

## TWELFTH DAY

Thursday, February 1, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Reverend Jori Watland, Christ the King Lutheran Church, after which the Roll was called showing all Senators present, with the exception of Senators Hara, Soares, Takitani and Yim, who were excused.

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

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 57 to 63) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 57), transmitting a document entitled: "Land and Water Resource Management in Hawaii", prepared by the Hawaii Institute for Management and Analysis in Government of the Department of Budget and Finance, dated January, 1979, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 58), transmitting a report prepared by the Department of Social Services and Housing in response to Section 346-54, Hawaii Revised Statutes, as amended, dealing with the adequacy of welfare allowances, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 59), transmitting the First Year Annual Report (July 1, 1977 to June 30, 1978) prepared by the Hawaii Community Development Authority pursuant to Section 206E-19, Hawaii Revised Statutes, was referred to the Committee on Housing and Hawaiian Homes.

A message from the Governor (Gov. Msg. No. 60), transmitting a special report, "A Directory of Employment Training Resources in Hawaii, 1978", prepared by the State Commission on Manpower and Full Employment in cooperation with the State Manpower Services Council, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 61), transmitting a special report, "Profile of Hawaii's Youth in the Labor Force", prepared by the State Commission on Manpower and Full Employment in cooperation with the State Manpower Services Council, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 62), transmitting a report on the State's plans to relocate businesses which rent lands from the State at Sand Island, prepared by the Department of Transportation and the Department of Land and Natural Resources in response to H.R. No. 428 (1978), was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 63), transmitting a report relating to the Hawaii Water Carrier Act, prepared by the Department of Regulatory Agencies in response to S.R. No. 364 (1978) and H.R. No. 581 (1978), was referred to the Committee on Public Utilities.

## SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 9 and 10) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 9), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO PREPARE AND SUBMIT A CONSTITUTIONAL AMENDMENT REQUIRING A BALANCING OF THE FEDERAL BUDGET", was jointly offered by Senators George, Kuroda, Soares, Takitani, Hara, Carroll, Saiki, Ajifu, Toyofuku, Carpenter, Anderson, Cobb, Campbell, O'Connor and Yee.

By unanimous consent, S.C.R. No. 9 was referred to the Committee on Intergovernmental Relations, then to the Committee on Judiciary, then to the Committee on Ways and Means.

A concurrent resolution (S.C.R. No. 10), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO EXEMPT HAWAII FROM THE MULTI-LINGUAL REQUIREMENTS OF TITLE III OF THE VOTING RIGHTS ACT, AS AMENDED IN 1975", was jointly offered by Senators George, Cobb, Kuroda, Chong, Young, Ajifu, Anderson, Takitani, Hara, Carpenter, Toyofuku, Soares, Yee, Campbell, Carroll, Saiki and O'Connor.

By unanimous consent, S.C.R. No. 10 was referred to the Committee on Intergovernmental Relations, then to the Committee on Judiciary.

## SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 77 to 83) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 77), entitled:

"SENATE RESOLUTION REQUESTING A STUDY ON DAYLIGHT SAVING TIME", was offered by Senator Abercrombie.

By unanimous consent, S.R. No. 77 was referred to the Committee on Ecology, Environment and Recreation, then to the Committee on Legislative Management.

A resolution (S.R. No. 78), entitled: "SENATE RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO EXEMPT HAWAII FROM THE MULTI-LINGUAL REQUIREMENTS OF TITLE III OF THE VOTING RIGHTS ACT, AS AMENDED IN 1975", was jointly offered by Senators George, Cobb, Kuroda, Chong, Young, Ajifu, Takitani, Anderson, Hara, Carpenter, Toyofuku, Soares, Yee, Campbell, Carroll, Saiki and O'Connor.

By unanimous consent, S.R. No. 78 was referred to the Committee on Intergovernmental Relations, then to the Committee on Judiciary.

A resolution (S.R. No. 79), entitled: "SENATE RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO PREPARE AND SUBMIT A CONSTITUTIONAL AMENDMENT REQUIRING A BALANCING OF THE FEDERAL BUDGET", was jointly offered by Senators George, Kuroda, Soares, Takitani, Hara, Carroll, Saiki, Ajifu, Toyofuku, Carpenter, Anderson, Cobb, O'Connor, Campbell and Yee.

By unanimous consent, S.R. No. 79 was referred to the Committee on Intergovernmental Relations, then to the Committee on Judiciary, then to the Committee on Ways and Means.

