

THIRTY-SIXTH DAY

Thursday, March 10, 1977

The Senate of the Ninth Legislature of the State of Hawaii, Regular Session of 1977, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Reverend Ruth Senter of the Waialua United Church of Christ, after which the Roll was called showing all Senators present, with the exception of Senator Hulten who was excused.

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

At this time, Senator Soares introduced to the members of the Senate Student Government officers from Pearl City High School, Kaimuki High School, Nanakuli High School, Waialua High School, Iolani High School and Roosevelt High School.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 204 to 206) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 204), transmitting copies of 1976 Report of the Insurance Commissioner of Hawaii, Summary of Insurance Business for the Year 1975, prepared by the Department of Regulatory Agencies pursuant to Section 431-45, Hawaii Revised Statutes, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 205), transmitting copies of Annual Report of Agriculture Coordinating Committee, prepared in compliance with Section 4, Act 197, Session Laws of Hawaii 1976, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 206), transmitting copies of Reviewing the Regulators: Professional and Vocational Licensing 1977, prepared by the Department of Regulatory Agencies in response to House Resolution No. 559 H.D. 1, Regular Session of 1976, Requesting a Review of the Concept of a Sunset Provision for Regulatory Boards and Commissions, was referred to the Committee on Judiciary.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 85

to 98) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 85), transmitting House Bill No. 6, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Yee and carried, H.B. No. 6, H.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE REPAIR AND MAINTENANCE OF PUBLIC FACILITIES AND MAKING APPROPRIATIONS THEREFOR", passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 86), transmitting House Bill No. 11, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Yee and carried, H.B. No. 11, 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. 87), transmitting House Bill No. 14, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Yee and carried, H.B. No. 14, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSFERS FROM AIRPORT REVENUE FUND", passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 88), transmitting House Bill No. 49, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Yee and carried, H.B. No. 49, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MEMBERSHIP OF VARIOUS BOARDS AND COMMISSIONS IN THE DEPARTMENT OF REGULATORY AGENCIES", passed First Reading by

title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 89), transmitting House Bill No. 176, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Yee and carried, H.B. No. 176, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE", passed First Reading by title and was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 90), transmitting House Bill No. 181, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Yee and carried, H.B. No. 181, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII BEE DISEASE ACT", passed First Reading by title and was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 91), transmitting House Bill No. 199, which passed Third Reading in the House of Representatives on March 9, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Yee and carried, H.B. No. 199, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY", passed First Reading by title and was referred to the Committee on Ecology, Environment and Recreation.

A communication from the House (Hse. Com. No. 92), transmitting House Bill No. 215, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Yee and carried, H.B. No. 215, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PREPAID HEALTH CARE", passed First Reading by title and was referred to the Committee on Health, then to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 93), transmitting House Bill No. 599, H.D. 1, which passed Third Reading in the House of Representatives on March 9,

1977, was placed on file.

On motion by Senator Taira, seconded by Senator Yee and carried, H.B. No. 599, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PREPAID HEALTH CARE", passed First Reading by title and was referred to the Committee on Health, then to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 94), transmitting House Bill No. 833, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Yee and carried, H.B. No. 833, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING REGULATIONS", passed First Reading by title and was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 95), transmitting House Bill No. 929, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Yee and carried, H.B. No. 929, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII FOOD, DRUG, AND COSMETIC ACT", passed First Reading by title and was referred to the Committee on Consumer Protection.

A communication from the House (Hse. Com. No. 96), transmitting House Bill No. 995, which passed Third Reading in the House of Representatives on March 9, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Yee and carried, H.B. No. 995, entitled: "A BILL FOR AN ACT RELATING TO COUNTY ORGANIZATION AND ADMINISTRATION", passed First Reading by title and was referred to the Committee on Intergovernmental Relations, then to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 97), transmitting House Bill No. 1068, which passed Third Reading in the House of Representatives on March 9, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Yee and carried, H.B. No. 1068, entitled: "A BILL FOR AN ACT RELATING TO SEIZURE AND FORFEITURE OF FISH AND HUNTING

GEAR", passed First Reading by title and was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 98), transmitting House Bill No. 1221, which passed Third Reading in the House of Representatives on March 9, 1977, was placed on file.

