

## THIRTIETH DAY

Wednesday, March 7, 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 William Masuda, Honpa Hongwanji Mission, after which the Roll was called showing all Senators present.

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

At this time, Senator Kawasaki introduced to the members of the Senate Mr. and Mrs. Charles Tenant from Rock Island, Illinois: Mr. Tenant is the National Chairman on Erosion Control and President of the Associated Landscape Contractors of America. Mr. and Mrs. Tenant were accompanied by Mr. Pat Kuniyoshi of P.G. Kuniyoshi Landscaping Maintenance and Nursery Company.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 98 and 99) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 98) transmitting a report prepared by the University of Hawaii on the Effort of the University of Hawaii to Develop and Implement Extended Instruction, in response to Act 243, Section 54C, Ninth State Legislature, was referred to the Committee on Higher Education.

A message from the Governor (Gov. Msg. No. 99) transmitting the Interim Report on the Fisheries Development Master Plan Study, prepared by the Department of Land and Natural Resources, in response to H.R. No. 122 (1978), was referred to the Committee on Economic Development.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 61 and 62) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 61) transmitting House Concurrent Resolution No. 30, which was adopted in the House of Representatives on March 6, 1979, was placed on file.

By unanimous consent, H.C.R. No. 30, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING RENEWED EFFORTS BY HAWAII'S CONGRESSIONAL DELEGATION FOR LEGISLATION TO ASSIST HAWAII'S

IMMIGRANT POPULATION", was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 62) transmitting House Bill No. 734, which passed Third Reading in the House of Representatives on March 6, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 734, entitled: "A BILL FOR AN ACT RELATING TO LIFE AND DISABILITY INSURANCE", passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

## SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 43), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE FEDERAL AVIATION ADMINISTRATION TO ADOPT A REGULATION GOVERNING THE PROMULGATION OF AIRPORT NOISE ABATEMENT PLANS", was jointly offered by Senators Kuroda, Mizuguchi, Cobb, Ushijima, Cayetano, Kawasaki, Chong, Toyofuku, Campbell, Yamasaki, Carpenter, George, Ajifu, Saiki, O'Connor, Soares and Yim was read by the Clerk.

By unanimous consent, S.C.R. No. 43 was referred to the Committee on Transportation.

## SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 215 to 217) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 215), entitled: "SENATE RESOLUTION REQUESTING A STUDY TO EXPLORE THE FEASIBILITY OF CONVERTING WAIANAE HIGH SCHOOL TO THE STATE'S FIRST MARINE HIGH SCHOOL", was jointly offered by Senators Young, Cayetano, Carpenter, Kuroda, Abercrombie, Yamasaki, Takitani, Chong, Campbell and Ushijima.

By unanimous consent, S.R. No. 215 was referred to the Committee on Education, then to the Committee on Legislative Management.

A resolution (S.R. No. 216), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HAWAIIAN HOMES LAND TO IMPLEMENT PROVISIONS TO ALLOW RESIDENTIAL HOMES AND SUPPORTING STRUCTURES ON AGRICULTURAL AND PASTORAL LOTS", was jointly offered by Senators Young, Cayetano, Carpenter, Kuroda, Mizuguchi, Abercrombie, Yamasaki, Takitani, Chong, Campbell and Ushijima.

By unanimous consent, S.R. No. 216 was referred to the Committee on Housing and Hawaiian Homes.

A resolution (S.R. No. 217), entitled: "SENATE RESOLUTION REQUESTING THE FEDERAL AVIATION ADMINISTRATION TO ADOPT A REGULATION GOVERNING THE PROMULGATION OF AIRPORT NOISE ABATEMENT PLANS", was jointly offered by Senators Kuroda, Chong, Cobb, Ushijima, Kawasaki, Toyofuku, Yamasaki, Carpenter, George, Ajifu, Saiki, O'Connor, Soares and Yim.

By unanimous consent, S.R. No. 217 was referred to the Committee on Transportation.

#### STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 403) informing the Senate that Senate Concurrent Resolution Nos. 41 and 42 and Senate Resolution Nos. 203 to 214 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.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 404) recommending that Senate Bill No. 9, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Mizuguchi, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 9, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIMARY ELECTIONS (CONSTITUTIONAL AMENDMENT OF ARTICLE II, SECTION 4)", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 9, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 9, S.D. 1.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 405) recommending that Senate Bill No. 1118 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Mizuguchi, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 1118, entitled: "A BILL FOR AN ACT RELATING TO FERRIES", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 9, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1118.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 406) recommending that Senate Bill No. 1506 pass First Reading by title and be recommitted to the Committee on Transportation.

On motion by Senator Mizuguchi, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 1506, entitled: "A BILL FOR AN ACT RELATING TO THE OAHU METROPOLITAN PLANNING ORGANIZATION", passed First Reading by title and was recommitted to the Committee on Transportation.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 407) recommending that Senate Bill No. 1760 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Mizuguchi, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 1760, entitled: "A BILL FOR AN ACT RELATING TO AERONAUTICS", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 9, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1760.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 408) recommending that Senate Bill No. 1588, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Mizuguchi, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 1588, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 9, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1588, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 409) recommending that Senate Bill No. 1096, S.D. 1, as amended in S.D. 2, pass Second Reading

and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 1096, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 9, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1096, S.D. 2.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 410) recommending that Senate Bill No. 1097, S.D. 1, as amended in S.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 1097, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 9, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1097, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 411) recommending that Senate Bill No. 1098, S.D. 1, as amended in S.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 1098, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 9, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1098, S.D. 2.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 412) recommending that Senate Bill No. 1099, S.D. 1, as amended in S.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the

report of the Committee was adopted and S.B. No. 1099, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 9, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1099, S.D. 2.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 413) recommending that Senate Bill No. 1100, S.D. 1, as amended in S.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 1100, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 9, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1100, S.D. 2.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 414) recommending that Senate Bill No. 1101, S.D. 1, as amended in S.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 1101, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 9, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1101, S.D. 2.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 415) recommending that Senate Bill No. 1102, S.D. 1, as amended in S.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 1102, S.D. 2, entitled:

"A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 9, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1102, S.D. 2.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 416) recommending that Senate Bill No. 1103, S.D. 1, as amended in S.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S. B. No. 1103, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 9, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1103, S.D. 2.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 417) recommending that Senate Bill No. 1104, S.D. 1, as amended in S.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 1104, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 9, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1104, S.D. 2.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 418) recommending that Senate Bill No. 1105, S.D. 1, as amended in S.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S. B. No. 1105, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 9, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1105, S.D. 2.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 419) recommending that Senate Bill No. 1106, S.D. 1, as amended in S.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 1106, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 9, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1106, S.D. 2.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 420) recommending that Senate Bill No. 1108, S.D. 1, as amended in S.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 1108, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 9, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1108, S.D. 2.

#### ORDER OF THE DAY

##### RE-REFERRAL OF A SENATE BILL

The President made the following referral of a bill that was introduced on Tuesday, February 13, 1979:

Senate Bill Referred to:

No. 1332 Committee on Ways and Means

At 11:42 o'clock a.m., the Senate stood in recess, subject to the call of the Chair.

The Senate reconvened at 11:44 o'clock a.m.

MATTER DEFERRED  
FROM MARCH 6, 1979

Senate Bill No. 10, S.D. 1:

By unanimous consent, action on S.B. No. 10, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESIGNATION FROM PUBLIC OFFICE (CONSTITUTIONAL AMENDMENTS OF ARTICLE II, SECTION 7)", was deferred until Thursday, March 8, 1979.

THIRD READING

Senate Bill No. 1430, S.D. 1:

On motion by Senator Mizuguchi, seconded by Senator Carpenter and carried, S.B. No. 1430, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Abercrombie, Carroll and Toyofuku). Excused, 1 (Yim).

Senate Bill No. 163:

By unanimous consent, action on S.B. No. 163, entitled: "A BILL FOR AN ACT RELATING TO STUDIES CONDUCTED BY

THE STATE AND ITS POLITICAL SUBDIVISIONS", was deferred until Thursday, March 8, 1979.

Senate Bill No. 654:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 654, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT (MODIFIED)", having been read throughout passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Yim).

At 11:47 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:51 o'clock a.m.

ADJOURNMENT

At 11:52 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., Thursday, March 8, 1979.