

## FIFTH DAY

Tuesday, January 24, 1978

The Senate of the Ninth Legislature of the State of Hawaii, Regular Session of 1978, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Reverend Ned Brown of the Pali View Baptist Church, after which the Roll was called showing all Senators present with the exception of Senators Kawasaki and Young, who were excused.

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

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 1 and 2) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 1), submitting for consideration and confirmation as Director of Transportation, the nomination of Ryokichi Higashionna, Ph.D., term to expire on December 4, 1978, was referred to the Committee on Transportation.

A message from the Governor (Gov. Msg. No. 2), submitting for consideration and confirmation as Chairman, Board of Land and Natural Resources, the nomination of William Y. Thompson, term to expire December 31, 1978, was referred to the Committee on Economic Development.

## HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 4), transmitting House Concurrent Resolution No. 3 which was adopted by the House of Representatives on January 23, 1978, was read by the Clerk and was placed on file.

On motion by Senator Taira, seconded by Senator Anderson and carried, H.C.R. No. 3, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE BLOOD DONOR PROGRAM OF THE BLOOD BANK OF HAWAII", was adopted.

## SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 52 to 74) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 52), entitled:

"SENATE RESOLUTION CONGRATULATING THE HONOLULU JAYCEES FOR ITS SPONSORSHIP OF THE 1976 HAWAII STATE FAIR", was jointly offered by Senators Chong, F. Wong, Young, Yim, King, Nishimura, Taira, Takitani, Hara, Toyofuku, Kawasaki, Yamasaki, Hulten and O'Connor.

On motion by Senator Chong, seconded by Senator King and carried, S.R. No. 52 was adopted.

Senator Chong then introduced to the members of the Senate Mr. James Nakata, President of the Honolulu Jaycees and Mr. Patrick Y.P. Nitta, Chairman of the 1976 State Fair, and presented them with a copy of the resolution just adopted.

At 11:40 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:41 o'clock a.m.

A resolution (S.R. No. 53), entitled: "SENATE RESOLUTION REQUESTING REVIEW OF THE STATUS OF WOMEN ON THE UNIVERSITY OF HAWAII FACULTY", was jointly offered by Senators Ushijima, Yamasaki, Chong, Ching, George, Taira, Nishimura, Young, Takitani, Hulten, Kuroda, Toyofuku and King.

By unanimous consent, S.R. No. 53 was referred to the Committee on Higher Education.

A resolution (S.R. No. 54), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REPORT ON ITS PROGRESS IN UTILIZING TEACHING MATERIALS WHICH ARE NOT SEX-BIASED", was jointly offered by Senators Ushijima, Yamasaki, Chong, Ching, George, Taira, Nishimura, Young, Takitani, Hara, Kuroda and King.

By unanimous consent, S.R. No. 54 was referred to the Committee on Education.

A resolution (S.R. No. 55), entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF CHILD CARE IN HAWAII UNDER TITLE XX OF THE SOCIAL SECURITY ACT", was jointly offered by Senators Ushijima, Yamasaki, Chong, Takitani, Toyofuku and King.

By unanimous consent, S.R. No. 55 was referred to the Committee on Human Resources.

A resolution (S.R. No. 56), entitled: "SENATE RESOLUTION ENCOURAGING

EMPLOYERS TO FACILITATE VOLUNTEER AND PUBLIC SERVICE ACTIVITIES", was jointly offered by Senators Ushijima, Yamasaki, Chong, Ching, George, Taira, Nishimura, Young, Takitani, Hulten, Kuroda, Toyofuku and King.

By unanimous consent, S.R. No. 56 was referred to the Committee on Human Resources.

A resolution (S.R. No. 57), entitled: "SENATE RESOLUTION REQUESTING THE MAXIMIZATION OF VOCATIONAL EDUCATION FUNDS FOR DISPLACED HOMEMAKERS AND OTHER SPECIAL GROUPS", was jointly offered by Senators Ushijima, Yamasaki, Chong, Ching, George, Taira, Nishimura, Young, Takitani, Hara, Hulten, Kuroda, Toyofuku and King.

By unanimous consent, S.R. No. 57 was referred to the Committee on Higher Education.

A resolution (S.R. No. 58), entitled: "SENATE RESOLUTION URGING THE UNIVERSITY OF HAWAII TO ESTABLISH CHILD CARE FACILITIES AND PROGRAMS FOR THE UNIVERSITY OF HAWAII SYSTEM", was jointly offered by Senators Ushijima, Ching, George, Taira, Nishimura, Young, Takitani, Hara, Hulten, Kuroda, Toyofuku and King.

