

THIRTY-FOURTH DAY

Tuesday, March 4, 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 Miss Barbara Yadao, after which the Roll was called showing all Senators present with the exception of Senator Rohlfing who was excused.

The President announced that he had read and approved the Journal of the Thirty-Third Day.

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

Senator Kawasaki introduced 28 seniors from Hawaiian Mission Academy, together with their teacher Mr. Hiriyama.

Senator F. Wong then introduced Edythe Kaanapu, President of the American Legion Auxiliary, Department of Hawaii; and Bea Gomes, National Executive Committeewoman of the American Legion Auxiliary.

Senator Kuroda introduced 50 students from Waialua High School, together with their teachers Mr. Mike Antone, Miss Joyce Matsuoka, Miss Sharon Nakagawa and Mrs. Lillian Oshiro.

Senator Yee then introduced 19 seniors from St. Louis School, accompanied by their teacher Mr. Rod Santos.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 57), transmitting a progress report prepared by the Department of Education on the implementation of the recommendations of the Legislative Auditor, as contained in the report, entitled, "Management Audit of the Department of Education (LAO Audit Report No. 73-1, February 1973)", in response to House Resolution No. 70, Eighth Legislature, 1975, was read by the Clerk and was referred to the Committee on Education.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 48 to 56) were read by the Clerk and were disposed of as follows:

A communication from the House

(Hse. Com. No. 48), returning Senate Concurrent Resolution No. 85, entitled: "SENATE CONCURRENT RESOLUTION WELCOMING THE 56TH ANNUAL CONVENTION OF THE ASSOCIATED GENERAL CONTRACTORS OF AMERICA", which was adopted by the House of Representatives on March 3, 1975, was placed on file.

A communication from the House (Hse. Com. No. 49), transmitting House Concurrent Resolution No. 3, which was adopted by the House of Representatives on March 3, 1975, was read by the Clerk and was placed on file.

By unanimous consent, H.C.R. No. 3, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CONGRESS TO ESTABLISH A FEDERALLY FUNDED NATIONAL INCOME MAINTENANCE PROGRAM", was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 50), transmitting House Concurrent Resolution No. 91, which was adopted by the House of Representatives on March 3, 1975, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.C.R. No. 91, entitled: "HOUSE CONCURRENT RESOLUTION CONGRATULATING THE REVEREND ROBERT H. MIDGLEY", was adopted.

A communication from the House (Hse. Com. No. 51), transmitting House Bill No. 8, H.D. 2, which passed Third Reading in the House of Representatives on March 3, 1975, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 8, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR", passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 52), transmitting House Bill No. 121, which passed Third Reading in the House of Representatives on March 3, 1975, was placed on file.

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

H.B. No. 121, entitled: "A BILL FOR AN ACT RELATING TO GARNISHMENT", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 53), transmitting House Bill No. 424, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 1975, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 424, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CREDIT DISABILITY INSURANCE", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 54), transmitting House Bill No. 425, which passed Third Reading in the House of Representatives on March 3, 1975, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 425, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MOTOR CARRIER LAW", 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. 55), transmitting House Bill No. 944, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 1975, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 944, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MARRIED NAMES", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 56), transmitting House Bill No. 1209, which passed Third Reading in the House of Representatives on March 3, 1975, was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.B. No. 1209, entitled: "A BILL FOR AN ACT RELATING TO RESTITUTION IN CASES FILED BY THE OFFICE OF CONSUMER PROTECTION", passed First Reading by title and was referred to the Committee on Consumer Protection, then to the Committee on Judiciary.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 294 and 295) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 294), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT TO SPONSOR THE HAWAIIAN OPEN THROUGH THE HAWAII VISITORS BUREAU", was jointly offered by Senators Hulten, Toyofuku, Ching, Taira, Young, O'Connor, Nishimura, Kuroda, F. Wong, Takitani, Yamasaki, Henderson, R. Wong, Ushijima and Yee.

By unanimous consent, S.R. No. 294 was referred to the Committee on Economic Development.

