

EIGHTH DAY

Friday, January 24, 1975

The Senate of the Eighth Legislature of the State of Hawaii, Regular Session of 1975, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Mr. Louis Grace of the Kawaiahao Church, after which the Roll was called showing all Senators present.

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

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 30 and 31) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 30), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE U.S. CONGRESS TO EXEMPT HAWAII FROM THE PROPOSED THREE-DOLLAR-A-BARREL TAX ON IMPORTED CRUDE OIL", was jointly offered by Senators F. Wong, Kawasaki, Nishimura, King, Young, Ching, Yamasaki, Kuroda, Chong, Ushijima, O'Connor, Hara and Toyofuku.

By unanimous consent, S.C.R. No. 30 was referred to the Committee on Energy/Natural Resources.

A concurrent resolution (S.C.R. No. 31), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL OF HAWAII TO APPEAL THE RULING OF THE CIVIL AERONAUTICS BOARD ORDERING AN END TO GROUP DISCOUNT FARES BETWEEN HAWAII AND OTHER STATES", was jointly offered by Senators Yee, Rohlfing, Saiki, George, Leopold, Taira, O'Connor, Takitani, Anderson and Nishimura.

By unanimous consent, S.C.R. No. 31 was referred to the Committee on Economic Development.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 127 to 132) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 127), entitled: "SENATE RESOLUTION REQUESTING SOLUTION OF THE PROBLEM OF VEHICULAR ACCESS TO PUOHALA SCHOOL", was offered by Senator Hulten.

By unanimous consent, S.R. No. 127 was referred to the Committee on Transportation.

A resolution (S.R. No. 128), entitled: "SENATE RESOLUTION REQUESTING THE HAWAII HOUSING AUTHORITY TO REPORT ON THE STATUS OF ACT 307, SESSION LAWS OF HAWAII 1967", was jointly offered by Senators Rohlfing, Saiki, Leopold, George, Anderson, Henderson, Yee, Ushijima, R. Wong, Young, Kuroda, King, Hulten, Nishimura and O'Connor.

By unanimous consent, S.R. No. 128 was referred to the Committee on Housing and Hawaiian Homes.

A resolution (S.R. No. 129), entitled: "SENATE RESOLUTION REQUESTING CONGRESS TO AMEND THE INTERNAL REVENUE CODE TO PROMOTE THE SALE OF RESIDENTIAL LAND SUBJECT TO LEASEHOLDS", was jointly offered by Senators Rohlfing, Saiki, Leopold, George, Anderson, Henderson, Yee, Ushijima, R. Wong, Young, Kuroda, King, Hulten, Nishimura and O'Connor.

By unanimous consent, S.R. No. 129 was referred to the Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means.

A resolution (S.R. No. 130), entitled: "SENATE RESOLUTION REQUESTING THE ATTORNEY GENERAL TO DETERMINE WHETHER THE CONCENTRATION OF OWNERSHIP OF RESIDENTIALLY DEVELOPED AND DEVELOPABLE LAND ON OAHU AND CURRENT LEASEHOLD MANAGEMENT PRACTICES IN THE RESIDENTIAL LAND MARKET ON OAHU CONSTITUTE VIOLATIONS OF THE STATE AND/OR FEDERAL ANTI-TRUST STATUTES", was jointly offered by Senators Rohlfing, Saiki, Leopold, George, Hulten, Nishimura, O'Connor, Ushijima, R. Wong, Young, Kuroda, Anderson, Henderson, Yee and King.

By unanimous consent, S.R. No. 130 was referred to the Committee on Housing and Hawaiian Homes, then to the Committee on Judiciary.

A resolution (S.R. No. 131), entitled: "SENATE RESOLUTION REQUESTING THE U.S. CONGRESS TO EXEMPT HAWAII FROM THE PROPOSED THREE-DOLLAR-A-BARREL TAX ON IMPORTED CRUDE OIL", was jointly offered by Senators F. Wong, Kawasaki, Nishimura,

King, Young, Ching, Yamasaki, Kuroda, Chong, Ushijima, O'Connor and Toyofuku.

By unanimous consent, S.R. No. 131 was referred to the Committee on Energy/Natural Resources.

A resolution (S.R. No. 132), entitled: "SENATE RESOLUTION COMMENDING SENATOR NEVILLE THOMAS BONNER, MEMBER OF THE FEDERAL PARLIAMENT OF AUSTRALIA", was jointly offered by Senators O'Connor, Ching, Leopold, Anderson, F. Wong, Kawasaki, Takitani, Chong, Yim, Kuroda, Toyofuku, Hulten, George, Yee, Henderson, Rohlfing, King, Young, R. Wong, Nishimura, Yamasaki, Saiki, Taira, Ushijima and Hara.

On motion by Senator O'Connor, seconded by Senator Nishimura and carried, S.R. No. 132 was adopted.