By unanimous consent, S.R. No. 58 was referred to the Committee on Higher Education.

A resolution (S.R. No. 59), entitled: "SENATE RESOLUTION REQUESTING A STUDY AND ASSESSMENT OF THE NEED FOR AFTER-SCHOOL PROGRAMS", was jointly offered by Senators Ushijima, Yamasaki, Chong, Ching, George, Taira, Nishimura, Young, Takitani, Hara, Hulten, Kuroda and King.

By unanimous consent, S.R. No. 59 was referred to the Committee on Education.

A resolution (S.R. No. 60), entitled: "SENATE RESOLUTION URGING FURTHER DEVELOPMENT OF THE ALTERNATIVES FOR WOMEN PROGRAM", was jointly offered by Senators Ushijima, Yamasaki, Chong, Ching, George, Taira, Nishimura, Young, Takitani, Hara, Hulten, Kuroda, Toyofuku and King.

By unanimous consent, S.R. No. 60 was referred to the Committee on Health.

A resolution (S.R. No. 61), entitled: "SENATE RESOLUTION REQUESTING

HAWAII'S CONGRESSIONAL DELEGATION TO INVESTIGATE THE COMPETENCY OF FOREIGN LANGUAGE TRAINING AND ABILITY IN THE UNITED STATES GOVERNMENT", was jointly offered by Senators Chong, F. Wong, Young, Taira, King, Takitani, Nishimura, Kuroda, Hulten, Ushijima, Yamasaki, Toyofuku, Hara, Yee and Henderson.

By unanimous consent, S.R. No. 61 was referred to the Committee on Judiciary.

A resolution (S.R. No. 62), entitled: "SENATE RESOLUTION REQUESTING THE JUDICIARY TO REPORT ON ITS ACTIVITIES RELATING TO GUARDIANSHIP MATTERS", was jointly offered by Senators Chong, F. Wong, Young, Ching, Taira, King, Takitani, Nishimura, Kuroda, Hulten, Ushijima, Yamasaki, Hara, Yee and Henderson.

By unanimous consent, S.R. No. 62 was referred to the Committee on Judiciary.

A resolution (S.R. No. 63), entitled: "SENATE RESOLUTION REQUESTING A REPORT ON ALTERNATIVES TO INSTITUTIONALIZATION OF JUVENILE STATUS OFFENDERS", was jointly offered by Senators Chong, F. Wong, Young, Yee, Henderson, Nishimura, Hulten, Ushijima, Yamasaki, Taira, King and Takitani.

By unanimous consent, S.R. No. 63 was referred to the Committee on Judiciary.

A resolution (S.R. No. 64), entitled: "SENATE RESOLUTION REQUESTING REVIEW AND STUDY OF PREPAID SURGICAL CONSULTATION BENEFITS", was jointly offered by Senators Chong, F. Wong, Ching, Taira, King, Takitani, Nishimura, Kuroda, Hulten, Ushijima, Yamasaki, Hara, Yee and Henderson.

By unanimous consent, S.R. No. 64 was referred to the Committee on Health.

A resolution (S.R. No. 65), entitled: "SENATE RESOLUTION REQUESTING MORE ACCURATE STATISTICS ON ASIAN AND PACIFIC AMERICANS", was jointly offered by Senators Chong, F. Wong, Taira, Yim, Young, King, Takitani, Nishimura, Kuroda, Hulten, Ushijima, Yamasaki, Toyofuku, Hara, Yee and Henderson.

By unanimous consent, S.R. No. 65 was referred to the Committee on Human Resources.

A resolution (S.R. No. 66), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO SEEK FUNDS FOR PREVENTIVE MENTAL HEALTH PROGRAMS", was jointly offered by Senators Chong, F. Wong,

Young, Ching, Taira, King, Takitani, Nishimura, Kuroda, Hulten, Ushijima, Yamasaki, Toyofuku, Hara, Yee and Henderson.

By unanimous consent, S.R. No. 66 was referred to the Committee on Health.

A resolution (S.R. No. 67), entitled: "SENATE RESOLUTION REQUESTING THE FEDERAL AID COORDINATOR TO PLACE PRIORITY UPON MATTERS RELATING TO MENTAL HEALTH", was jointly offered by Senators Chong, F. Wong, Takitani, Nishimura, Hulten, Kuroda, Hara, Ushijima, Yamasaki and Yee.

