

## TWENTY-SEVENTH DAY

Friday, February 21, 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 Reverend Eiji Ikenaga of the Myohoji 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-Sixth Day.

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

Senator Kawasaki introduced forty students from the Fifth Grade at Makalapa Elementary School, with their teachers, Mrs. Esther Fukui and Mr. William Burke.

Senator Toyofuku introduced a group of senior citizens and four staff members from the Kauai Office of Elderly Affairs.

Senator Young then introduced 60 students from the Eighth Grade at Ilima Intermediate School, with their teachers, Mr. Gary Takaki and Mrs. Huntley, and a parent, Mrs. Snyder.

Senator Yee introduced twenty-eight students from the Sixth Grade at St. Andrew's Priory, with their teacher, Mrs. Jean Cochrane.

Senator Yee then introduced 100 third grade students from Lunalilo School, and their teachers, Mrs. Miyuki Kurisaki, Mrs. Amy Nakayama, Mrs. Rose Miyashiro and Mrs. Susan Yanagida.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 28 to 32) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 28), transmitting House Bill No. 360, H.D. 1, which passed Third Reading in the House of Representatives on February 20, 1975, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 360, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE OFFICE OF CONSUMER PROTECTION", passed First Reading by title and was referred to the Committee on Consumer Protection.

A communication from the House (Hse. Com. No. 29), transmitting House Bill No. 426, which passed Third Reading in the House of Representatives on February 20, 1975, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 426, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES", passed First Reading by title and was referred to the Committee on Public Utilities, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 30), transmitting House Bill No. 427, which passed Third Reading in the House of Representatives on February 20, 1975, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 427, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII WATER CARRIER LAW", passed First Reading by title and was referred to the Committee on Public Utilities, then to the Committee on Transportation.

A communication from the House (Hse. Com. No. 31), transmitting House Bill No. 439, which passed Third Reading in the House of Representatives on February 20, 1975, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 439, entitled: "A BILL FOR AN ACT RELATING TO INTEREST CHARGES ON DELINQUENT REAL PROPERTY TAXES", passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 32), transmitting House Bill No. 442, which passed Third Reading in the House of Representatives on February 20, 1975, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 442, entitled: "A BILL FOR AN ACT RELATING TO TAXATION OF BANKS AND OTHER FINANCIAL CORPORATIONS", passed First Reading by title and was referred

to the Committee on Judiciary, then  
to the Committee on Ways and Means.

#### SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 67), entitled: "SENATE CONCURRENT RESOLUTION URGING PUBLIC SUPPORT FOR VEHICLE EMISSIONS TESTING PROGRAM", was jointly offered by Senators King, Chong, F. Wong, Young, Hulten, Takitani, Ching, Toyofuku, Leopold, Anderson, R. Wong, Henderson and Kuroda and was read by the Clerk.

By unanimous consent, S.C.R. No. 67 was referred jointly to the Committee on Transportation and the Committee on Health.

#### SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 261 to 264) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 261), entitled: "SENATE RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO REOPEN KAPIOLANI BOULEVARD EXTENSION TO VEHICULAR TRAFFIC", was jointly offered by Senators Anderson, Yee, Rohlfing, Toyofuku, Young, Ching, Henderson and Hulten.

By unanimous consent, S.R. No. 261 was referred to the Committee on Intergovernmental Relations.

A resolution (S.R. No. 262), entitled: "SENATE RESOLUTION URGING PUBLIC SUPPORT FOR VEHICLE EMISSIONS TESTING PROGRAM", was jointly offered by Senators King, Chong, F. Wong, Young, Hulten, Takitani, Ching, Toyofuku, Leopold, Anderson, R. Wong, Henderson and Kuroda.

By unanimous consent, S.R. No. 262 was referred jointly to the Committee on Transportation and the Committee on Health.

