

SEVENTH DAY

Thursday, January 27, 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 the Reverend Kim On Chong, former Chaplain of Mid-Pacific Institute, after which the Roll was called showing all Senators present, with the exception of Senator Leopold, who was excused.

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

Senator Ching then introduced to the members of the Senate, Miss Emily Gove and Miss Eva Whitney from Booth Bay, Maine. Miss Gove taught at Baldwin High School on Maui some twenty years ago.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 82 to 85) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 82), transmitting a report prepared by the Department of Labor and Industrial Relations in response to Act 151, SLH 1975, relating to the State Program for the Unemployed, and including a summary of the administration, implementation, and planned activities of the program, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 83), transmitting the annual report of the Director of Personnel Services, in accordance with Section 77-13, sub-section (f), as amended, Hawaii Revised Statutes, regarding the manner in which State positions assigned to Salary Ranges SC-1, SC-2 and SC-3 are being used, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 84), transmitting a research report entitled, Pay Rates in Hawaii, regarding the community pay rates survey conducted by the Hawaii Employers Council, in accordance with paragraph 3, Section 77-2 of the Hawaii Revised Statutes, and including the State's Compensation Plan, was referred to the Committee on Human Resources.

A message from the Governor (Gov.

Msg. No. 85), transmitting a report prepared by the Commission on Manpower and Full Employment and the State Manpower Services Council on the Current Manpower Services Programs, in response to House Resolution No. 66, Regular Session of 1976, was referred to the Committee on Human Resources.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 32 and 33) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 32), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO FINANCIAL INSTITUTIONS REGULATED BY THE STATE OF HAWAII", was jointly offered by Senators Nishimura, Ching, Chong, Saiki, F. Wong, Leopold, King, Young, R. Wong, Toyofuku, Taira and Takitani.

By unanimous consent, S.C.R. No. 32 was referred to the Committee on Judiciary.

A concurrent resolution (S.C.R. No. 33), entitled: "SENATE CONCURRENT RESOLUTION SPECIAL RECOGNITION TO LUCKY LUCK, HAWAII'S PRINCE OF JOY AND LAUGHTER", was jointly offered by Senators Yee, Anderson, Chong, Saiki, Taira, Soares, Kawasaki, Hara, Toyofuku, George, Takitani, Kuroda, F. Wong, Ching, Nishimura, King and Henderson.

On motion by Senator Yee, seconded by Senator Anderson and carried, S.C.R. No. 33 was adopted.

At 11:35 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:36 o'clock a.m.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 84 to 86) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 84), entitled: "SENATE RESOLUTION RELATING TO THE HAWAII PENAL CODE", was jointly offered by Senators Nishimura, Ching, Saiki, Leopold, Soares, Chong, King, Yee, George, Young, R. Wong, Toyofuku, Taira and Takitani.

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

A resolution (S.R. No. 85), entitled:

"SENATE RESOLUTION RELATING TO FINANCIAL INSTITUTIONS REGULATED BY THE STATE OF HAWAII", was jointly offered by Senators Nishimura, Ching, Saiki, Chong, Toyofuku, F. Wong, Leopold, King, Young, R. Wong, Taira and Takitani.

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

A resolution (S.R. No. 86), entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF THE ASHRAE STANDARD 90-75 RELATING TO ENERGY CONSERVATION IN NEW BUILDING DESIGN", was jointly offered by Senators Yim, King and Nishimura.

By unanimous consent, S.R. No. 86 was referred to the Committee on Energy/Natural Resources.

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 Friday, January 28, 1977:

Senate Bill

No. 192 "A Bill for an Act Relating to Eminent Domain."

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

No. 193 "A Bill for an Act Relating to Real Property Leases."

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

No. 194 "A Bill for an Act Relating to the Real Property Taxation of Residential Leaseholds."

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

No. 195 "A Bill for an Act Relating to Real Property Taxation of Improved Residential Lands."

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

No. 196 "A Bill for an Act Relating to Motor Vehicle Accident Reparations."

Introduced by: Senators Ushijima, Taira, Toyofuku, O'Connor, Nishimura, Ching, Young, Takitani, Chong, R. Wong, F. Wong, Hulten, Hara and Kuroda.

No. 197 "A Bill for an Act Relating to State Employees."

Introduced by: Senators Chong, Nishimura, F. Wong, King, O'Connor and Kuroda.

No. 198 "A Bill for an Act Making an Appropriation for a Grant-In-Aid to Assist Neighborhood Boards in Participating in the Community Planning Process."

Introduced by: Senators Chong, Nishimura, Hulten, King, Taira, Ching, F. Wong, Yamasaki, O'Connor, Young and Kuroda.

No. 199 "A Bill for an Act Relating to the Enrichment of Rice."

Introduced by: Senators Chong, Nishimura, Hulten, Takitani, King, Taira, Ching, F. Wong, Henderson, Young and O'Connor.

No. 200 "A Bill for an Act Relating to Federal Aid Moneys."

Introduced by: Senators Chong, Nishimura, F. Wong, O'Connor and Young.

No. 201 "A Bill for an Act Relating to a Study of Accident and Sickness and Group Disability Insurance Programs."

Introduced by: Senators Chong, Nishimura, F. Wong, King, Yamasaki, O'Connor and Young.

No. 202 "A Bill for an Act Making an Appropriation for Private Drug and Alcohol Treatment Programs."

Introduced by: Senators Chong, Nishimura, Hulten, Takitani, King, Taira, Ching and Henderson.

No. 203 "A Bill for an Act Relating to Hospitals."

Introduced by: Senators Chong, Nishimura, Hulten, Takitani, Kuroda, King, Taira, Toyofuku, Young, O'Connor, F. Wong, Henderson and Yamasaki.