At this time, Senator O'Connor introduced to the members of the Senate, Mr. Bonner, Senator from Australia, and Mrs. Bonner. Senator Bonner was then escorted to the rostrum by Senator O'Connor where he was presented with a copy of the resolution just adopted; then Senator Bonner addressed the members of the Senate as follows:

"Mr. President, Honorable Senators, today would perhaps be in my opinion a very historical day. It would be the first time in history an Australian indigenous person would have been given the honor of addressing a United States Parliament. It is doubly an honor for me that I have the opportunity to address the Upper House of the Parliament in the State of Hawaii; and in so doing, Sir, bring greetings from the Australian people to the people of Hawaii.

I have had the opportunity of being with you for the opening of your Legislature, and it is an occasion that shall live long in my memory as well, I know, in the memory of my dear wife. I personally, on behalf of my wife and myself, want to thank the people of Hawaii for their tremendous hospitality that has been given to both of us. I shall return to Australia with many very, very precious memories, not only of your states and Hawaii's beautiful scenery and everything that you have to offer to your own people and the world at large, but again to the friendliness that has been shown to both my wife and myself.

As an indigenous of Australia, I say thank you, too, on behalf of my race for the welcome having been given to one of its native sons. So thank you again. May God's richest blessings be upon you here in this Chamber; may He guide your deliberations."

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 Monday, January 27, 1975:

Senate Bills

No. 205 "A Bill for an Act Relating to Injunction Proceedings for Violations of Chapter 480, Hawaii Revised Statutes."

Introduced by: Senator Ushijima, by request.

No. 206 "A Bill for an Act Relating to Civil Penalties Imposed for the Violation of Section 480-2, Hawaii Revised Statutes."

Introduced by: Senator Ushijima, by request.

No. 207 "A Bill for an Act Relating to the Enjoining of Violations of Laws and Ordinances."

Introduced by: Senator Ushijima, by request.

No. 208 "A Bill for an Act Relating to the Office of Consumer Protection."

Introduced by: Senator Ushijima, by request.

No. 209 "A Bill for an Act Relating to Consumer Small Claims Settlements."

Introduced by: Senator Ushijima, by request.

No. 210 "A Bill for an Act Relating to the Mechanic's Lien Law."

Introduced by: Senator Ushijima, by request.

No. 211 "A Bill for an Act Relating to the Licensing of Travel Agencies."

Introduced by: Senator Ushijima, by request.

No. 212 "A Bill for an Act Relating to Solicitation by Telephone or

Mail."

Introduced by: Senator Ushijima,
by request.

No. 213 "A Bill for an Act Relating
to Solicitation by Telephone or
Mail of Real Estate."

Introduced by: Senator Ushijima,
by request.

No. 214 "A Bill for an Act Relating
to Appearance in Small Claims
Court."

Introduced by: Senator Ushijima,
by request.

No. 215 "A Bill for an Act Relating
to Advertising of Prescription
Drugs."

Introduced by: Senator Ushijima,
by request.

No. 216 "A Bill for an Act Relating
to Audit and Accounting."

Introduced by: Senator Ushijima,
by request.

No. 217 "A Bill for an Act Relating
to Audit and Accounting."

Introduced by: Senator Ushijima,
by request.

No. 218 "A Bill for an Act Relating
to Audit and Accounting."

Introduced by: Senator Ushijima,
by request.

No. 219 "A Bill for an Act Relating
to Audit and Accounting."

Introduced by: Senator Ushijima,
by request.

No. 220 "A Bill for an Act Relating
to Expenditure of Public Money
and Public Contracts."

Introduced by: Senator Ushijima,
by request.

No. 221 "A Bill for an Act Relating
to Agricultural Parks."

Introduced by: Senator Ushijima,
by request.

No. 222 "A Bill for an Act Relating
to Use of Public Lands for Agricultural
Purposes."

Introduced by: Senator Ushijima,
by request.

No. 223 "A Bill for an Act Relating
to Eligibility of Applicants for
Farm Loans and Farm Lots."

Introduced by: Senator Ushijima,
by request.

No. 224 "A Bill for an Act Relating
to Marketing Orders Under the
Hawaii Agricultural Marketing
Act."

Introduced by: Senator Ushijima,
by request.

No. 225 "A Bill for an Act Relating
to Farm Loans."

Introduced by: Senator Ushijima,
by request.

No. 226 "A Bill for an Act Relating
to General Obligation Bonds of
the State of Hawaii."

Introduced by: Senator Ushijima,
by request.

No. 227 "A Bill for an Act Relating
to the Legal Capacity of Minors
to Contract for Hospital, Health
Clinic, and Medical Care and
Services."

Introduced by: Senator Ushijima,
by request.

No. 228 "A Bill for an Act Relating
to the Exclusion of Hawaii Public
Health Fund Benefits From Negotiation."

Introduced by: Senator Ushijima,
by request.

No. 229 "A Bill for an Act Relating
to Motor Vehicle Driver Licensing."

Introduced by: Senator Ushijima,
by request.

No. 230 "A Bill for an Act Relating
to Married Persons' Names."

Introduced by: Senators Ushijima,
Chong, Toyofuku, Ching, Kuroda,
Saiki, F. Wong, Rohlfing, Leopold,
Nishimura, and Takitani.

No. 231 "A Bill for an Act Making
an Appropriation for the Continued
Operation of the Wahiawa Child
Development Center, Wahiawa,
Oahu."