A resolution (S.R. No. 263), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS AND BEST WISHES TO THOMAS I. YAMAMOTO ON HIS RE-ELECTION AS PRESIDENT OF THE HONOLULU YOUNG BUDDHIST ASSOCIATION", was jointly offered by Senators Taira, Ushijima, Rohlfing, Takitani, Anderson, Saiki, Yee, Leopold, Yamasaki, Henderson, R. Wong, Yim, Chong, O'Connor and Kuroda.

On motion by Senator Taira, seconded by Senator Takitani and carried,

S.R. No. 263 was adopted.

A resolution (S.R. No. 264), entitled: "SENATE RESOLUTION REQUESTING FORMULATION OF PROGRAM FOR SCHOOL EXCURSIONS TO OTHER ISLANDS", was jointly offered by Senators Hara, Toyofuku, George, O'Connor, Hulten, Takitani, F. Wong, R. Wong, Yamasaki, Yee, Rohlfing, Kuroda, Taira, Ching, Chong, Young, Yim, Nishimura and King.

By unanimous consent, S.R. No. 264 was referred to the Committee on Education, then to the Committee on Ways and Means.

#### 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, February 24, 1975:

##### Senate Bill

No. 1059 "A Bill for an Act Making an Appropriation for Capital Improvements at the Kukuau Street Extension, Hilo, Hawaii."

Introduced by: Senators Ushijima, Hara and Henderson.

No. 1060 "A Bill for an Act Making an Appropriation for the Planning and Construction of Tennis Practice Walls and Asphalt Concrete Flooring at Existing Tennis Court Facilities Throughout the State."

Introduced by: Senators Ushijima, Hara, Henderson, Anderson, Yee, F. Wong, Young, Takitani, Toyofuku, Ching, Saiki, Leopold, Chong, George, Kuroda and Yamasaki.

No. 1061 "A Bill for an Act Relating to the Department of Education."

Introduced by: Senators Taira, R. Wong, O'Connor, Kuroda, Toyofuku, Takitani, Yee, Yamasaki, Ushijima, Saiki, Rohlfing, Hara, Ching and Chong.

No. 1062 "A Bill for an Act Relating to the Hawaii Penal Code."

Introduced by: Senators King, Chong, F. Wong, Hulten, Takitani, R. Wong, Young, Ching, Leopold and Henderson.

No. 1063 "A Bill for an Act Relating to Oil Pollution."