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

A resolution (S.R. No. 68), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE USES OF CONFIDENTIAL COMMUNICATION", was jointly offered by Senators Chong, F. Wong, Young, King, Takitani, Nishimura, Kuroda, Hulten, Ushijima, Yamasaki, Yee and Henderson.

By unanimous consent, S.R. No. 68 was referred to the Committee on Judiciary.

A resolution (S.R. No. 69), entitled: "SENATE RESOLUTION SUPPORTING EFFORTS OF THE HAWAII ALLIANCE IN REQUESTING THE PRESIDENT OF THE UNITED STATES TO USE HIS GOOD OFFICE TO SEE THAT JUSTICE IS DONE IN THE CASE OF THE 'WILMINGTON TEN' ", was jointly offered by Senators Chong, King, F. Wong, Young, Taira, Takitani, Nishimura, Kuroda, Hulten, Ushijima, Yamasaki and Hara.

By unanimous consent, S.R. No. 69 was referred to the Committee on Judiciary.

A resolution (S.R. No. 70), entitled: "SENATE RESOLUTION REQUESTING STUDY OF THE THERAPEUTIC EFFECTS OF MARIJUANA", was jointly offered by Senators Chong, F. Wong, King, Takitani, Nishimura, Kuroda, Hulten, Ushijima, Yamasaki, Hara, Yee and Henderson.

By unanimous consent, S.R. No. 70 was referred to the Committee on Health.

A resolution (S.R. No. 71), entitled: "SENATE RESOLUTION REQUESTING DATA USED BY THE U.S. CIVIL SERVICE COMMISSION", was offered by Senator Leopold.

By unanimous consent, S.R. No. 71 was referred to the Committee on Human Resources.

A resolution (S.R. No. 72), entitled: "SENATE RESOLUTION REQUESTING SUPPORT FOR FEDERAL TAX CREDIT LEGISLATION FOR HIGHER EDUCATION", was offered by Senator Leopold.

By unanimous consent, S.R. No. 72 was referred to the Committee on Ways and Means.

A resolution (S.R. No. 73), entitled: "SENATE RESOLUTION REQUESTING THE DIRECTOR OF THE STATE INFORMATION SERVICE, OFFICE OF THE GOVERNOR, TO REPORT TO THE LEGISLATURE PRIOR TO THE ADJOURNMENT OF THE REGULAR SESSION OF 1978 ON THE PROGRAMS AND ACTIVITIES OF THE STATE INFORMATION SERVICE", was offered by Senator Leopold.

By unanimous consent, S.R. No. 73 was referred to the Committee on Housing and Hawaiian Homes.

A resolution (S.R. No. 74), entitled: "SENATE RESOLUTION CONGRATULATING WESTERN AIRLINES ON ITS FIRST BOARD OF DIRECTORS MEETING IN HAWAII", was jointly offered by Senators Ching, Ushijima, Kawasaki, Taira, O'Connor, F. Wong, Hara, Chong, Anderson, George, Yee, Henderson, Kuroda, Soares, Saiki, R. Wong, Leopold, Takitani, Toyofuku, Hulten, Young, Nishimura, Yamasaki and King.

On motion by Senator Ching, seconded by Senator Taira and carried, S.R. No. 74 was adopted.

Senator Ching then introduced the following members of the Western Airlines Board of Directors: Mr. Dominic P. Renda, President and Chief Operating Officer, Los Angeles, California; Mr. Walter J. Hickel, Chairman of the Board, Hickel Investment Company, Anchorage, Alaska; Mr. Miguel M. Blasquez, President, Inter-American Commercial Arbitration Commission, Mexico City, Mexico; Mr. John H. Myers, Assistant to the President, St. John's University, St. Paul, Minnesota; Mr. James P. Garibaldi, Attorney at Law, Los Angeles, California; Mr. Bert T. Kobayashi, Jr., Attorney at Law, Kobayashi, Koshiba and Watanabe, Honolulu, Hawaii; and Mr. Allen F. Hoss, Regional Vice-President, Honolulu, Hawaii, and they were each presented with a copy of the resolution just adopted.

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

The Senate reconvened at 11:45

o'clock a.m.

# 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 Wednesday, January 25, 1978:

## Senate Bills

No. 1736-78 "A Bill for an Act Making Appropriations to Provide for the Expenses of the Legislature, the Legislative Auditor, the Legislative Reference Bureau, and the Ombudsman."

