

## SIXTH DAY

Wednesday, January 25, 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 Peter Anderson of Trinity Presbyterian Church, after which the Roll was called showing all Senators present, with the exception of Senators Anderson and Young, who were excused.

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

## SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 15 and 16) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 15), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES SECRETARY OF LABOR TO CERTIFY THE OCCUPATIONAL SAFETY AND HEALTH PROGRAM OF THE STATE OF HAWAII AND RESPECTFULLY URGING HAWAII'S DELEGATION TO THE CONGRESS OF THE UNITED STATES TO SUPPORT CERTIFICATION FOR HAWAII AND TO REVIEW THE BASIC INTENT OF THE FEDERAL OCCUPATIONAL SAFETY AND HEALTH LAW", was jointly offered by Senators Toyofuku, Taira, Ching, F. Wong, Yamasaki, Kuroda, Nishimura, Chong, Takitani, Hulten and Kawasaki.

By unanimous consent, S.C.R. No. 15 was referred to the Committee on Human Resources.

A concurrent resolution (S.C.R. No. 16), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE OFFICE OF AFFIRMATIVE ACTION", was jointly offered by Senators Chong, Ching, Nishimura, Yamasaki, Takitani, King, F. Wong, Hara, Young, O'Connor and Henderson.

By unanimous consent, S.C.R. No. 16 was referred to the Committee on Judiciary.

## SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 75 to 87) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 75), entitled: "SENATE RESOLUTION REQUESTING EVALUATION OF THE LAWS RELATING TO SPOUSE ABUSE", was jointly offered by Senators Ushijima, Chong, Yamasaki,

Kuroda, Hulten, Takitani, Taira, O'Connor and Young.

By unanimous consent, S.R. No. 75 was referred to the Committee on Judiciary.

A resolution (S.R. No. 76), entitled: "SENATE RESOLUTION REQUESTING REVIEW OF FEMALE STATUS OFFENDERS IN THE JUSTICE SYSTEM", was jointly offered by Senators Ushijima, Chong, Yamasaki, Kuroda, Takitani, Taira, O'Connor and Young.

By unanimous consent, S.R. No. 76 was referred to the Committee on Judiciary.

A resolution (S.R. No. 77), entitled: "SENATE RESOLUTION URGING SUPPORT OF FEDERAL LEGISLATION RELATING TO DISPLACED HOMEMAKERS", was jointly offered by Senators Ushijima, King, Kawasaki, Ching, Yamasaki, Nishimura, Hulten, Takitani, Toyofuku, Hara, Saiki, Leopold and Chong.

By unanimous consent, S.R. No. 77 was referred to the Committee on Human Resources.

A resolution (S.R. No. 78), entitled: "SENATE RESOLUTION REQUESTING SUPPORT OF FEDERAL LEGISLATION TO AID STATES PROVIDING PROGRAMS RELATING TO SPOUSE ABUSE", was jointly offered by Senators Ushijima, King, Chong, Kawasaki, Ching, Yamasaki, Nishimura, Hulten, Takitani, Toyofuku, Hara and Saiki and Leopold.

By unanimous consent, S.R. No. 78 was referred to the Committee on Judiciary.

A resolution (S.R. No. 79), entitled: "SENATE RESOLUTION COMMENDING THE PARTICIPATION OF WOMEN IN THE MASTERS OF BUSINESS ADMINISTRATION PROGRAM OF THE UNIVERSITY OF HAWAII", was jointly offered by Senators Ushijima, King, Kawasaki, Ching, Yamasaki, Nishimura, Hulten, Takitani, Toyofuku, Chong, Saiki and Leopold.

By unanimous consent, S.R. No. 79 was referred to the Committee on Higher Education.

A resolution (S.R. No. 80), entitled: "SENATE RESOLUTION REQUESTING DEVELOPMENT OF A SYSTEM-WIDE ATHLETIC PLAN FOR UNIVERSITY OF HAWAII WOMEN", was jointly offered by Senators Ushijima, Ching, Yamasaki, Nishimura, Hulten, Takitani, King, Toyofuku, Saiki, Leopold and Chong.

By unanimous consent, S.R. No. 80 was referred to the Committee on Higher Education.

