMPIONSHIP", was jointly offered by Senators Hulten, Kuroda, Nishimura, Takitani, King, Taira, F. Wong, Leopold, Yee, O'Connor, Ushijima, Toyofuku, Saiki, Yim, Hara, Yamasaki, Chong, Kawasaki, Ching, George, Young, R. Wong, Henderson and Soares.

On motion by Senator Hulten, seconded by Senator Kuroda and carried, S.R. No. 238 was adopted.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee

on Legislative Management, presented a report (Stand. Com. Rep. No. 367-78), informing the Senate that Senate Concurrent Resolution Nos. 58 to 62, Senate Resolution Nos. 226 to 238 and Standing Committee Report Nos. 230-78 to 366-78 and 368-78 to 372-78 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. 368-78), recommending that Senate Resolution No. 111 be adopted.

On motion by Senator Chong, seconded by Senator Takitani and carried, the report of the Committee was adopted and S.R. No. 111, entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF THE POSSIBLE USE OF WAIMANO TRAINING SCHOOL AND HOSPITAL FOR RESPITE CARE", was adopted.

Senator Hulten, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 369-78), recommending that Senate Resolution No. 4 be adopted.

On motion by Senator Hulten, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.R. No. 4, entitled: "SENATE RESOLUTION REQUESTING VARIOUS STATE AND COUNTY AGENCIES TO FORMULATE AND ADOPT RULES CONCERNING THE ENERGY PROBLEM", was adopted.

Senator Hulten, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 370-78), recommending that House Bill No. 1604, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Transportation.

On motion by Senator Hulten, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and H.B. No. 1604, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS", passed Second Reading and was referred to the Committee on Transportation.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 371-78), recommending that Senate Bill No. 2567-78, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toyofuku,

seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 2567-78, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY", passed Second Reading and was placed on the calendar for Third Reading on Monday, February 27, 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. 2567-78, S.D. 1.

Senator Hara, for the Committee on Education, presented a report (Stand. Com. Rep. No. 372-78), recommending that Senate Resolution No. 8 be adopted.

On motion by Senator Hara, seconded by Senator Yim and carried, the report of the Committee was adopted and S.R. No. 8, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REVIEW AND REASSESS THE OPERATION OF THE SCHOOL-BY-SCHOOL BUDGET DISPLAY OF FUNDING", was adopted.

ORDER OF THE DAY

RE-REFERRAL OF A SENATE BILL

The President made the following re-referral of a Senate Bill which had been introduced on Thursday, January 26, 1978:

Senate Bill	Referred to:
No. 1797-78	Jointly to the Committee on Economic Development and the Committee on Ways and Means

THIRD READING

Standing Committee Report No. 98-78 (S.B. No. 1643-78):

By unanimous consent, consideration of Stand. Com. Rep. No. 98-78 on S.B. No. 1643-78, entitled: "A BILL FOR AN ACT RELATING TO CERTIFIED COPIES OF VITAL RECORDS", was deferred until Monday, February 27, 1978.

Standing Committee Report No. 99-78 (S.B. No. 1649-78):

By unanimous consent, consideration of Stand. Com. Rep. No. 99-78 on S.B. No. 1649-78, entitled: "A BILL FOR AN ACT RELATING TO VITAL RECORDS", was deferred until Monday, February 27, 1978.

Senate Bill No. 1619-78:

By unanimous consent, consideration of S.B. No. 1619-78, entitled: "A BILL FOR AN ACT RELATING TO ASSISTANCE TO DISPLACED PERSONS", was deferred until Monday, February 27, 1978.

Senate Bill No. 1659-78:

By unanimous consent, consideration of S.B. No. 1659-78, entitled: "A BILL FOR AN ACT RELATING TO COLLECTION AGENCIES", was deferred until Monday, February 27, 1978.

Senate Bill No. 1660-78, S.D. 1:

By unanimous consent, consideration of S.B. No. 1660-78, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPEECH PATHOLOGY AND AUDIOLOGY", was deferred until Monday, February 27, 1978.

Senate Bill No. 1662-78:

By unanimous consent, consideration of S.B. No. 1662-78, entitled: "A BILL FOR AN ACT RELATING TO VETERINARY EXAMINATIONS", was deferred until Monday, February 27, 1978.

Senate Bill No. 1663-78:

By unanimous consent, consideration of S.B. No. 1663-78, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INSURANCE LAW", was deferred until Monday, February 27, 1978.

Senate Bill No. 1690-78, S.D. 1:

By unanimous consent, consideration of S.B. No. 1690-78, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO USE OF CREDIT CARDS", was deferred until Monday, February 27, 1978.

Senate Bill No. 1691-78:

By unanimous consent, consideration of S.B. No. 1691-78, entitled: "A BILL FOR AN ACT RELATING TO AMENDMENT OF NOTICE TO VICTIM PROVISION OF HRS 706-602", was deferred until Monday, February 27, 1978.

Senate Bill No. 1704-78, S.D. 1:

By unanimous consent, consideration of S.B. No. 1704-78, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII SUPREME COURT CONCERNING A FULL COURT, ORAL ARGUMENTS, AND SUBSTITUTE JUSTICES", was deferred until Monday, February 27, 1978.

Senate Bill No. 1705-78:

By unanimous consent, consideration

of S.B. No. 1705-78, entitled: "A BILL FOR AN ACT RELATING TO JURISDICTIONAL LIMIT OF THE CLERK IN HANDLING SMALL ESTATES OF PERSONS LEAVING NO KNOWN RELATIVES", was deferred until Monday, February 27, 1978.

Senate Bill No. 1801-78, S.D. 1:

By unanimous consent, consideration of S.B. No. 1801-78, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PHYSICIAN-PATIENT PRIVILEGE", was deferred until Monday, February 27, 1978.

Senate Bill No. 1804-78, S.D. 1:

By unanimous consent, consideration of S.B. No. 1804-78, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNLAWFUL SUSPENSION OR DISCHARGE FROM EMPLOYMENT", was deferred until Monday, February 27, 1978.

Senate Bill No. 1931-78:

By unanimous consent, consideration of S.B. No. 1931-78, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR LICENSES", was deferred until Monday, February 27, 1978.

Senate Bill No. 1815-78, S.D. 1:

By unanimous consent, consideration of S.B. No. 1815-78, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REMOVAL OF SAND", was deferred until Monday, February 27, 1978.

Senate Bill No. 2599-78:

By unanimous consent, consideration of S.B. No. 2599-78, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FOUNDATION ON CULTURE AND THE ARTS", was deferred until Monday, February 27, 1978.

Senate Bill No. 2616-78:

By unanimous consent, consideration of S.B. No. 2616-78, entitled: "A BILL FOR AN ACT RELATING TO THE COMPACT FOR EDUCATION", was deferred until Monday, February 27, 1978.

ADJOURNMENT

At 10:29 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, February 27, 1978.