Introduced by: Senators Young,
Kuroda, Ching and F. Wong.

No. 232 "A Bill for an Act Making
an Appropriation for the Planning

and Development of a Fresh Water Park at Wahiawa, Oahu."

Introduced by: Senators Young, Kuroda, Ching and F. Wong.

No. 233 "A Bill for an Act Relating to Real Property Tax Exemptions."

Introduced by: Senators Taira, Yim, Nishimura, Takitani, Chong, Toyofuku, Ching, Kuroda, Hulten and O'Connor.

No. 234 "A Bill for an Act Relating to the Mandatory School Age."

Introduced by: Senators Taira, Yim, Nishimura, Takitani, Chong, Toyofuku, Ching, Kuroda, Hulten and O'Connor.

No. 235 "A Bill for an Act Relating to the Computation of Post Retirement Benefits."

Introduced by: Senators Taira, Yim, Nishimura, Takitani, Chong, Toyofuku, Ching, Kuroda, Hulten and O'Connor.

No. 236 "A Bill for an Act Making an Appropriation for a Grant-In-Aid to St. Francis Hospital, Oahu."

Introduced by: Senators Taira, Yim, Nishimura, Takitani, Toyofuku, Ching, Kuroda, Hulten, R. Wong and O'Connor.

No. 237 "A Bill for an Act Relating to Real Property Home Exemptions."

Introduced by: Senators Hulten, Ushijima, Chong, Kawasaki, Nishimura, Hara, F. Wong, Toyofuku, Yim, Ching, Young, Takitani and Kuroda.

No. 238 "A Bill for an Act Relating to Income Taxation."

Introduced by: Senators Hulten, Ushijima, R. Wong, Chong, Kawasaki, Hara, F. Wong, Yim, Toyofuku, Ching, Young, Nishimura, Takitani, Kuroda and King.

No. 239 "A Bill for an Act Making an Appropriation for the Planning and Construction of Basketball Courts, A Baseball Field, and Parking Facilities at Kuhio School, Oahu."

Introduced by: Senators Leopold, Yee, King and Chong.

No. 240 "A Bill for an Act Relating to Elections."

Introduced by: Senators Leopold, George, Yee, Anderson, Rohlfing, Saiki and Henderson.

No. 241 "A Bill for an Act Imposition of Death Sentence for Kidnapping."

Introduced by: Senators Yee, Anderson, Saiki, Kawasaki and Henderson.

No. 242 "A Bill for an Act Making an Appropriation for Shark Control and Research Activities."

Introduced by: Senators Kuroda, Yim, Chong, Saiki, Ching, Toyofuku, O'Connor Takitani, Kawasaki, F. Wong, Anderson, Yee, Young, George, King, Leopold, Henderson and Hulten.

No. 243 "A Bill for an Act Relating to the Payment of Income Taxes."

Introduced by: Senators Kuroda, Yim, O'Connor, Takitani, F. Wong, Anderson, King, R. Wong, Hulten, Kawasaki, Leopold and Henderson.

No. 244 "A Bill for an Act Relating to Fishing."

Introduced by: Senators Kuroda, Young, Taira, Yim, O'Connor, Takitani, George, King, R. Wong, Leopold, Hulten and Kawasaki.

STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 5), informing the Senate that Senate Concurrent Resolution No. 30, Senate Resolution Nos. 127 to 131, and Senate Bill Nos. 189 to 204 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.

At 11:43 o'clock a.m., The Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:47 o'clock a.m.

At this time, the following introductions were made to the members of the Senate:

Senator Taira introduced 31 fourth grade students from the Hongwanji Mission School, together with their

teacher Mrs. Elaine Nonaka.

Senator Anderson then introduced Mrs. Masu Dyer, a community volunteer on the Windward side.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Thursday, January 23, 1975:

Senate Bills Referred to:

No. 189 Committee on Human Resources, then to the Committee on Ways and Means

No. 190 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means

No. 191 Committee on Education

No. 192 Committee on Transportation, then to the Committee on Ways and Means

No. 193 Committee on Intergovernmental Relations, then to the Committee on Transportation, then to the Committee on Ways and Means

No. 194 Committee on Intergovernmental Relations, then to the Committee on Economic Development

No. 195 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means

No. 196 Committee on Ways and Means

No. 197 Committee on Health, then to the Committee on Judiciary

No. 198 Committee on Housing and Hawaiian Homes, then to the Committee on Judiciary, then to the Committee on Ways and Means

No. 199 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means

No. 200 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means

No. 201 Committee on Housing and Hawaiian Homes, then to the Committee on Judiciary

No. 202 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means

No. 203 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means

No. 204 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means

RE-REFERRAL OF SENATE BILLS

The President made the following re-referral of a bill that had been introduced on Tuesday, January 21, 1975:

Senate Bill Referred to:

No. 49 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means

The President made the following re-referral of a bill that had been introduced on Wednesday, January 22, 1975:

Senate Bill Referred to:

No. 162 Committee on Education, then to the Committee on Judiciary, then to the Committee on Ways and Means

ADJOURNMENT

At 11:51 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, January 27, 1975.