

TWENTY-EIGHTH DAY

Monday, February 28, 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 Mrs. Hannah Harris of the Ke Alauala Church, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Twenty-Seventh Day.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 117 to 140) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 117), transmitting copies of a report prepared by the Department of Planning and Economic Development in response to House Resolution No. 269, H.D. 1, Regular Session of 1976, Requesting an Action Program to Qualify Hawaii Residents for Available and Projected Federal Jobs, was jointly referred to the Committee on Economic Development and the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 118), submitting for consideration and confirmation to the Board of Acupuncture, the nomination of Dr. George Shimomura, term to expire December 31, 1980, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 119), submitting for consideration and confirmation to the Board of Acupuncture, the nomination of Duane M. Murray, term to expire December 31, 1977, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 120), submitting for consideration and confirmation to the Board of Acupuncture, the nomination of Yosei Shinsato, Acupuncturist, a new position under Act 110, Session Laws of Hawaii 1976, term to expire December 31, 1979, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 121), submitting for consideration and confirmation to the Board of Acupuncture, the nomination of John T. Nakajima, Acupuncturist, a new position under Act 110, Session Laws of Hawaii 1976, term to expire December 31, 1978,

was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 122), submitting for consideration and confirmation to the Public Utilities Commission, the nomination of Sunao Kido to a new position under Act 165, Session Laws of Hawaii 1976, term to expire June 1, 1980, was referred to the Committee on Public Utilities.

A message from the Governor (Gov. Msg. No. 123), submitting for consideration and confirmation to the Public Utilities Commission, the nomination of Robert H. Rath, Sr. to a new position under Act 165, Session Laws of 1976, term to expire June 1, 1978, was referred to the Committee on Public Utilities.

A message from the Governor (Gov. Msg. No. 124), submitting for consideration and confirmation to the Public Utilities Commission, the nomination of Albert Q.Y. Tom to a new position under Act 165, Session Laws of 1976, term to expire June 1, 1982, was referred to the Committee on Public Utilities.

A message from the Governor (Gov. Msg. No. 125), submitting for consideration and confirmation to the Hawaii Paroling Authority, the nomination of Schuyler F. Hoss to a new position under Act 92, Session Laws of 1976, term to expire January 17, 1979, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 126), submitting for consideration and confirmation to the Hawaii Paroling Authority, the nomination of Seido Ogawa to a new position under Act 92, Session Laws of 1976, term to expire January 17, 1980, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 127), submitting for consideration and confirmation to the Hawaii Paroling Authority, the nomination of Thomas K. Hugo, Jr., Chairman, a new position under Act 92, Session Laws of 1976, term to expire January 17, 1981, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 128), submitting for consideration and confirmation to the Advisory Council for Housing and Construction Industry, the nomination of Melvin K. Soong, At-Large Member, term to expire December 31, 1980, was referred to the Committee on Housing and Hawaiian Homes.

A message from the Governor (Gov. Msg. No. 129), submitting for consideration

and confirmation to the Advisory Council for Housing and Construction Industry, the nomination of Howard H. Rabacal, At-Large Member, term to expire December 31, 1979, was referred to the Committee on Housing and Hawaiian Homes.

A message from the Governor (Gov. Msg. No. 130), submitting for consideration and confirmation to the Advisory Council for Housing and Construction Industry, the nomination of Nancy T. Taylor, At-Large Member, term to expire December 31, 1978, was referred to the Committee on Housing and Hawaiian Homes.

A message from the Governor (Gov. Msg. No. 131), submitting for consideration and confirmation to the Advisory Council for Housing and Construction Industry, the nomination of Wallace S.J. Ching, Home Builders Association of Hawaii Member, term to expire December 31, 1980, was referred to the Committee on Housing and Hawaiian Homes.

A message from the Governor (Gov. Msg. No. 132), submitting for consideration and confirmation to the Advisory Council for Housing and Construction Industry, the nomination of Chew Hoy Lee, Development Association of Hawaii Member, term to expire December 31, 1978, was referred to the Committee on Housing and Hawaiian Homes.