A resolution (S.R. No. 80), entitled: "SENATE RESOLUTION RELATING TO THE STUDY OF NON-FOSSIL FUEL", was jointly offered by Senators Chong, Kuroda, Yamasaki, Carpenter, Ajifu, Cayetano, Young, Wong, Mizuguchi, Campbell, O'Connor and Soares.

By unanimous consent, S.R. No. 80 was referred to the Committee on Public Utilities.

A resolution (S.R. No. 81), entitled: "SENATE RESOLUTION RELATING TO PUBLIC UTILITIES", was jointly offered by Senators Chong, Kuroda, Yamasaki, Carpenter, Ajifu, Cayetano, Campbell, Hara, Young, Wong, O'Connor, Mizuguchi and Soares.

By unanimous consent, S.R. No. 81 was referred to the Committee on Public Utilities.

A resolution (S.R. No. 82), entitled: "SENATE RESOLUTION RELATING TO ENERGY", was jointly offered by Senators Chong, Kuroda, Yamasaki, Carpenter, Ajifu, Cayetano, Hara, Young, Wong, Mizuguchi, Campbell, O'Connor and Soares.

By unanimous consent, S.R. No. 82 was referred to the Committee on Public Utilities.

A resolution (S.R. No. 83), entitled: "SENATE RESOLUTION RELATING TO FURTHER IMPROVEMENT OF THE PUBLIC UTILITIES", was jointly offered by Senators Chong, Kuroda, Yamasaki, Carpenter, Ajifu, Cayetano, Young, Wong, Mizuguchi, Campbell and Soares.

By unanimous consent, S.R. No. 83 was referred to the Committee on Public Utilities.

#### INTRODUCTION OF SENATE BILLS

On motion by Senator Mizuguchi, 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 Friday, February 2, 1979:

#### Senate Bills

No. 376 "A Bill for an Act Relating to Capital Crimes."

Introduced by: Senators Kawasaki, Ajifu, Campbell, Carpenter, Kuroda, Soares, Toyofuku and Yim.

No. 377 "A Bill for an Act Relating to Collective Bargaining in Public Employment and Amending Chapter 89, Hawaii Revised Statutes."

Introduced by: Senator Kawasaki, by request.

No. 378 "A Bill for an Act Relating to Decision-Making by Employers in Collective Bargaining in Public Employment."

Introduced by: Senator Kawasaki, by request.

No. 379 "A Bill for an Act Making an Appropriation to Provide for Campus Aides at Maui High School, Maui School District."

Introduced by: Senators Yamasaki and Takitani.

No. 380 "A Bill for an Act Making an Appropriation to Provide for the Continuation of the Children's Librarian Program at Wailuku Library."

Introduced by: Senators Yamasaki and Takitani.

No. 381 "A Bill for an Act Making an Appropriation to Provide for a Vegetable Research Scientist at