Introduced by: Senators R. Wong and Yamasaki.

No. 1737-78 "A Bill for an Act Making an Appropriation for Construction of a Water Main and Hydrant System in Puako, South Kohala, Hawaii."

Introduced by: Senators Ushijima, Ching, Yamasaki, F. Wong, King, Toyofuku, Takitani, Hara, Chong, Saiki and Leopold.

No. 1738-78 "A Bill for an Act Making an Appropriation for a Survey of the Puako Reef Area for Consideration as a Marine Conservation District."

Introduced by: Senators Ushijima, Ching, Yamasaki, F. Wong, King, Toyofuku, Takitani, Hara, Chong, Saiki and Leopold.

No. 1747-78 "A Bill for an Act Relating to Automobile Insurance."

Introduced by: Senators Kuroda, Ushijima, Chong, Yamasaki, Hulten and Takitani.

No. 1748-78 "A Bill for an Act Relating to Homeowners' Installation of Solar Heating Systems."

Introduced by: Senators Kuroda, Yim, Ching, Chong, F. Wong, Takitani, Hara, Nishimura, Hulten and Henderson.

No. 1749-78 "A Bill for an Act Relating to the Employees Retirement System."

Introduced by: Senators Toyofuku, Taira, Ching, F. Wong, Chong, Yamasaki, Nishimura, Takitani, Hulten and Kuroda.

No. 1750-78 "A Bill for an Act Relating to School Health Services."

Introduced by: Senators Toyofuku,

Chong, Taira, Ching, Yamasaki, F. Wong, Nishimura, King, Takitani, Hulten, Kawasaki and Kuroda.

No. 1751-78 "A Bill for an Act Relating to Motor Vehicle Rentals."

Introduced by: Senators Toyofuku, Chong, Taira, Ching, F. Wong Yamasaki, Nishimura, King, Takitani, Hulten, Kawasaki and Kuroda.

No. 1752-78 "A Bill for an Act Relating to Free Emergency Ambulance Service."

Introduced by: Senator Chong, by request.

No. 1753-78 "A Bill for an Act Relating to Driving Under the Influence of Alcohol."

Introduced by: Senator Chong, by request.

No. 1754-78 "A Bill for an Act Relating to State Court Receiverships."

Introduced by: Senators Ushijima, Chong, Yamasaki, Kuroda, Hulten, Takitani, Taira and Young.

No. 1755-78 "A Bill for an Act Relating to Civil Service Appointments."

Introduced by: Senator Ushijima, by request.

No. 1756-78 "A Bill for an Act Relating to Non-Competitive Promotions of Public Employees."

Introduced by: Senator Ushijima, by request.

No. 1757-78 "A Bill for an act Relating to Provisional Appointments of Public Employees."

Introduced by: Senator Ushijima, by request.

No. 1758-78 "A Bill for an Act Relating to Collective Bargaining."

Introduced by: Senator Ushijima, by request.

No. 1759-78 "A Bill for an Act Relating to Leaves of Absence."

Introduced by: Senator Ushijima, by request.

No. 1760-78 "A Bill for an Act Making an Appropriation to Provide Additional Ambulance Services and to Upgrade Emergency Medical Services on Maui."

Introduced by: Senators Yamasaki and Takitani.

No. 1761-78 "A Bill for an Act Making an Appropriation for Plans and Construction of Improvements at Maui Vacuum Cooling Plant, Maui."

Introduced by: Senators Yamasaki and Takitani.

No. 1762-78 "A Bill for an Act Making an Appropriation for the Study, Experimentation and Evaluation on Control of Souring Beetle."

Introduced by: Senators Yamasaki and Takitani.

No. 1763-78 "A Bill for an Act Making an Appropriation for Statewide Young Farmers' Program."

Introduced by: Senators Yamasaki and Takitani.

No. 1764-78 "A Bill for an Act Relating to Income Taxation."

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

No. 1765-78 "A Bill for an Act Relating to Motor Vehicle Equipment."

Introduced by: Senator Leopold.

No. 1766-78 "A Bill for an Act Relating to Security Deposits and Small Boat Harbors Fees."

Introduced by: Senator Leopold.

On motion by Senator Taira, seconded by Senator Anderson and carried, the following bills were referred to print and were placed on the calendar for further consideration on Wednesday, January 25, 1978:

#### Senate Bills

No. 1739-78 "A Bill for an Act Relating to the Development of Interpersonal Relationship and Communication Skills to Meet the Needs of the Student, Teacher, Parent, and Community."