A resolution (S.R. No. 81), entitled: "SENATE RESOLUTION IN SUPPORT OF WOMEN'S ATHLETICS PROGRAM AT THE UNIVERSITY OF HAWAII, was jointly offered by Senators Ushijima, Yamasaki, King, Chong, Kawasaki, Ching, Nishimura, Hulten, Takitani, Toyofuku, Saiki and Leopold.

By unanimous consent, S.R. No. 81 was referred to the Committee on Higher Education.

A resolution (S.R. No. 82), entitled: "SENATE RESOLUTION COMMENDING THE WOMEN'S STUDIES PROGRAM OF THE UNIVERSITY OF HAWAII AND URGING PRIORITY STATUS FOR THE PROGRAM", was jointly offered by Senators Ushijima, Ching, Yamasaki, Nishimura, Hulten, Takitani, King, Toyofuku, Saiki, Leopold and Chong.

By unanimous consent, S.R. No. 82 was referred to the Committee on Higher Education.

A resolution (S.R. No. 83), entitled: "SENATE RESOLUTION URGING INCREASED SUPPORT FOR THE DEPARTMENT OF EDUCATION'S GIRLS ATHLETIC PROGRAM", was jointly offered by Senators Ushijima, Chong, Ching, King, Kawasaki, Yamasaki, Nishimura, Hulten, Takitani, Toyofuku, Saiki and Leopold.

By unanimous consent, S.R. No. 83 was referred to the Committee on Education.

A resolution (S.R. No. 84), entitled: "SENATE RESOLUTION URGING AFFIRMATIVE INCLUSION OF WOMEN IN APPRENTICESHIP PROGRAMS", was jointly offered by Senators Ushijima, Yamasaki, Chong, Kawasaki, Ching, Nishimura, Hulten, Takitani, King, Toyofuku, Saiki and Leopold.

By unanimous consent, S.R. No. 84 was referred to the Committee on Human Resources.

A resolution (S.R. No. 85), entitled: "SENATE RESOLUTION REQUESTING THE UNITED STATES SECRETARY OF LABOR TO CERTIFY THE OCCUPATIONAL SAFETY AND HEALTH PROGRAM OF THE STATE OF HAWAII AND RESPECTFULLY URGING HAWAII'S DELEGATION TO THE CONGRESS OF THE UNITED STATES TO SUPPORT CERTIFICATION FOR HAWAII AND TO REVIEW THE BASIC INTENT OF THE FEDERAL OCCUPATIONAL SAFETY AND HEALTH LAW", was jointly offered by Senators Toyofuku, Taira, Ching, F. Wong, Yamasaki, Nishimura, Chong, Takitani, Kuroda, Hulten and Kawasaki.

By unanimous consent, S.R. No. 85 was referred to the Committee on Human Resources.

A resolution (S.R. No. 86), entitled: "SENATE RESOLUTION RELATING TO THE OFFICE OF AFFIRMATIVE ACTION", was jointly offered by Senators Chong, Ching, Nishimura, Yamasaki, Takitani, King, F. Wong, Hara, Young, O'Connor and Henderson.

By unanimous consent, S.R. No. 86 was referred to the Committee on Judiciary.

A resolution (S.R. No. 87), entitled: "SENATE RESOLUTION CONGRATULATING PEARL CITY HIGH SCHOOL GIRLS' SOFTBALL TEAM ON THEIR OIA LEAGUE CHAMPIONSHIP", was jointly offered by Senators Ching, Kuroda, F. Wong, Toyofuku, Soares, Saiki, Takitani, Leopold, Yamasaki, Kawasaki, Yee, Hara, Taira, Chong and Nishimura.

On motion by Senator Ching, seconded by Senator Kuroda and carried, S.R. No. 87 was adopted.

#### INTRODUCTION OF SENATE BILLS

On motion by Senator Taira, seconded by Senator Yee and carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Friday, January 27, 1978:

#### Senate Bill

No. 1767-78 "A Bill for an Act Making Appropriations to the Judiciary for the Fiscal Biennium July 1, 1977, to June 30, 1979, and Authorizing the Issuance of Bonds."

Introduced by: Senator Ushijima, by request.

No. 1768-78 "A Bill for an Act Relating to Names."