- the Kula Branch Station, Hawaii Agricultural Experiment Station."
- Introduced by: Senators Yamasaki and Takitani.
- No. 382 "A Bill for an Act Making an Appropriation for Chore Services for the Elderly and Handicapped at Maui Rehabilitation Center."
- Introduced by: Senators Yamasaki and Takitani.
- No. 383 "A Bill for an Act Making an Appropriation for the Continued Operation of Maui Hui Malama, Inc."
- Introduced by: Senators Yamasaki and Takitani.
- No. 384 "A Bill for an Act Making an Appropriation for Grants-in-Aid to Molokai General Hospital."
- Introduced by: Senators Yamasaki and Takitani.
- No. 385 "A Bill for an Act Making an Appropriation for the Pre-Vocational Program of the Maui Association for Retarded Citizens."
- Introduced by: Senators Yamasaki and Takitani.
- No. 386 "A Bill for an Act Making an Appropriation for Infant Stimulation and Child Development Programs, Maui Easter Seal Society."
- Introduced by: Senators Yamasaki and Takitani.
- No. 387 "A Bill for an Act Making an Appropriation for Social Rehabilitation Programs and Projects for the Handicapped and Disabled at the Molokai Rehabilitation Facility at Kaunakakai, Molokai."
- Introduced by: Senators Yamasaki and Takitani.
- No. 388 "A Bill for an Act Making an Appropriation for Plans and Construction of an Office Complex for the Department of Agriculture, at Kahului, Maui."
- Introduced by: Senators Yamasaki and Takitani.
- No. 389 "A Bill for an Act Making an Appropriation for Iao School, Maui."
- Introduced by: Senators Yamasaki and Takitani.
- No. 390 "A Bill for an Act Proposing Amendments to Articles II, III, and XVII of the Constitution of the State of Hawaii to Provide for the Initiative."
- Introduced by: Senators Carpenter, Chong, Abercrombie, George, Cayetano, Soares, Campbell, Cobb, Kawasaki and O'Connor.
- No. 391 "A Bill for an Act Relating to the Expenditure of Public Money and Public Contracts."
- Introduced by: Senator Wong, by request.
- No. 392 "A Bill for an Act Relating to Criminal History Record Information."
- Introduced by: Senator Wong, by request.
- No. 393 "A Bill for an Act Relating to Criminal Procedure: Deferred Acceptance of Guilty Plea."
- Introduced by: Senator Wong, by request.
- No. 394 "A Bill for an Act Relating to Emergency Examination and Hospitalization."
- Introduced by: Senator Wong, by request.
- No. 395 "A Bill for an Act Relating to the Relief of Certain Persons' Claims Against the State and Providing Appropriations therefor."
- Introduced by: Senator Wong, by request.
- No. 396 "A Bill for an Act Relating to the Compensation of Certain Persons Under the Criminal Injuries Compensation Act and Providing Appropriations therefor."
- Introduced by: Senator Wong, by request.
- No. 397 "A Bill for an Act Relating to the State Budget."
- Introduced by: Senator Wong, by request.
- No. 398 "A Bill for an Act Relating to the Sale of Prophylactics in Vending Machines."
- Introduced by: Senator Wong, by request.
- No. 399 "A Bill for an Act Relating to Adult Care Homes, Family Boarding Homes, and Other Similar Institutions."
- Introduced by: Senator Wong, by request.
- No. 400 "A Bill for an Act Relating to Vital Statistics Registration."

- Introduced by: Senator Wong, by request.
- No. 401 "A Bill for an Act Relating to Vital Statistics."
- Introduced by: Senator Wong, by request.
- No. 402 "A Bill for an Act Relating to Reimbursement to the City and County of Honolulu under Section 70-111, Hawaii Revised Statutes, for Advances made by it for the State's Share of the Cost of Improvements Assessed Against Public and Exempt Lands in the Various Improvement Districts within the City and County of Honolulu and making Appropriation therefor."
- Introduced by: Senator Kawasaki, by request.
- No. 403 "A Bill for an Act Making an Appropriation for a Grant-in-Aid to the City and County of Honolulu for Improvements to Kuhio Avenue, Waikiki, Oahu."
- Introduced by: Senator Kawasaki, by request.
- No. 404 "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 Kawasaki, by request.
- No. 405 "A Bill for an Act to Amend Chapters 237 and 238, Hawaii Revised Statutes, Relating to General Excise Tax and Use Tax Law."
- Introduced by: Senator Kawasaki, by request.
- No. 406 "A Bill for an Act Making an Appropriation for a Grant-in-Aid to the City and County of Honolulu to provide Transportation for certain Mobility Handicapped Clients of the Department of Social Services and Housing, State of Hawaii."
- Introduced by: Senator Kawasaki, by request.
- No. 407 "A Bill for an Act Making an Appropriation for the Installation of State Government Services at the Nine City and County of Honolulu Satellite City Halls."
- Introduced by: Senator Kawasaki, by request.
- No. 408 "A Bill for an Act Making an Appropriation for the Aquarium."
- Introduced by: Senator Abercrombie.
- No. 409 "A Bill for an Act Relating to Elections."
- Introduced by: Senator Abercrombie.
- No. 412 "A Bill for an Act Relating to the Hawaii Regulatory Licensing Reform Act."
- Introduced by: Senators Cobb and Chong.
- No. 413 "A Bill for an Act Relating to the Hawaii Regulatory Licensing Reform Act."
- Introduced by: Senators Cobb and Chong.
- No. 414 "A Bill for an Act Relating to the Hawaii Regulatory Licensing Reform Act."
- Introduced by: Senators Cobb and Chong.
- No. 415 "A Bill for an Act Relating to the Hawaii Regulatory Licensing Reform Act."
- Introduced by: Senators Cobb and Chong.
- No. 416 "A Bill for an Act Relating to the Hawaii Regulatory Licensing Reform Act."
- Introduced by: Senators Cobb and Chong.
- No. 417 "A Bill for an Act Relating to the Hawaii Regulatory Licensing Reform Act."
- Introduced by: Senators Cobb and Chong.
- No. 418 "A Bill for an Act Relating to the Hawaii Regulatory Licensing Reform Act."
- Introduced by: Senators Cobb and Chong.
- No. 419 "A Bill for an Act Relating to Environmental and Litter Control."
- Introduced by: Senators Hara, Carpenter, Cayetano, Soares, Mizuguchi, George, Ajifu, Carroll, Young and Yee.
- No. 420 "A Bill for an Act Making an Appropriation for the Farm Laboratory at the University of Hawaii, Hilo College."
- Introduced by: Senators Hara, Ushijima, Carpenter, Takitani, Saiki, Campbell, Mizuguchi, Cayetano, Carroll, Yamasaki, Kuroda, Chong, Toyofuku, George, Ajifu, Abercrombie, Young, Soares,