On motion by Senator Taira, seconded by Senator Yee and carried, H.B. No. 1221, entitled: "A BILL FOR AN ACT RELATING TO MARINE CONSERVATION", passed First Reading by title and was referred to the Committee on Ecology, Environment and Recreation.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 312 to 315) were read by the Clerk and were disposed as follows:

A resolution (S.R. No. 312), entitled: "SENATE RESOLUTION REQUESTING THE SENATE COMMITTEES ON INTERGOVERNMENTAL RELATIONS AND GOVERNMENT OPERATIONS AND EFFICIENCY TO JOINTLY REVIEW AND EXAMINE THE RECOMMENDATIONS PROPOSED BY THE COMMISSION ON ORGANIZATION OF GOVERNMENT DURING THE INTERIM AND TO TAKE APPROPRIATE ACTION", was jointly offered by Senators Kawasaki, Hulten, Takitani, Taira, Kuroda, George, Henderson, King, Young, Chong, Soares, F. Wong and Yee.

By unanimous consent, S.R. No. 312 was jointly referred to the Committee on Intergovernmental Relations and the Committee on Government Operations and Efficiency, then to the Committee on Legislative Management.

A resolution (S.R. No. 313), entitled: "SENATE RESOLUTION CONGRATULATING MR. RICHARD M. LEE ON HIS RETIREMENT FROM THE DEPARTMENT OF TAXATION", was jointly offered by Senators R. Wong, Taira, Ushijima, Yamasaki, Hulten, Anderson, Takitani, F. Wong, Nishimura, Henderson, Hara, Chong, Kuroda, Yim, King, Ching, O'Connor, Toyofuku, Young, George, Saiki, Soares, Leopold, Kawasaki and Yee.

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, S.R. No. 313 was adopted.

A resolution (S.R. No. 314), entitled: "SENATE RESOLUTION CONGRATULATING MRS. IOLA RHYNE ON HER RETIREMENT FROM THE DEPARTMENT OF TAXATION", was jointly offered by Senators R. Wong, Yamasaki, Hulten, King, Takitani, Anderson, Hara, Yim, F. Wong, Taira, O'Connor, Chong,

Nishimura, Young, Toyofuku, George, Saiki, Soares, Leopold, Henderson, Kuroda, Kawasaki, Ushijima, Ching and Yee.

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, S.R. No. 314 was adopted.

A resolution (S.R. No. 315), entitled: "SENATE RESOLUTION RELATING TO MAKIKI LIBRARY", was jointly offered by Senators King, Chong, Leopold and Yee.

By unanimous consent, S.R. No. 315 was referred to the Committee on Education.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 359) informing the Senate that Senate Concurrent Resolution No. 121, Senate Resolution Nos. 311 to 315, and Standing Committee Report Nos. 360 and 361 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 King, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 360) recommending that Senate Concurrent Resolution No. 100 be adopted.

On motion by Senator King, seconded by Senator Chong and carried, the report of the Committee was adopted and S.C.R. No. 100, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO A MEMORIAL FOR THE BIRTH SITE OF KAMEHAMEHA THE GREAT", was adopted.

Senator King, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 361) recommending that Senate Resolution No. 279 be adopted.

On motion by Senator King, seconded by Senator Chong and carried, the report of the Committee was adopted and S.R. No. 279, entitled: "SENATE RESOLUTION RELATING TO A MEMORIAL FOR THE BIRTH SITE OF KAMEHAMEHA THE GREAT", was adopted.

ORDER OF THE DAY

RE-REFERRAL OF A SENATE CONCURRENT RESOLUTION

The President made the following

re-referral of a Senate Concurrent Resolution that was offered on Tuesday, February 22, 1977:

Senate
Concurrent
Resolution Referred to:

No. 84 Jointly to the Committee
 on Health and the Committee on Ecology,
 Environment and Recreation

RE-REFERRAL OF
A SENATE RESOLUTION

The President made the following re-referral of a Senate Resolution that was offered on Tuesday, February 22, 1977:

Senate
Resolution Referred to:

No. 233 Jointly to the Committee
 on Health and the Committee on Ecology,
 Environment and Recreation

RE-REFERRAL OF A SENATE BILL

The President made the following re-referral of a Senate Bill that was introduced on Wednesday, February 23, 1977:

Senate Bill Referred to:

No. 1369 Committee on Intergovernmental
 Relations

MATTER DEFERRED FROM
MARCH 9, 1977

Standing Committee Report No.
355 (S.B. No. 1042):

On motion by Senator Hara, seconded by Senator Taira and carried, Stand. Com. Rep. No. 355 was adopted and S.B. No. 1042, entitled: "A BILL FOR AN ACT RELATING TO MILK CONTROL", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 11, 1977.

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. 1042.

ADJOURNMENT

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., Friday, March 11, 1977.