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

No. 1769-78 "A Bill for an Act Relating to the Uniform Probate Code."

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

No. 1770-78 "A Bill for an Act Relating to Solar Water Heaters."

Introduced by: Senators Ushijima, Chong, Ching, King, Takitani, Taira, F. Wong, Yamasaki, O'Connor and Toyofuku.

No. 1771-78 "A Bill for an Act Making an Appropriation for the Purchase and Display of Works of Art by Indigenous Artists of Hawaii."

Introduced by: Senators Ushijima, Chong, King, Takitani, Taira, F. Wong, Yamasaki, O'Connor and Toyofuku.

No. 1772-78 "A Bill for an Act Relating to the Employees' Retirement System of the State of Hawaii."

Introduced by: Senators Yamasaki, Takitani, Chong, Taira, Toyofuku, Ching, Kuroda, Soares, Leopold, Saiki, Yee and Hara.

No. 1773-78 "A Bill for an Act Relating to Counties."

Introduced by: Senator Yim.

No. 1774-78 "A Bill for an Act Relating to the Creation of the Condominium Commission."

Introduced by: Senators Kawasaki, Takitani, Chong, Taira, Ching, Toyofuku, Soares, Yamasaki, Nishimura, Saiki and Yee.

No. 1775-78 "A Bill for an Act Relating to County Responsibility for Certain Hospitals."

Introduced by: Senators Takitani, King, Chong, Taira, Ching, Soares and Hara.

No. 1776-78 "A Bill for an Act Relating to the Subdivision and Consolidation of Land."

Introduced by: Senators Takitani, Yamasaki, F. Wong, Chong, Ching and Taira.

No. 1777-78 "A Bill for an Act Relating to County/State Hospitals."

Introduced by: Senators Takitani, Yamasaki, F. Wong, Ching, Taira, Soares, Hara and Chong.

No. 1778-78 "A Bill for an Act Relating to Trade Practices."

Introduced by: Senators Takitani, Yamasaki, F. Wong, Chong, Hara, Ching, Taira, Soares and Toyofuku.

No. 1779-78 "A Bill for an Act Relating to Contracts."

Introduced by: Senators Takitani, Yamasaki, F. Wong, King, Chong, Hara, Ching, Taira, Soares and Toyofuku.

No. 1780-78 "A Bill for an Act Making an Appropriation for Public School Facilities in the Second Senatorial District."

Introduced by: Senators Takitani and Yamasaki.

No. 1781-78 "A Bill for an Act Making an Appropriation for School Personnel."

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

#### STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 4-78), informing the Senate that Senate Concurrent Resolution Nos. 15 and 16, Senate Resolution Nos. 75 to 86, and Senate Bill Nos. 1736-78 to 1766-78 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 Tuesday, January 24, 1978:

Senate Bill	Referred to:
No. 1736-78	Committee on Ways and Means
No. 1737-78	Committee on Economic Development, then to the Committee on Ways and Means.
No. 1738-78	Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
No. 1739-78	Committee on Education, then to the Committee on Ways and Means
No. 1740-78	Committee on Education, then to the Committee on Ways and Means
No. 1741-78	Committee on Education, then to the Committee on Ways and Means
No. 1742-78	Committee on Education, then to the Committee on Ways and Means
No. 1743-78	Committee on Education, then to the Committee on Ways and Means

- No. 1744-78 Committee on Education, then to the Committee on Ways and Means
- No. 1745-78 Committee on Intergovernmental Relations, then to the Committee on Ways and Means
- No. 1746-78 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1747-78 Committee on Consumer Protection, then to the Committee on Judiciary
- No. 1748-78 Committee on Energy/Natural Resources, then to the Committee on Ways and Means
- No. 1749-78 Committee on Human Resources; then to the Committee on Ways and Means
- No. 1750-78 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1751-78 Committee on Judiciary
- No. 1752-78 Committee on Health
- No. 1753-78 Committee on Judiciary
- No. 1754-78 Committee on Judiciary
- No. 1755-78 Committee on Human Resources
- No. 1756-78 Committee on Human Resources
- No. 1757-78 Committee on Human Resources
- No. 1758-78 Committee on Human Resources
- No. 1759-78 Committee on Military and Civil Defense
- No. 1760-78 Committee on Health, then to the Committee on Ways and Means
- No. 1761-78 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1762-78 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1763-78 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1764-78 Committee on Ways and Means