A resolution (S.R. No. 295), entitled: "SENATE RESOLUTION HONORING DOROTHY BABINEAU, HONORARY MAYOR OF KAILUA", was jointly offered by Senators George, Yee, Henderson, Leopold, Saiki, Yamasaki, Ushijima, Hulten, Young, Yim, Taira, R. Wong, Anderson, Hara, O'Connor and King.

On motion by Senator George, seconded by Senator Anderson and carried, S.R. No. 295 was adopted.

At this time, Senator George introduced Mrs. Dorothy Babineau, the honoree of the resolution, and members of her family as follows: Wayne Babineau, her son; Mrs. Wayne Babineau, and her daughter Julie Babineau.

Senator Anderson presented Mrs. Babineau with a lei and then escorted her to the podium where the President welcomed her and presented her with a certified copy of the resolution just adopted.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 90), informing the Senate that Senate Resolution Nos. 294 and 295, and Standing Committee Report Nos. 91 to 99 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 Toyofuku, for the Committee

on Human Resources, presented a report (Stand. Com. Rep. No. 91), recommending that Senate Bill No. 168, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 168, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKMEN'S COMPENSATION", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 92), recommending that Senate Bill No. 466, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 466, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKMEN'S COMPENSATION", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 93), recommending that Senate Bill No. 585, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Toyofuku, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 585, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKMEN'S COMPENSATION", passed Second Reading and was referred to the Committee on Judiciary.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 94), recommending that Senate Bill No. 256, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toyofuku, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 256, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY DISABILITY INSURANCE", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 5, 1975.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on S.B. No. 256, S.D. 1.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 95), recommending that Senate Bill No. 257, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toyofuku, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 257, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKMEN'S COMPENSATION", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 5, 1975.

In accordance with Article III, Section 16, of the Constitution of the State of Hawaii, the 24-hour notice was given on S.B. No. 257, S.D. 1.

Senator Hulten, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 96), recommending that Senate Bill No. 194, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Economic Development.

On motion by Senator Hulten, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 194, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IMPROVEMENTS BY ASSESSMENTS", passed Second Reading and was referred to the Committee on Economic Development.

Senator Hulten, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 97), recommending that Senate Bill No. 488, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Human Resources.

On motion by Senator Hulten, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 488, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AREAWIDE PROGRAM OF AGING SERVICES", passed Second Reading and was referred to the Committee on Human Resources.

Senator Hulten, for the Committee

on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 98), recommending that Senate Bill No. 510 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 S.B. No. 510, entitled: "A BILL FOR AN ACT TO AMEND CHAPTER 445, HAWAII REVISED STATUTES, RELATING TO COUNTY LICENSES", 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. 99), recommending that Senate Bill No. 91, S.D. 1, as amended in S.D. 2, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Kuroda, seconded by Senator R. Wong and carried, the report of the Committee was adopted and S.B. No. 91, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AUTOMOTIVE REPAIR DEALERS", passed Second Reading and was referred to the Committee on Judiciary.

ORDER OF THE DAY

RE-REFERRAL OF SENATE BILLS

The President made the following re-referral of bills that had been introduced on Wednesday, February 26, 1975:

Senate Bill Referred to:

No. 1275 Committee on Higher

Education, then to the Committee on Ways and Means.

No. 1556 Committee on Consumer Protection, then to the Committee on Judiciary

No. 1575 Committee on Housing and Hawaiian Homes, then to the Committee on Judiciary, then to the Committee on Ways and Means

No. 1592 Committee on Consumer Protection, then to the Committee on Judiciary

No. 1638 Committee on Consumer Protection, then to the Committee on Judiciary

THIRD READING

Senate Bill No. 264:

By unanimous consent, S.B. No. 264, entitled: "A BILL FOR AN ACT RELATING TO CREDIT DISABILITY INSURANCE", was recommitted to the Committee on Judiciary.

At this time, Senator Anderson introduced 65 second and third grade students from Laie Elementary School, together with their teachers Mrs. Ah Puck, Mrs. Mo'o, Mrs. Kekauoha and Miss Edith Howes. Also introduced was Mrs. Mc Kee, a parent.

ADJOURNMENT

At 11:47 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., Wednesday, March, 5, 1975.