Introduced by: Senators Hara, Ching, King, Yee, Ushijima, Young, Chong, Taira, Nishimura, Takitani, F. Wong, Yim, Hulten, Kuroda, O'Connor, Saiki and Yamasaki.

No. 1740-78 "A Bill for an Act Relating to Incidents of Vandalism and Violence Within the Public School System."

Introduced by: Senators Hara,

Yim, Nishimura, Ushijima, Young, Chong, Taira, Toyofuku, Takitani, F. Wong, Hulten, Kuroda, Kawasaki, O'Connor, King, Saiki and Yamasaki.

No. 1741-78 "A Bill for an Act Relating to the Evaluation and Classification of Educational Officers."

Introduced by: Senators Hara, Ching, Yee, Ushijima, Young, Chong, Taira, Nishimura, Takitani, F. Wong, Yim, Hulten, O'Connor, Kawasaki, Saiki and Yamasaki.

No. 1742-78 "A Bill for an Act Making an Appropriation for Education."

Introduced by: Senators Hara, Ushijima, Chong, Henderson, Taira, Nishimura, Saiki, Takitani, Hulten, Kuroda, Ching, Toyofuku, King, Yee, Young and Yamasaki.

No. 1743-78 "A Bill for an Act Relating to the Evaluation and Classification of Department of Education Teachers."

Introduced by: Senators Hara, Hulten, O'Connor, Toyofuku, Ching, Yee, Ushijima, Young, Taira, Nishimura, Takitani, F. Wong, Kawasaki, Saiki and Yamasaki.

No. 1744-78 "A Bill for an Act Relating to In-Services Training Programs for Teachers and Administrators of the Department of Education."

Introduced by: Senators Hara, Chong, Taira, Nishimura, Takitani, F. Wong, Hulten, Kuroda, Toyofuku, Ching, King, Yee, Ushijima, Young, Yim, O'Connor, Saiki and Yamasaki.

No. 1745-78 "A Bill for an Act Relating to the County of Hawaii."

Introduced by: Senators Hara, Ushijima, Chong, Henderson, Taira, Nishimura, Saiki, Takitani, Hulten, Kuroda, Ching, Toyofuku, King, Yee, Young and Yamasaki.

No. 1746-78 "A Bill for an Act Making an Appropriation for Water Capital Improvement Projects, County of Hawaii."

Introduced by: Senators Hara, Ushijima, Henderson, Chong, Taira, Nishimura, Saiki, Takitani, Hulten, Kuroda, Ching, Toyofuku, King, Yee, Young and Yamasaki.

#### STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 3-78), informing the Senate that Senate

Resolution Nos. 52 to 74, Senate Bill Nos. 1712-78 to 1735-78 and Governor's Message Nos. 1 and 2 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.

#### ORDER OF THE DAY

#### REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Monday, January 23, 1978:

Senate Bills                      Referred to:

No. 1712-78	Committee on Human Resources
No. 1713-78	Committee on Human Resources
No. 1714-78	Committee on Human Resources, then to the Committee on Ways and Means
No. 1715-78	Committee on Health, then to the Committee on Ways and Means
No. 1716-78	Committee on Ways and Means
No. 1717-78	Committee on Human Resources
No. 1718-78	Committee on Ways and Means
No. 1719-78	Committee on Health, then to the Committee on Ways and Means
No. 1720-78	Committee on Health, then to the Committee on Ways and Means
No. 1721-78	Committee on Health

No. 1722-78      Committee on Health, then to the Committee on Judiciary

No. 1723-78      Committee on Ways and Means

No. 1724-78      Committee on Health, then to the Committee on Ways and Means

No. 1725-78      Committee on Health, then to the Committee on Ways and Means

No. 1726-78      Committee on Ways and Means

No. 1727-78      Committee on Health

No. 1728-78      Committee on Health, then to the Committee on Ways and Means

No. 1729-78      Committee on Health, then to the Committee on Ways and Means

No. 1730-78      Committee on Health, then to the Committee on Ways and Means

No. 1731-78      Committee on Ways and Means

No. 1732-78      Committee on Intergovernmental Relations, then to the Committee on Ways and Means

No. 1733-78      Committee on Health, then to the Committee on Judiciary

No. 1734-78      Committee on Transportation, then to the Committee on Ways and Means

No. 1735-78      Committee on Ways and Means

#### ADJOURNMENT

At 11:46 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, January 25, 1978.