

## 52ND DAY

**Tuesday, April 4, 1972**

The House of Representatives of the Sixth Legislature of the State of Hawaii, Regular Session of 1972, was called to order at 11:00 o'clock a.m.

The Speaker presided.

The Divine Blessing was invoked by the Reverend Charles Sundry of Gloria Dei Lutheran Church.

Roll call of the members of the House of Representatives showed that all members were present with the exception of Representatives Fong, Iha, Kaneshiro, Kato, Lee and Yap, who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Fifty-First Day.

On motion by Representative Ushijima, seconded by Representative J. Garcia and carried, reading of the Journal was dispensed with and the Journal of the Fifty-First Day was approved.

### SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 71 to 78) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 71) informing the House that Senate Bill No. 452, SD 1, passed Final Reading in the Senate on April 3, 1972, in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, was placed on file.

A communication from the Senate (Sen. Com. No. 72) informing the House that Senate Bill No. 1193 passed Final Reading in the Senate on April 3, 1972, in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, was placed on file.

A communication from the Senate (Sen. Com. No. 73) transmitting Senate Concurrent Resolution No. 13, SD 1, requesting the Governor of the State of Hawaii to proclaim the first week of May as Children's Week commencing on Lei Day and to make Children's Week an annual affair, which was adopted by the Senate on April 3, 1972, was placed on file.

A communication from the Senate (Sen. Com. No. 74) transmitting Senate Concurrent Resolution No. 26, SD 1, requesting the Progressive Neighborhood Office to coordinate a feasibility study on providing shelter care for youth, which was adopted by the Senate on April 3, 1972, was placed on file.

A communication from the Senate (Sen. Com. No. 75) transmitting Senate Concurrent Resolution No. 33, SD 1, urging the Department of Land and Natural Resources to initiate programs to alleviate the unemployment problem, which was adopted by the Senate on April 3, 1972, was placed on file.

A communication from the Senate (Sen. Com. No. 76) transmitting Senate Concurrent Resolution No. 46, relating to the report on the final Compensation Plan and the cost thereof, which was adopted by the Senate on April 3, 1972, was placed on file.

By unanimous consent, S. C. R. Nos. 13, SD 1; 26, SD 1; 33, SD 1 and 46 were placed on the Clerk's desk.

A communication from the Senate (Sen. Com. No. 77) transmitting Senate Bill No. 1547-72, SD 1, entitled: "A Bill for an Act relating to political activity of Department of Health employees," which passed Third Reading in the Senate on April 3, 1972, was placed on file.

A communication from the Senate (Sen. Com. No. 78) transmitting Senate Bill No. 1612-72 entitled: "A Bill for an Act relating to examinations to practice optometry," which passed Third Reading in the Senate on April 3, 1972, was placed on file.

On motion by Representative Ushijima, seconded by Representative J. Garcia and carried, S. B. Nos. 1547-72 and 1612-72 passed First Reading by title and further action was deferred until later in the calendar.

### MISCELLANEOUS COMMUNICATIONS

The following communications (Misc. Com. Nos. 43 and 44) were read by the Clerk and were disposed of as follows:

A communication from the Honorable Richard Stone, Secretary of State, Florida (Misc. Com. No. 43) transmitting a certified copy of Senate Memorial No.

227 which was adopted by the Florida State Legislature, Regular Session of 1972, proposing a Constitutional amendment relating to selection of the presiding officer of the United States Senate, was placed on file.

A communication from W. B. Rosson, General, U. S. Army, Commander in Chief (Misc. Com. No. 44) acknowledging receipt of House Resolution No. 254 which was adopted during the Regular Session of 1972, and expressing appreciation for the support of the United States Army, Pacific, Friendship Mission Program, was placed on file.

The Chair here directed the Clerk to note the presence of Representatives Iha, Kaneshiro, Kato and Yap.

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

Representative Judd introduced 50 students from Kaimuki Intermediate School, with their teachers, Mrs. Santana and Mrs. Bow.

Representative Young introduced 18 members of the Leeward Senior Citizens' Club who were accompanied by Mrs. Kurasuda, Advisor; Mrs. Gabrielson, Chairman and Mr. Lau, President.

Representative Uechi introduced 58 eighth grade students from Aliamanu Intermediate School, with their teacher, Mrs. Peltz.

Representative Wedemeyer introduced 3 third grade students from Kuhio Elementary School, with their teachers, Miss Teruko Hisaoka, Miss Jean Ishikawa, Mrs. Jean Fukunaga, Miss Takiko Takiguchi and Miss Aragaki; parent, Mrs. Hayashi and student teachers, Miss Manago and Miss Ng.

## ORDER OF THE DAY

### COMMITTEE REFERRALS

The following bills (S.B. Nos. 1547-72 and 1612-72) were disposed of as follows:

S. B. No. 1547-72 was referred to the Committee on Public Employment and after consideration by it, the Committee was instructed to refer the bill to the

Committee on Judiciary.

S. B. No. 1612-72 was referred to the Committee on Judiciary.

### DEFERRED RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 13, 26, 33 and 46) were disposed of as follows:

S.C.R. No. 13 was referred to the Committee on Education.

S.C.R. No. 26 was referred to the Committee on Public Institutions and after consideration by it, the Committee was instructed to refer the concurrent resolution to the Committee on Finance.

S.C.R. No. 33 was referred to the Committee on Lands and after consideration by it, the Committee was instructed to refer the concurrent resolution to the Committee on Finance.