No. 1765-78 Committee on Transportation, then to the Committee on Judiciary

No. 1766-78 Committee on Transportation, then to the Committee on Ways and Means

#### RE-REFERRAL OF SENATE BILLS

The President made the following re-referral of a Senate Bill that was introduced on Friday, January 20, 1978:

Senate Bill                      Referred to:

No. 1658-78 Committee on Consumer Protection, then to the Committee on Judiciary

The President then made the following re-referral of a Senate Bill that was introduced on Monday, January 23, 1978:

Senate Bill                      Referred to:

No. 1714-78 Committee on Health, then to the Committee on Ways and Means

At 11:39 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:49 o'clock a.m.

At this time, the President remarked as follows:

"On January 16, 1978, Air Force Captain Ellison Onizuka was selected from among 8,079 applicants to become one of America's thirty-five new astronauts. Captain Onizuka is the first Island-born man, as well as the first Oriental to be so honored.

Captain Onizuka is slated to man the space shuttle which will begin operation in the 1980's. He will serve as a mission specialist conducting experimental work in space.

Captain Onizuka was born in Kealahou on the Big Island. In 1963-64 he served as president of the 4-H Federation of Hawaii. He graduated from Kona High School in 1964 and won a Standard Oil Scholarship to attend the University of Colorado. After graduation from the University of Colorado, where he studied aerospace engineering, Captain Onizuka joined the Air Force in 1970 and is currently serving as a flight instructor at Edwards Air Force Base in California.

Captain Onizuka is 31 years old, married, and has two children. His mother, Mrs.

Mitsue Onizuka, is the proprietor of Onizuka Store in Keopu, North Kona. Captain Onizuka's father died ten years ago.

This morning, it is our pleasure to have visit us in the Senate Captain Onizuka's mother, Mrs. Mitsue Onizuka. Accompanying her to the Legislature is his brother, Claude Onizuka, who is branch manager of the Kona Community Federal Credit Union, and his sister, Mrs. Norma Sakamoto, who is with Hawaiian Trust Company in Honolulu.

Naturally, when an occasion like this happens we're all very proud. The people of Keopu, Kona are proud, the people of the Big Island are proud and, I am sure, the people of the State are proud of the accomplishments of Captain Onizuka."

Members of the Senate, it is my pleasure to introduce to you the mother of Captain Onizuka, Mrs. Mitsue Onizuka, his sister, Mrs. Norma Sakamoto, and his brother, Mr. Claude Onizuka."

Senator Henderson presented a lei to Mrs. Mitsue Onizuka and Senator Hara presented her with a certified copy of the resolution, adopted on the Third Day of the Session.

Senator Nishimura then rose to offer an oral resolution.

"Mr. President, I'd like the record to reflect the following oral resolution:

'BE IT RESOLVED by the Senate of the Ninth Legislature of the State of Hawaii, Regular Session of 1978,

that this Body extends to Senator Dennis O'Connor its warmest Aloha, heartiest congratulations, and many happy returns on the occasion of his 48th birthday.'

Mr. President, I move for the adoption of the resolution.

Mr. President, I was remiss or I am remiss in not having noted my good colleague's birthday today. I saw him earlier, before the session started, and I asked him why he was wearing a lei and he informed me that he was one year older. I told him that if I had known yesterday I would have prepared a formal resolution for introduction today.

In any case, it's my understanding that he is seeking higher office, and I want the record to show that I introduced this resolution congratulating him, and although I am not endorsing his candidacy to higher office, I want the record to reflect that I am wishing him Godspeed, good luck, and success in his quest for higher office so that he would give me a better opportunity for reelection.

Thank you very much."

Senator Taira seconded the motion for the adoption of the oral resolution, and the motion was put by the Chair and unanimously carried.

#### ADJOURNMENT

At 11:58 o'clock a.m., on motion by Senator Taira, seconded by Senator Yee and carried, the Senate adjourned until 8:30 o'clock a.m., Thursday, January 26, 1978.