- Introduced by: Senators King, Chong, F. Wong, Young, Hulten, Takitani, Ching, Toyofuku, Leopold, R. Wong and Kuroda.
- No. 1064 "A Bill for an Act Making an Appropriation for Kahului Flood Control Project, County of Maui."
- Introduced by: Senators Yamasaki and Takitani.
- No. 1065 "A Bill for an Act Making an Appropriation for the Construction of Lahaina Health Center, County of Maui."
- Introduced by: Senators Yamasaki and Takitani.
- No. 1066 "A Bill for an Act Making an Appropriation for Improvements at Maui Memorial Hospital."
- Introduced by: Senators Yamasaki and Takitani.
- No. 1067 "A Bill for an Act Making an Appropriation for the Construction of an Infirmary at Kalaupapa Settlement."
- Introduced by: Senators Yamasaki and Takitani.
- No. 1068 "A Bill for an Act Making an Appropriation for Improvement to Water System for Kalaupapa Settlement."
- Introduced by: Senators Yamasaki and Takitani.
- No. 1069 "A Bill for an Act Making an Appropriation for the Construction of Various School Projects Located in the County of Maui."
- Introduced by: Senators Yamasaki and Takitani.
- No. 1070 "A Bill for an Act Making an Appropriation for Capital Improvements at Maui Community College."
- Introduced by: Senators Yamasaki and Takitani.
- No. 1071 "A Bill for an Act Making an Appropriation for the Construction of State Parks Located in the County of Maui."
- Introduced by: Senators Yamasaki and Takitani.
- No. 1072 "A Bill for an Act Making an Appropriation for Small Boat Harbor Projects Located in the County of Maui."
- Introduced by: Senators Yamasaki and Takitani.
- No. 1073 "A Bill for an Act Making an Appropriation for the Construction of Makawao-Paia Civic Center, County of Maui."
- Introduced by: Senators Yamasaki and Takitani.
- No. 1074 "A Bill for an Act Relating to the State Immigrant Services Center."
- Introduced by: Senators Kuroda, Takitani, Ching, F. Wong, Young, Saiki, Henderson, Ushijima, Leopold, Anderson and Yee.
- No. 1075 "A Bill for an Act Relating to Indecent Exposure."
- Introduced by: Senator Hulten, Taira, Ushijima, Yim, O'Connor, Kuroda, Kawasaki, Ching, R. Wong, Yee and F. Wong.
- No. 1076 "A Bill for an Act Relating to Appropriations for Capital Improvement Projects for the Third District, Hawaii."
- Introduced by: Senators Ushijima, Hara and Henderson.
- No. 1077 "A Bill for an Act Relating to a Food Distribution Center, Oahu."
- Introduced by: Senators Hara, Ushijima, Henderson, Toyofuku, Taira, F. Wong, Yamasaki, Hulten, Saiki, Leopold, Anderson and George.
- No. 1078 "A Bill for an Act Making an Appropriation for Parks and Recreational Projects, South Kohala and North Kona Districts, Hawaii County."
- Introduced by: Senators Hara, Ushijima, Henderson, Toyofuku, Taira, F. Wong, Yamasaki, Hulten, Saiki, Leopold, Anderson and George.
- No. 1079 "A Bill for an Act Making an Appropriation for an Ethnic Cultural Complex, Hawaii."
- Introduced by: Senators Hara, Ushijima, Henderson, Toyofuku, Taira, Leopold, F. Wong, Yamasaki, Hulten, Saiki, Anderson and George.
- No. 1080 "A Bill for an Act Making an Appropriation for Parks and Recreational Projects, South Hilo

District, Hawaii County."

Introduced by: Senators Hara, Ushijima, Henderson, Toyofuku, Taira, F. Wong, Yamasaki, Hulten, Saiki, Leopold, Anderson and George.

No. 1081 "A Bill for an Act Making an Appropriation for Waiakea-Uka Water System."

Introduced by: Senators Hara, Ushijima and Henderson.

No. 1082 "A Bill for an Act Relating to Waimea Vacuum Cooling Plant."

Introduced by: Senators Hara, Ushijima and Henderson.

No. 1083 "A Bill for an Act Making an Appropriation for Acquisition of 14-Acre Pounder's Beach Property, Laie Beach Park, Laie, Oahu."

Introduced by: Senators Hulten, King, Toyofuku, Ushijima, Ching, Chong, F. Wong, Taira, Takitani, Hara, Young, Kuroda, Yee, George, Yamasaki and Anderson.

No. 1084 "A Bill for an Act Making an Appropriation for Land Acquisition and Construction of a Pipe Drain and Open Channel System from Kamehameha Highway to Hanaimoa Street."

Introduced by: Senators Hulten, Toyofuku, Ushijima, Chong, F. Wong, Taira, Takitani, Hara, Young, Kuroda, Yee, George and Yamasaki.

No. 1085 "A Bill for an Act Making an Appropriation for a Grant In Aid to the City and County of Honolulu for Plans and Construction of Outdoor Facilities and Site Improvements, Hauula Playground, Hauula, Oahu."

Introduced by: Senators Hulten, Toyofuku, Ushijima, Chong, F. Wong, Taira, Takitani, Hara, Young, Kuroda, Yee, George and Yamasaki.

No. 1086 "A Bill for an Act Making an Appropriation for a Grant In Aid to the City and County of Honolulu for Land Acquisition for Kahaluu Regional Park, Kahaluu, Oahu."

Introduced by: Senators Hulten, Toyofuku, Ushijima, Chong, F. Wong, Taira, Takitani, Hara, Young, Kuroda, Yee, George and Yamasaki.

No. 1087 "A Bill for an Act Relating to a Limitation on the Yearly Increase in Real Property Taxes."