- O'Connor and Yee.
- No. 421 "A Bill for an Act Relating to the General Excise Tax Law."
- Introduced by: Senators Hara, Carpenter, Takitani, Saiki, Carroll, Kawasaki, Yamasaki, Soares, Kuroda, Cobb, Toyofuku, George, Ajifu, Abercrombie, O'Connor and Yee.
- No. 422 "A Bill for an Act Making an Appropriation for Site Development Plans, Construction, and Equipment for Water Development Projects, County of Hawaii."
- Introduced by: Senators Hara, Ushijima, Carpenter, Takitani, Yamasaki, Kuroda, Campbell, Chong, Soares, O'Connor, Mizuguchi, Toyofuku, George, Saiki, Ajifu, Carroll, Young and Yee.
- No. 423 "A Bill for an Act Making an Appropriation for the Farm Laboratory at the University of Hawaii, Hilo College."
- Introduced by: Senators Hara, Ushijima, Carpenter, Takitani, Saiki, Campbell, Mizuguchi, Chong, Cayetano, Carroll, Yamasaki, Soares, Ajifu, Kuroda, Toyofuku, George, Young, Abercrombie, O'Connor and Yee.
- No. 424 "A Bill for an Act Relating to the Department of Social Services and Housing."
- Introduced by: Senator Abercrombie.
- No. 425 "A Bill for an Act Making an Appropriation for Capital Improvement Projects at Waiālae Elementary School, Honolulu, Hawaii."
- Introduced by: Senators Saiki, Cobb, O'Connor and Soares.
- No. 426 "A Bill for an Act Making an Appropriation for Capital Improvement Projects at Kaiser High School, Honolulu, Hawaii."
- Introduced by: Senators Saiki, Cobb, O'Connor and Soares.
- No. 427 "A Bill for an Act Making an Appropriation for Capital Improvement Projects at Kahala Elementary School, Honolulu, Hawaii."
- Introduced by: Senators Saiki, Cobb, O'Connor and Soares.
- No. 428 "A Bill for an Act Making an Appropriation for Capital Improvement Projects at Kaimuki Intermediate School, Honolulu, Hawaii."
- Introduced by: Senators Saiki, Cobb, O'Connor and Soares.
- No. 429 "A Bill for an Act Establishing Standards for Purchase of Services, Grants, and Subsidies."
- Introduced by: Senator Wong, by request.
- No. 430 "A Bill for an Act Relating to the Judiciary Budget."
- Introduced by: Senator Wong, by request.
- No. 431 "A Bill for an Act Relating to Non-Competitive Promotions of Public Officers and Employees."
- Introduced by: Senator Wong, by request.
- No. 432 "A Bill for an Act Relating to Compensation of Public Officers and Employees."
- Introduced by: Senator Wong, by request.
- No. 433 "A Bill for an Act Relating to Initial Appointments."
- Introduced by: Senator Wong, by request.
- No. 434 "A Bill for an Act Relating to Leaves of Absence of Public Officers and Employees."
- Introduced by: Senator Wong, by request.
- No. 435 "A Bill for an Act Relating to Public Employees Health Fund and Amending Chapter 87, Hawaii Revised Statutes."
- Introduced by: Senator Wong, by request.
- No. 436 "A Bill for an Act Relating to Deferred Compensation Plans."
- Introduced by: Senator Wong, by request.
- No. 437 "A Bill for an Act Relating to Purchasing Credits for Military Service under the Employees' Retirement System."
- Introduced by: Senator Wong, by request.
- No. 438 "A Bill for an Act Relating to the Classification and Compensation of Public Officers and Employees, and Amending Chapters 76 and 77, Hawaii Revised Statutes."
- Introduced by: Senator Wong, by request.