No. 204 "A Bill for an Act Relating to Osteopathy."

Introduced by: Senator Chong, v request.

No. 205 "A Bill for an Act Relating

- to Economic Development."
- Introduced by: Senators F. Wong and Nishimura.
- No. 206 "A Bill for an Act Relating to an Economic Development Advisory Committee for the Legislature."
- Introduced by: Senators F. Wong and Nishimura.
- No. 207 "A Bill for an Act Relating to an Advisory Board for the Department of Economic Development."
- Introduced by: Senators F. Wong and Nishimura.
- No. 208 "A Bill for an Act Relating to the Hawaii Economic Development Authority."
- Introduced by: Senators F. Wong, Nishimura and Hara.
- No. 209 "A Bill for an Act Making an Appropriation to Plan a Vessel Lease Program."
- Introduced by: Senators F. Wong, Hara and Nishimura.
- No. 210 "A Bill for an Act Relating to Marine Industries."
- Introduced by: Senator F. Wong.
- No. 211 "A Bill for an Act Relating to Economic Development."
- Introduced by: Senators F. Wong and Nishimura.
- No. 212 "A Bill for an Act Relating to Economic Development."
- Introduced by: Senators F. Wong, Nishimura and Hara.
- No. 213 "A Bill for an Act Relating to Economic Development."
- Introduced by: Senators F. Wong, Nishimura and Hara.
- No. 214 "A Bill for an Act Relating to Economic Development."
- Introduced by: Senators F. Wong and Nishimura.
- No. 215 "A Bill for an Act Making an Appropriation for Planning and Developing Forest Reserves of Native Hardwoods."
- Introduced by: Senators F. Wong, Nishimura and Hara.
- No. 216 "A Bill for an Act Making
- an Appropriation for Capital Improvement Projects at Aliiolani School."
- Introduced by: Senators O'Connor, Nishimura, Saiki, Soares, Hara and Toyofuku.
- No. 217 "A Bill for an Act Making an Appropriation for Capital Improvement Projects at Kaimuki Intermediate School."
- Introduced by: Senators O'Connor, Nishimura, Saiki, Soares, Toyofuku and Hara.
- No. 218 "A Bill for an Act Relating to the Uniform Probate Code."
- Introduced by: Senators Saiki, Leopold, George, Soares, Yee, Anderson and Henderson.
- No. 219 "A Bill for an Act Relating to the Uniform Probate Code."
- Introduced by: Senators Saiki, Henderson, Leopold, George, Soares, Anderson and Yee.
- On motion by Senator Taira, seconded by Senator Anderson and carried, the following bill was referred to print and was placed on the calendar for further consideration on Friday, January 28, 1977:
- Senate Bill
- No. 191 "A Bill for an Act Relating to State and County Governments."
- Introduced by: Senators Hulten, Nishimura, Ushijima, Ching, Chong, Takitani, Toyofuku, Kuroda, Young, Henderson, Taira and F. Wong.
- STANDING COMMITTEE REPORT
- Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 3), informing the Senate that Senate Bill Nos. 171 to 190, Senate Concurrent Resolution No. 32 and Senate Resolution Nos. 84 to 86 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 Wednesday, January 26, 1977:

- Senate Bill Referred to: Natural Resources, then to the Committee on Ways and Means
- No. 171 Committee on Judiciary
- No. 172 Committee on Judiciary
- No. 173 Committee on Judiciary
- No. 174 Committee on Judiciary
- No. 175 Jointly to the Committee on Consumer Protection and the Committee on Judiciary, then to the Committee on Ways and Means
- No. 176 Committee on Judiciary
- No. 177 Committee on Judiciary, then to the Committee on Ways and Means
- No. 178 Committee on Judiciary, then to the Committee on Ways and Means
- No. 179 Committee on Transportation, then to the Committee on Ways and Means
- No. 180 Committee on Education, then to the Committee on Ways and Means
- No. 181 Committee on Human Resources, then to the Committee on Ways and Means
- No. 182 Committee on Military and Civil Defense, then to the Committee on Ways and Means
- No. 183 Committee on Human Resources, then to the Committee on Ways and Means
- No. 184 Committee on Judiciary
- No. 185 Committee on Energy/Natural Resources
- No. 186 Committee on Energy/Natural Resources
- No. 187 Committee on Energy/Natural Resources, then to the Committee on Ways and Means
- No. 188 Committee on Energy/
- No. 189 Committee on Energy/Natural Resources
- No. 190 Committee on Intergovernmental Relations, then to the Committee on Energy/Natural Resources
- At this time, Senator George rose on a point of personal privilege and stated as follows:
- "Mr. President, imitation, I am told, is the sincerest form of flattery. I therefore rise to acknowledge the flattering actions of the Attorney General in preparing Senate Bill No. 94 for your introduction, Mr. President.
- Now when I read this bill yesterday, Mr. President, I had no difficulty identifying an old friend, Senate Bill No. 3000, which I introduced on February 25th of the last session. The title is the same; the language is nearly identical, and the substance is easily recognizable. Only a new tacked-on section distinguishes it from the original.
- The referral is to the same Committee, Mr. President, your Committee on Economic Development, where I hope it will receive a warmer welcome than the Minority measure which died there, unheard, unhonored and unsung.
- Now I think we are all aware that new emphasis is being placed on recycling. It is a very fashionable and patriotic activity. I therefore express my appreciation to the Majority for its efforts to recycle Minority measures.
- Thank you very much."
- The President then stated that the measure is an administrative one and that it was introduced by request.

ADJOURNMENT

At 11:40 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, January 28, 1977.