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

No. 1088 "A Bill for an Act Relating to Environmental Impact Statements."

Introduced by: Senators Rohlfling, Saiki, George, Takitani, Yamasaki, Leopold, Yee and King.

No. 1089 "A Bill for an Act Relating to the Creation of a County Public Surface Transportation Authority."

Introduced by: Senators Rohlfling, Saiki, Takitani, Leopold, O'Connor and Anderson.

No. 1090 "A Bill for an Act To Authorize and Enable the Incorporation of Lessees as Nonprofit Corporations, Providing Certain Tax Exemptions, Exemptions from Corporate Security Statutes, and Providing Various Powers, Duties and Responsibilities of Such Corporations."

Introduced by: Senators Rohlfling, Saiki, Hulten, George, Takitani, Anderson, Yamasaki, Leopold, Yee and O'Connor.

No. 1091 "A Bill for an Act Relating to Medical Care."

Introduced by: Senators Chong, King, Yamasaki, R. Wong and Hara.

No. 1092 "A Bill for an Act Relating to Alcoholism Treatment Services Under Medical Care Administered by the Department of Social Services and Housing."

Introduced by: Senators Chong, Yim, Nishimura, Henderson and Hara.

No. 1093 "A Bill for an Act Relating to the Grand Jury to Inspect Correctional Facilities."

Introduced by: Senators Chong, King, Yim, F. Wong, R. Wong, Nishimura, Henderson and Hara.

No. 1094 "A Bill for an Act Relating to Possession of Medical Records."

Introduced by: Senators Chong, King, Yim, F. Wong, Yamasaki, R. Wong, Nishimura, Henderson and Hara.

No. 1095 "A Bill for an Act Relating

to Free Animal Sterilization."

Introduced by: Senators Chong, R. Wong, Leopold, Hara, King, Yim and F. Wong.

No. 1096 "A Bill for an Act Making an Appropriation for the Construction of a Playfield for Waihee Elementary School, County of Maui."

Introduced by: Senators Yamasaki and Takitani.

No. 1097 "A Bill for an Act Relating to the Gubernatorial Home."

Introduced by: Senator Anderson, by request.

#### STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 51), informing the Senate that Senate Concurrent Resolution No. 67, Senate Resolution Nos. 257 to 263, Senate Bill Nos. 1010 to 1058 and Standing Committee Report Nos. 52 to 55 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 Hulten, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 52), recommending that House Bill No. 371 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hulten, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and H.B. No. 371, entitled: "A BILL FOR AN ACT RELATING TO AUDIT AND ACCOUNTING", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kuroda, for the Committee on Consumer Protection, presented a report (Stand. Com. Rep. No. 53), recommending that Senate Bill No. 84 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Kuroda, seconded by Senator F. Wong and carried, the report of the Committee was adopted and S.B. No. 84, entitled: "A BILL FOR AN ACT RELATING TO CREDIT CARD OFFENSES", passed Second Reading and was referred

to the Committee on Judiciary.

Senator Takitani, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 54), recommending that Senate Bill No. 965 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Takitani, seconded by Senator O'Connor and carried, the report of the Committee was adopted and S.B. No. 965, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CONSTRUCTION OF HAMILTON LIBRARY, PHASE II, AT THE UNIVERSITY OF HAWAII, MANOA CAMPUS, AND AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator R. Wong, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 55), recommending that Senate Concurrent Resolution No. 47 be adopted.

On motion by Senator Hulten, seconded by Senator R. Wong and carried, the report of the Committee was adopted and S.C.R. No. 47, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CONGRESS OF THE UNITED STATES TO AID IN THE IMPLEMENTATION OF CHAPTER 516 OF THE HAWAII REVISED STATUTES BY ESTABLISHING CAPITAL GAIN AND CHARITABLE ORGANIZATION TAX STATUS FOR SALE OF RESIDENTIAL PROPERTIES TO THE LESSEES THEREOF", was adopted.

