

TWENTY-EIGHTH DAY

Monday, February 27, 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 Dr. Edmond Walker, Hawaii Baptist Convention, after which the Roll was called showing all Senators present.

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

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

Senator Anderson introduced 43 seniors from the Paradise Senior Citizens Club, accompanied by their president Mr. Itagaki.

Senator Chong introduced Ms. Althea S. Cline, visitor from California, accompanied by Mrs. Lily Winters, his mother.

Senator R. Wong introduced Mr. James Brown, President, UPW, Mr. Ben Rodrigues, Mr. Joe Rodrigues and Mr. Al Sousa.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 239 to 246) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 239), entitled: "SENATE RESOLUTION RELATING TO DEPARTMENT OF EDUCATION COMPLIANCE WITH PROVISIONS OF TITLE IX", was jointly offered by Senators King, Nishimura, Chong, Saiki, Yamasaki, Kuroda, Takitani, Hulten, George, Henderson, Yee, F. Wong, Young, Yim, Leopold and R. Wong.

By unanimous consent, S.R. No. 239 was referred to the Committee on Education.

A resolution (S.R. No. 240), entitled: "SENATE RESOLUTION URGING STATE AND COUNTY AGENCIES TO PROVIDE EASY ACCESSIBILITY TO RULES ADOPTED UNDER THE HAWAII ADMINISTRATIVE PROCEDURE ACT", was jointly offered by Senators Hulten, Kuroda, Ching, King, Yamasaki, O'Connor, Taira, Takitani, Leopold, Young, Anderson, F. Wong, Toyofuku, Hara, Yee, George, Saiki, R. Wong and Chong.

By unanimous consent, S.R. No. 240 was referred to the Committee on Intergovernmental Relations.

A resolution (S.R. No. 241), entitled: "SENATE RESOLUTION COMMENDING THE MAUI CHAMBER OF COMMERCE FOR THEIR ANTI-LITTER WORK", was jointly offered by Senators Takitani, Yamasaki, Henderson, King, Anderson, Hara, Yee, Saiki, Taira, Toyofuku, Ushijima, Soares, Hulten, Ching, Nishimura, F. Wong, Chong, R. Wong, Young, George, O'Connor, Leopold, Kuroda and Yim.

On motion by Senator Takitani, seconded by Senator Yamasaki and carried, S.R. No. 241 was adopted.

A resolution (S.R. No. 242), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS AND BEST WISHES TO ROXANNA FELIZ CRAWFORD, MISS MAUI OF 1978", was jointly offered by Senators Takitani, Yamasaki, Hulten, Ching, Nishimura, Toyofuku, Yim, F. Wong, Taira, Kawasaki, Henderson, Leopold, Saiki, Young, Hara, King, Chong, Yee, Anderson, George, R. Wong, O'Connor, Kuroda, Ushijima and Soares.

On motion by Senator Takitani, seconded by Senator Yamasaki and carried, S.R. No. 242 was adopted.

A resolution (S.R. No. 243), entitled: "SENATE RESOLUTION CONGRATULATING HARRIS MATSUSHIMA AND DEREK TATSUNO AS CO-WINNERS OF THE QUARTERBACK CLUB'S 'OUTSTANDING MALE ATHLETE OF THE YEAR' AWARD", was jointly offered by Senators Takitani, Yamasaki, O'Connor, Chong, King, Hulten, Soares, Ching, Henderson, Kawasaki, Toyofuku, Leopold, George and Young.

On motion by Senator Takitani, seconded by Senator Yamasaki and carried, S.R. No. 243 was adopted.

A resolution (S.R. No. 244), entitled: "SENATE RESOLUTION CONGRATULATING THE KAISER-PERMANENTE MEDICAL CARE PROGRAM FOR ITS SERVICES TO THE COMMUNITY", was jointly offered by Senators Yamasaki, Takitani, Nishimura, Chong, Toyofuku, Ching, Saiki, Hara, Soares, Kuroda, Yim, Henderson, R. Wong, Young, Ushijima, Yee, Hulten and King.

On motion by Senator Yamasaki, seconded by Senator Takitani and carried, S.R. No. 244 was adopted.

A resolution (S.R. No. 245), entitled: "SENATE RESOLUTION EXPRESSING APPRECIATION FOR THE MANY LITERARY CONTRIBUTIONS OF ALDYTH MORRIS", was jointly offered by Senators King, Ushijima, Taira, Yim, Yee, Nishimura, R. Wong, Ching, Hulten, Kuroda, O'Connor, Anderson, Soares and George.

On motion by Senator King, seconded by Senator Chong and carried, S.R. No. 245 was adopted.

