

TWENTY-SEVENTH DAY

Friday, February 27, 1976

The Senate of the Eighth Legislature of the State of Hawaii, Regular Session of 1976, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Christian Tirre of the Hanapepe United Church of Christ, after which the Roll was called showing all Senators present.

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

At this time, the following introductions were made to the members of the Senate:

Senator Toyofuku introduced Mrs. Joanne Tirre, the wife of the Reverend Tirre who offered the invocation this morning.

Senator Toyofuku then introduced Mr. John Robertson, a former Senator from the State of Washington.

Senator Anderson introduced Mr. T. Sone, a visitor from Japan.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 103 and 104) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 103), transmitting changes to the Supplemental Appropriations Bill, Senate Bill No. 1806-76, was referred to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 104), transmitting the Annual Report of the Hawaii Housing Authority, Department of Social Services and Housing, pursuant to Section 356-25, Hawaii Revised Statutes, was referred to the Committee on Housing and Hawaiian Homes.

HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 30), transmitting House Concurrent Resolution No. 46, which was adopted by the House of Representatives on February 26, 1976, was read by the Clerk and placed on file.

On motion by Senator Taira, seconded

by Senator Anderson and carried, H.C.R. No. 46, entitled: "HOUSE CONCURRENT RESOLUTION COMMENDING THE KAMEHAMEHA SCHOOLS BICENTENNIAL PERFORMANCE TRAVEL GROUP", was adopted.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 55 to 58) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 55), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE SENATE WAYS AND MEANS COMMITTEE TO STUDY AND MAKE RECOMMENDATIONS ON METHODS OF ASSESSING ECONOMIC IMPACT OF BILLS PASSED, PRIOR TO PASSAGE", was jointly offered by Senators Hulten, Taira, Yamasaki, F. Wong, Kuroda, Ching, Chong, Takitani, Toyofuku, Henderson, Ushijima, Nishimura, George and Anderson.

By unanimous consent, S.C.R. No. 55 was referred to the Committee on Ways and Means.

A concurrent resolution (S.C.R. No. 56), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE USE OF PRIVATE CONSULTANTS BY GOVERNMENT", was jointly offered by Senators Hulten, Ushijima, Taira, Kawasaki, Yamasaki, George, Anderson, F. Wong, Yim, Kuroda, Ching, Chong, Takitani, Toyofuku, Henderson and Nishimura.

By unanimous consent, S.C.R. No. 56 was referred to the Committee on Ways and Means.

A concurrent resolution (S.C.R. No. 57), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO PROVIDE A STATUTE OF LIMITATIONS ON ACTIONS ARISING UNDER THE ENVIRONMENTAL PROTECTION ACT", was jointly offered by Senators Hulten, Ushijima, Taira, Kawasaki, Anderson, Yamasaki, F. Wong, Kuroda, Toyofuku, Ching, Takitani, Henderson, Nishimura and George.

By unanimous consent, S.C.R. No. 57 was referred to the Committee on Ecology, Environment and Recreation, then to the Committee on Judiciary.

A concurrent resolution (S.C.R. No. 58), entitled: "SENATE CONCURRENT RESOLUTION TO HAVE THE LEGISLATIVE AUDITOR STUDY THE VARIOUS

PROVISIONS IN THE HAWAII REVISED STATUTES AFFECTING LAND USE REQUIREMENTS", was jointly offered by Senators Hulten, Toyofuku, Ching, Chong, Young, F. Wong, Ushijima, Taira, Kuroda, Takitani, Henderson, Nishimura and Anderson.

By unanimous consent, S.C.R. No. 58 was referred to the Committee on Economic Development, then to the Committee on Legislative Management.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 214 to 218) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 214), entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF THE PERFORMANCE OF DAY CARE CENTERS FOR ELDERLY AND DISABLED PERSONS AND SEEKING TECHNICAL ASSISTANCE IN SECURING ALTERNATIVE FUNDING SOURCES", was jointly offered by Senators Toyofuku, Chong, Kawasaki, King, Takitani, R. Wong, Taira, Young, F. Wong, Ching, Hulten, Yamasaki and Kuroda.

By unanimous consent, S.R. No. 214 was referred to the Committee on Human Resources.

A resolution (S.R. No. 215), entitled: "SENATE RESOLUTION DECLARING PRIORITY OF AGRICULTURE IN WATER RESOURCE ALLOCATION AND WATER TRANSMISSION FACILITIES", was jointly offered by Senators Toyofuku, King, Takitani, Kawasaki, R. Wong, Taira, Young, F. Wong, Ching, Hulten, Yamasaki, Chong and Kuroda.

By unanimous consent, S.R. No. 215 was referred to the Committee on Economic Development.