A message from the Governor (Gov. Msg. No. 133), submitting for consideration and confirmation to the Advisory Council for Housing and Construction Industry, the nomination of Tamotsu Kitagawa, General Contractors Association of Hawaii Member, term to expire December 31, 1979, was referred to the Committee on Housing and Hawaiian Homes.

A message from the Governor (Gov. Msg. No. 134), submitting for consideration and confirmation to the Advisory Council for Housing and Construction Industry, the nomination of Stanley K. Ito, AFL-CIO Building Trades Council Member, term to expire December 31, 1977, was referred to the Committee on Housing and Hawaiian Homes.

A message from the Governor (Gov. Msg. No. 135), submitting for consideration and confirmation to the Advisory Council for Housing and Construction Industry, the nomination of John W. Anderson, Jr., Mortgage Bankers Association Member, term to expire December 31, 1979, was referred to the Committee on Housing and Hawaiian Homes.

A message from the Governor (Gov. Msg. No. 136), submitting for consideration and confirmation to the Advisory Council

for Housing and Construction Industry, the nomination of Arthur B. Hansen, American Institute of Architects Member, term to expire December 31, 1978, was referred to the Committee on Housing and Hawaiian Homes.

A message from the Governor (Gov. Msg. No. 137), submitting for consideration and confirmation to the Advisory Council for Housing and Construction Industry, the nomination of Larry K. Matsuo, Consulting Engineers Council of Hawaii Member, term to expire December 31, 1979, was referred to the Committee on Housing and Hawaiian Homes.

A message from the Governor (Gov. Msg. No. 138), submitting for consideration and confirmation to the Advisory Council for Housing and Construction Industry, the nomination of James K. Trask, Jr., Hawaii Association of Realtors Member, term to expire December 31, 1977, was referred to the Committee on Housing and Hawaiian Homes.

A message from the Governor (Gov. Msg. No. 139), submitting for consideration and confirmation to the Advisory Council for Housing and Construction Industry, the nomination of James H. Hara, Savings and Loan League Member, term to expire December 31, 1980, was referred to the Committee on Housing and Hawaiian Homes.

A message from the Governor (Gov. Msg. No. 140), transmitting copies of Supplement No. 1 to Report to the Ninth Legislature of the State of Hawaii on Exchanges of State Lands to Acquire Private Lands for Public Use, January 1, 1976 to December 31, 1976, prepared by the Department of Land and Natural Resources pursuant to Sections 171-29 and 171-50, Hawaii Revised Statutes, was referred to the Committee on Economic Development.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 101 to 103) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 101), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO GIVE FIRST CONSIDERATION TO CERTIFIED WICHE EXCHANGE STUDENTS WHEN CONSIDERING ADMISSION OF NON-RESIDENT STUDENTS IN ITS PROFESSIONAL SCHOOL AND DEPARTMENTS", was jointly offered by Senators Takitani, Saiki, Henderson, F. Wong, Chong, Taira, Hulten, King, Yee, Leopold, George, Hara, Young and Nishimura.

By unanimous consent, S.C.R.

No. 101 was referred to the Committee on Higher Education.

A concurrent resolution (S.C.R. No. 102), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A CHANGE IN RATES FOR USE OF THE NEAL S. BLAISDELL CENTER", was jointly offered by Senators Ching, Hulten, Kawasaki, Taira, Yamasaki, Hara, Yee, Henderson, R. Wong, Takitani, O'Connor, Leopold, Soares, Saiki, King, Kuroda, Young and Toyofuku.

By unanimous consent, S.C.R. No. 102 was referred to the Committee on Intergovernmental Relations.

A concurrent resolution (S.C.R. No. 103), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REVISION OF THE 'RETIREMENT TEST' OF THE SOCIAL SECURITY PROGRAM", was jointly offered by Senators Hulten, Ching, George, Ushijima, Takitani, F. Wong, Yamasaki, Chong, Henderson, Soares, Taira, Kuroda and Hara.