A resolution (S.R. No. 246), entitled: "SENATE RESOLUTION EXTENDING BEST WISHES TO MR. CHINN HO ON THE OCCASION OF HIS BIRTHDAY", was jointly offered by Senators Ushijima, Yamasaki, Chong, Henderson, Toyofuku, George, Nishimura, Takitani, Young, Taira, Hulten, Kuroda, Soares, Anderson, Kawasaki, Ching, R. Wong, Hara, King, Yim, Saiki and O'Connor.

On motion by Senator Yamasaki, seconded by Senator Henderson and carried, S.R. No. 246 was adopted.

STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 373-78), informing the Senate that Senate Resolution Nos. 239 to 244 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.

ORDER OF THE DAY

MATTERS DEFERRED FROM FEBRUARY 24, 1978

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

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, Stand. Com. Rep. No. 98-78 was adopted and S.B. No. 1643-78, entitled: "A BILL FOR AN ACT RELATING TO CERTIFIED COPIES OF VITAL RECORDS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, Stand. Com. Rep. No. 99-78 was adopted and S.B. No. 1649-78, entitled: "A BILL FOR AN ACT RELATING TO VITAL RECORDS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1619-78:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, S.B. No. 1619-78, entitled: "A BILL FOR AN ACT RELATING TO ASSISTANCE TO DISPLACED PERSONS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1659-78:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, S.B. No. 1659-78, entitled: "A BILL FOR AN ACT RELATING TO COLLECTION AGENCIES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, S.B. No. 1660-78, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPEECH PATHOLOGY AND AUDIOLOGY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1662-78:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, S.B. No. 1662-78, entitled: "A BILL FOR AN ACT RELATING TO VETERINARY EXAMINATIONS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1663-78:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, S.B. No. 1663-78, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INSURANCE LAW", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, S.B. No. 1690-78, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO USE OF CREDIT CARDS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1691-78:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, S.B. No. 1691-78, entitled: "A BILL FOR AN ACT RELATING TO AMENDMENT OF NOTICE TO VICTIM PROVISION OF HRS 706-602", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

By unanimous consent, action on 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 Tuesday, February 28, 1978.

Senate Bill No. 1705-78:

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

Ayes, 25. Noes, none.

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

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, S.B. No. 1801-78, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PHYSICIAN-PATIENT PRIVILEGE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

By unanimous consent, action on 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 Tuesday, February 28, 1978.

Senate Bill No. 1931-78:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, S.B. No. 1931-78, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR LICENSES", having been read throughout, passed Third Reading

on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

On motion by Senator King, seconded by Senator Hulten and carried, S.B. No. 1815-78, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REMOVAL OF SAND", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2599-78:

On motion by Senator Hara, seconded by Senator Yim and carried, S.B. No. 2599-78, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FOUNDATION ON CULTURE AND THE ARTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2616-78:

On motion by Senator Hara, seconded by Senator Yim and carried, S.B. No. 2616-78, entitled: "A BILL FOR AN ACT RELATING TO THE COMPACT FOR EDUCATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

THIRD READING

Standing Committee Report No. 246-78 (S.B. No. 1590-78, S.D. 2):

By unanimous consent, consideration of Stand. Com. No. 246-78 on S.B. No. 1590-78, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY CONSERVATION IN BUILDINGS", was deferred until Tuesday, February 28, 1978.

Standing Committee Report No. 247-78 (S.B. No. 1595-78, S.D. 1):

On motion by Senator Hulten, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 247-78 was adopted and S.B. No. 1595-78, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UTILIZATION OF WASTE HEAT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2409-78, S.D. 1:

By unanimous consent, consideration of S.B. No. 2409-78, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS", was deferred until Tuesday, February 28, 1978.

Senate Bill No. 1752-78:

Senator Chong moved that S.B. No. 1752-78 having been read throughout, pass Third Reading, seconded by Senator Takitani.

At this time, Senator Chong rose to quote a paragraph of the Standing Committee Report, as follows:

"It is the intent of your Committee on Health that no unit of state or county government, in the case of an emergency, shall deny ambulance service to any person unable to pay, or make any inquiry regarding ability to pay prior to the rendering of ambulance service to the person in need thereof. It is the expressed intent of the committee that this principle be closely adhered to in all emergency situations."

Senator Kawasaki then inquired: "Why was the bill introduced by request?"

Senator Chong replied that it was introduced by request for the Department of Health.

Senator Anderson then rose to state:

"Mr. President, I'm in favor of the bill and I see no objections to its passage, but, it's too bad it doesn't include hospitals because we may rush someone there someday and that person will be dying in the admitting room while they get the information before admittance."

The motion was put by the Chair and carried, and S.B. No. 1752-78, entitled: "A BILL FOR AN ACT RELATING TO FREE EMERGENCY AMBULANCE SERVICE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2567-78, S.D. 1:

On motion by Senator Toyofuku, seconded by Senator Young and carried, S.B. No. 2567-78, 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.

ADJOURNMENT

At 11:54 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., Tuesday, February 28, 1978.