#### ORDER OF THE DAY

##### REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Thursday, February 20, 1975:

Senate Bills	Referred to:
No. 1010	Committee on Education
No. 1011	Committee on Education, then to the Committee on Ways and Means
No. 1012	Committee on Education
No. 1013	Committee on Education
No. 1014	Committee on Education
No. 1015	Committee on Higher Education, then to the Committee

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| on Ways and Means   | No. 1035 Committee on Education   |
| No. 1016 Committee on Human Resources,<br>then to the Committee on Ways<br>and Means                        | No. 1036 Committee on Public Utilities,<br>then to the Committee on Ways<br>and Means                                 |
| No. 1017 Committee on Ways and Means  | No. 1037 Committee on Higher<br>Education, then to the Committee<br>on Ways and Means                                 |
| No. 1018 Committee on Ways and Means  | No. 1038 Committee on Human Resources,<br>then to the Committee on Ways<br>and Means                                  |
| No. 1019 Committee on Ways and Means  | No. 1039 Committee on Human Resources   |
| No. 1020 Committee on Ways and Means  | No. 1040 Committee on Transportation,<br>then to the Committee on Public<br>Utilities                                 |
| No. 1021 Committee on Transportation,<br>then to the Committee on Ways<br>and Means                         | No. 1041 Committee on Education,<br>then to the Committee on Ways<br>and Means  |
| No. 1022 Committee on Economic<br>Development, then to the Committee<br>on Ways and Means                   | No. 1042 Committee on Education,<br>then to the Committee on Ways<br>and Means  |
| No. 1023 Committee on Economic<br>Development, then to the Committee<br>on Ways and Means                   | No. 1043 Committee on Intergovern-<br>mental Relations, then to the Committee<br>on Ways and Means                    |
| No. 1024 Committee on Ecology,<br>Environment and Recreation,<br>then to the Committee on Ways<br>and Means | No. 1044 Committee on Consumer<br>Protection, then to the Committee<br>on Judiciary                                   |
| No. 1025 Committee on Ecology,<br>Environment and Recreation,<br>then to the Committee on Ways<br>and Means | No. 1045 Committee on Judiciary,<br>then to the Committee on Ways<br>and Means  |
| No. 1026 Committee on Transportation,<br>then to the Committee on Ways<br>and Means                         | No. 1046 Committee on Human Resources,<br>then to the Committee on Ways<br>and Means                                  |
| No. 1027 Committee on Ecology,<br>Environment and Recreation,<br>then to the Committee on Ways<br>and Means | No. 1047 Committee on Consumer<br>Protection, then to the Committee<br>on Judiciary                                   |
| No. 1028 Committee on Economic<br>Development, then to the Committee<br>on Ways and Means                   | No. 1048 Committee on Judiciary   |
| No. 1029 Committee on Economic<br>Development, then to the Committee<br>on Ways and Means                   | No. 1049 Committee on Health,<br>then to the Committee on Judiciary   |
| No. 1030 Committee on Ways and Means  | No. 1050 Committee on Judiciary   |
| No. 1031 Committee on Education,<br>then to the Committee on Ways<br>and Means                              | No. 1051 Committee on Judiciary   |
| No. 1032 Committee on Education,<br>then to the Committee on Ways<br>and Means                              | No. 1052 Committee on Education,<br>then to the Committee on Judiciary,<br>then to the Committee on Ways<br>and Means |
| No. 1033 Committee on Consumer<br>Protection, then to the Committee<br>on Judiciary                         | No. 1053 Committee on Ecology,<br>Environment and Recreation,<br>then to the Committee on Ways<br>and Means           |
| No. 1034 Committee on Higher<br>Education, then to the Committee<br>on Ways and Means                       | No. 1054 Committee on Judiciary   |
|   | No. 1055 Committee on Higher  |

Education, then to the Committee  
on Ways and Means

No. 1058 Committee on Judiciary

ADJOURNMENT

No. 1056 Committee on Judiciary

No. 1057 Committee on Judiciary,  
then to the Committee on Ways  
and Means

At 11:42 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 24, 1975.