A resolution (S.R. No. 216), entitled: "SENATE RESOLUTION CONGRATULATING THE HEALANI CANOE CLUB ON THE HISTORICAL EVENT OF THE FIRST ALL WOMEN'S CREW TO CROSS THE MOLOKAI CHANNEL", was jointly offered by Senators Taira, Takitani, O'Connor, Toyofuku, Chong, Yamasaki, Anderson, Henderson, Hara, Kawasaki, Nishimura, George, Yee, Hulten, Yim, F. Wong, Saiki, Soares and Young.

On motion by Senator Taira, seconded by Senator Anderson and carried, S.R. No. 216 was adopted.

At this time, Senator Taira introduced to the members of the Senate Miss Alohanani Puha, the captain of the

women's crew.

A resolution (S.R. No. 217), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS AND BEST WISHES TO THOMAS I. YAMAMOTO ON HIS RE-ELECTION AS PRESIDENT OF THE HONOLULU YOUNG BUDDHIST ASSOCIATION", was jointly offered by Senators Taira, Toyofuku, Chong, Yim, Leopold, Nishimura, Takitani, Ching, R. Wong, Kawasaki, Hara, Yamasaki, Soares, F. Wong, Hulten, Young, King, Ushijima, Kuroda, Yee, Henderson, Saiki, George, Anderson and O'Connor.

On motion by Senator Taira, seconded by Senator Yamasaki and carried, S.R. No. 217 was adopted.

A resolution (S.R. No. 218), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS AND BEST WISHES TO LINDA SUE CHUN, MISS CHINATOWN U.S.A. OF 1976", was jointly offered by Senators Yee, Anderson, Chong, Ching, George, Toyofuku, Hulten, Young, Yamasaki, Hara, Kawasaki, F. Wong, Leopold, Nishimura, Takitani, Saiki, Henderson, Taira and Soares.

On motion by Senator Yee, seconded by Senator F. Wong and carried, S.R. No. 218 was adopted.

Senator Yee then introduced to the members of the Senate the parents of Miss Chun, Mr. and Mrs. Kam Kin Chun and Mr. Anthony Ching, the President-elect of the Chinese Chamber of Commerce. He then introduced Miss Chinatown U.S.A. of 1976, Miss Linda Sue Chun and presented her with a carnation lei. She was then escorted to the rostrum where the President presented her with a resolution just adopted. Miss Chun addressed the members of the Senate expressing her appreciation for the resolution.

At this time, Kathy Castro of Mililani High School, on behalf of the Student Observers, presented a lei to Senator Takitani for his work in chairing the Student Observer Program in the Senate. Mark Kawamura of Lahainaluna High School then addressed the members of the Senate, on behalf of the Student Observers, noting their appreciation and gratitude for the opportunity to participate in this program. Mark stated that they had learned much about systems and procedures in government and added that he felt that it was unfortunate that many people criticize the government without trying to see what is really involved. Then, on behalf of the

students, he presented a koa bowl to Senator Takitani in appreciation.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 39-76), informing the Senate that Senate Resolution Nos. 214 to 218, Standing Committee Report No. 40-76 and Governor's Message No. 103 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 Kawasaki, for the Committee on Government Operations and Efficiency, presented a report (Stand. Com. Rep. No. 40-76), recommending that Senate Bill No. 1632 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Kawasaki, seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 1632, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS", passed Second Reading and was referred to the Committee on Judiciary.

MISCELLANEOUS COMMUNICATION

A communication from Arthur Young and Company, project consultants to the Department of Budget and Finance, (Misc. Com. No. 3), transmitting errata sheets to a report previously submitted regarding the responsibilities and funding of transportation in Hawaii, Governor's Message No. 71,

was read by the Clerk and was referred to the Committee on Transportation, then to the Committee on Ways and Means.

Senator Leopold, rising on a point of personal privilege, stated that two years ago the House of Representatives requested the Legislative Auditor to report on the financial and management practices and policies of the Harbor Division, with special emphasis on the small boat harbors, and to report back to the 1975 Session. Since the report was not submitted, he contacted the Legislative Auditor and was informed that it would be released soon. Yesterday, a hearing was held in the Transportation Committee and the Chairman of that Committee discussed the contents of the final draft of that report. Senator Leopold then contacted the Legislative Auditor's Office and was informed that it was the practice that no one member, other than the Speaker of the House of Representatives and the President of the Senate, would receive a copy of the final draft until all copies have been distributed to the members of the Legislature. Senator Leopold then queried as to how the Chairman of the Transportation Committee received his copy.

The President stated that he did in fact receive the advance copy and that it is within his discretion to submit it to the Chairman of the committee involved, in this case, the Chairman of the Transportation Committee.

ADJOURNMENT

At 11:50 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., Monday, March 1, 1976.