No. 439 "A Bill for an Act Relating to Employer Violations of a Collective Bargaining Agreement."

Introduced by: Senator Wong, by request.

No. 440 "A Bill for an Act Relating to the Compensation of Public Officers and Employees and Amending Chapters 76, 77 and 89, Hawaii Revised Statutes."

Introduced by: Senator Wong, by request.

No. 441 "A Bill for an Act Relating to Accidental Injury Leave."

Introduced by: Senator Wong, by request.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the following bills were referred to print and were placed on the calendar for further consideration on Friday, February 2, 1979:

#### Senate Bills

No. 410 "A Bill for an Act Relating to Retail Credit, Insurance Applications and Checking Accounts Information."

Introduced by: Senator Abercrombie.

No. 411 "A Bill for an Act Relating to the Distribution of Overhead Costs in University of Hawaii Grants."

Introduced by: Senator Abercrombie.

#### STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 4) informing the Senate that Senate Concurrent Resolution No. 8, Senate Resolution Nos. 74 to 76 and Senate Bill Nos. 339 to 375 have been printed and are ready for distribution.

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

#### REFERRAL OF SENATE BILLS

The President made the following committee assignments of senate bills that were introduced on Wednesday, January 31, 1979:

Senate Bills Referred to:

No. 339 Committee on Health, then to the Committee on Human Resources, then to the Committee on Ways and Means

No. 340 Committee on Human Resources, then to the Committee on Ways and Means

No. 341 Committee on Public Utilities, then to the Committee on Consumer Protection and Commerce

No. 342 Committee on Higher Education, then to the Committee on Ways and Means

No. 343 Committee on Higher Education, then to the Committee on Ways and Means

No. 344 Committee on Higher Education, then to the Committee on Ways and Means

No. 345 Committee on Ways and Means

No. 346 Committee on Ways and Means

No. 347 Committee on Ways and Means

No. 348 Committee on Ways and Means

No. 349 Committee on Ways and Means

No. 350 Committee on Ways and Means

No. 351 Committee on Ways and Means

No. 352 Committee on Ways and Means

No. 353 Committee on Ways and Means

No. 354 Committee on Ways and Means

No. 355 Committee on Ways and Means

No. 356 Committee on Ways and Means

No. 357 Committee on Ways and Means

No. 358 Committee on Ways and Means

No. 359 Committee on Ways and Means

No. 360 Committee on Ways and Means

No. 361 Committee on Ways and Means

No. 362 Committee on Ways and Means

No. 363 Committee on Ways and Means

No. 364 Committee on Ways and Means

No. 365 Committee on Ways and Means

No. 366 Committee on Ways and Means

No. 367 Committee on Ways and Means

No. 368 Committee on Ways and Means

No. 369 Committee on Ways and Means

No. 370 Committee on Ways and Means

No. 371 Committee on Ways and Means

No. 372 Committee on Ways and Means

No. 373 Committee on Ways and Means

No. 374 Committee on Ways and Means

No. 375 Committee on Human Resources,  
then to the Committee on Ways and Means

RE-REFERRAL OF A  
SENATE RESOLUTION

The President made the following re-  
referral of a senate resolution that was  
offered on Monday, January 29, 1979:

Senate  
Resolution Referred to:

No. 27 Jointly to the Committee on Education  
and the Committee on Higher Education

RE-REFERRAL OF  
SENATE BILLS

The President made the following re-  
referral of bills that were introduced  
on Friday, January 26, 1979:

Senate Bills Referred to:

No. 62 Jointly to the Committee on  
Agriculture and the Committee on  
Economic Development, then to the  
Committee on Ways and Means

No. 72 Jointly to the Committee on  
Agriculture and the Committee on  
Economic Development, then to the  
Committee on Ways and Means

ADJOURNMENT

At 11:39 o'clock a.m., on motion by  
Senator Mizuguchi, seconded by Senator  
Anderson and carried, the Senate adjourned  
until 11:30 o'clock a.m., Friday, February  
2, 1979.