By unanimous consent, S.C.R. No. 103 was referred to the Committee on Human Resources.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 281 to 284) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 281), entitled: "SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO GIVE FIRST CONSIDERATION TO CERTIFIED WICHE EXCHANGE STUDENTS WHEN CONSIDERING ADMISSION OF NON-RESIDENT STUDENTS IN ITS PROFESSIONAL SCHOOL AND DEPARTMENTS", was jointly offered by Senators Takitani, Saiki, Henderson, F. Wong, Chong, Taira, Hulten, King, Yee, Leopold, George, Hara, Young and Nishimura.

By unanimous consent, S.R. No. 281 was referred to the Committee on Higher Education.

A resolution (S.R. No. 282), entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO UNDERTAKE A STUDY OF THE REAL PROPERTY TAXATION CONCEPT OF 'LEGAL VALUE'", was jointly offered by Senators Hara, Chong, Taira, Ching, Takitani, Hulten, Leopold, Saiki, Kawasaki, Yamasaki, Kuroda, O'Connor, Nishimura and Toyofuku.

By unanimous consent, S.R. No. 282 was referred to the Committee on Ways and Means, then to the Committee on Legislative Management.

A resolution (S.R. No. 283), entitled: "SENATE RESOLUTION REQUESTING A CHANGE IN RATES FOR USE OF THE NEAL S. BLAISDELL CENTER", was jointly offered by Senators Ching, Hulten, Taira, Yamasaki, Hara, Yee, Henderson, R. Wong, Takitani, O'Connor, Leopold, Soares, Saiki, King, Kuroda, Young and Toyofuku.

By unanimous consent, S.R. No. 283 was referred to the Committee on Intergovernmental Relations.

A resolution (S.R. No. 284), entitled: "SENATE RESOLUTION REQUESTING A REVISION OF THE 'RETIREMENT TEST' OF THE SOCIAL SECURITY PROGRAM", was jointly offered by Senators Hulten, Ching, George, Ushijima, Takitani, Yamasaki, Henderson, Hara, Soares, Taira, Chong, Kuroda and F. Wong.

By unanimous consent, S.R. No. 284 was referred to the Committee on Human Resources.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 40) informing the Senate that Senate Concurrent Resolution Nos. 101 and 102, Senate Resolution Nos. 280 to 283, Standing Committee Report Nos. 41 and 42, and Governor's Message Nos. 118 to 139 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. 41) recommending that Senate Concurrent Resolution No. 64, as amended in S.D. 1, be adopted.

On motion by Senator King, seconded by Senator Hulten and carried, the report of the Committee was adopted and S.C.R. No. 64, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING EFFORTS TO SAVE THE WHALES", was adopted.

Senator King, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 42) recommending that Senate Resolution No. 152, as amended in S.D. 1, be adopted.

On motion by Senator King, seconded by Senator Hulten and carried, the

report of the Committee was adopted and S.R. No. 152, S.D. 1, entitled: "SENATE RESOLUTION ENCOURAGING EFFORTS TO SAVE THE WHALES", was adopted.

ORDER OF THE DAY

RE-REFERRAL OF SENATE BILLS

The President made the following re-referral of bills that were introduced on Wednesday, February 23, 1977:

Senate Bills Referred to:

- No. 1148 Committee on Consumer Protection, then to the Committee on Housing and Hawaiian Homes, then to the Committee on Judiciary
- No. 1226 Jointly to the Committee on Intergovernmental Relations and the Committee on Economic Development
- No. 1227 Jointly to the Committee on Intergovernmental Relations and the Committee on Economic Development
- No. 1228 Committee on Intergovernmental Relations, then to the Committee

on Housing and Hawaiian Homes

No. 1331 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means

No. 1464 Jointly to the Committee on Ecology, Environment and Recreation and the Committee on Consumer Protection, then to the Committee on Ways and Means

No. 1489 Jointly to the Committee on Ecology, Environment and Recreation and the Committee on Consumer Protection, then to the Committee on Judiciary

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

The Senate reconvened at 11:42 o'clock a.m.

ADJOURNMENT

At 11:45 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., Tuesday, March 1, 1977.