S.C.R. No. 46 was referred to the Committee on Finance.

### COMMITTEE REASSIGNMENT

S. B. No. 565 which had been referred jointly to the Select Committees of Kauai Representatives, Maui Representatives, Oahu Representatives and Hawaii Representatives and to the Committee on Judiciary on April 7, 1971, was referred jointly to the Select Committees of Kauai Representatives, Maui Representatives, Oahu Representatives and Hawaii Representatives.

### STANDING COMMITTEE REPORTS

Representative Akizaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 468-72) informing the House that Standing Committee Report Nos. 463-72 to 467-72, and Standing Committee Report Nos. 469-72 to 487-72, had been printed and distributed.

On motion by Representative Akizaki, seconded by Representative Kishinami and carried, the report of the Committee was adopted.

Representative Sakima, for the Committee on Education, presented a report (Stand. Com. Rep. No. 469-72) approving the intent and purpose of H. B.

No. 1674-72 and recommending its referral to the Committee on Finance.

On motion by Representative Sakima, seconded by Representative Yap and carried, the report of the Committee was adopted and H. B. No. 1674-72 was referred to the Committee on Finance.

Representative Sakima, for the Committee on Education, presented a report (Stand. Com. Rep. No. 470-72) approving the intent and purpose of H. B. No. 2145-72 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Sakima, seconded by Representative Yap and carried, the report of the Committee was adopted and H. B. No. 2145-72 passed Second Reading and was referred to the Committee on Finance.

Representative Kato, for the Committee on Public Utilities, presented a report (Stand. Com. Rep. No. 471-72) approving the intent and purpose of S. B. No. 476 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Kato, seconded by Representative Lunasco and carried, the report of the Committee was adopted and S. B. No. 476 passed Second Reading and was referred to the Committee on Finance.

Representative R. Garcia, for the Committee on Public Health, Youth and General Welfare, presented a report (Stand. Com. Rep. No. 472-72) approving the intent and purpose of H. B. No. 2163-72 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative R. Garcia, seconded by Representative Uechi and carried, the report of the Committee was adopted and H. B. No. 2163-72 passed Second Reading and was referred to the Committee on Finance.

Representative R. Garcia, for the Committee on Public Health, Youth and General Welfare, presented a report (Stand. Com. Rep. No. 473-72) approving the intent and purpose of H. B. No. 2187-72 and recommending its passage on Second Reading and its referral to the

Committee on Finance.

On motion by Representative R. Garcia, seconded by Representative Uechi and carried, the report of the Committee was adopted and H. B. No. 2187-72 passed Second Reading and was referred to the Committee on Finance.

Representative R. Garcia, for the Committee on Public Health, Youth and General Welfare, presented a report (Stand. Com. Rep. No. 474-72) approving the intent and purpose of S. B. No. 46 and recommending its passage on Second Reading and its referral to the Committee on Judiciary.

On motion by Representative R. Garcia, seconded by Representative Uechi and carried, the report of the Committee was adopted and S. B. No. 46 passed Second Reading and was referred to the Committee on Judiciary.

Representative R. Garcia, for the Committee on Public Health, Youth and General Welfare, presented a report (Stand. Com. Rep. No. 475-72) approving the intent and purpose of H. B. No. 2120-72 and recommending its passage on Second Reading and its referral to the Committee on Judiciary.

On motion by Representative R. Garcia, seconded by Representative Uechi and carried, the report of the Committee was adopted and H. B. No. 2120-72 passed Second Reading and was referred to the Committee on Judiciary.

Representative R. Garcia, for the Committee on Public Health, Youth and General Welfare, presented a report (Stand. Com. Rep. No. 476-72) approving the intent and purpose of H. B. No. 2427-72 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative R. Garcia, seconded by Representative Uechi and carried, the report of the Committee was adopted and H. B. No. 2427-72 passed Second Reading and was referred to the Committee on Finance.

Representative R. Garcia, for the Committee on Public Health, Youth and General Welfare, presented a report (Stand. Com. Rep. No. 477-72) approving the intent and purpose of H. B. No.

1759-72 and recommending its passage on Second Reading.

On motion by Representative R. Garcia, seconded by Representative Uechi and carried, the report of the Committee was adopted and H. B. No. 1759-72 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 5, 1972.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 478-72) approving the intent and purpose of H. B. No. 1922-72 and recommending its passage on Second Reading.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and H. B. No. 1922-72 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 5, 1972.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 479-72) approving the intent and purpose of H. B. No. 2178-72 and recommending its passage on Second Reading.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and H. B. No. 2178-72 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 5, 1972.

The Chair here directed the Clerk to note that H. B. Nos. 1759-72, 1922-72 and 2178-72 had passed Second Reading not earlier than 11:12 o'clock a.m.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 480-72) approving the intent and purpose of H. B. No. 1656-72 and recommending its passage on Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 480-72 on H. B. No. 1656-72 was deferred until tomorrow, April 5, 1972.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 481-72) approving the intent and purpose of H. B.

No. 1658-72 and recommending its passage on Third Reading with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 481-72 on H. B. No. 1658-72, as amended, was deferred until tomorrow, April 5, 1972.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 482-72) approving the intent and purpose of H. B. No. 1721-72 and recommending its passage on Third Reading with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 482-72 on H. B. No. 1721-72, as amended, was deferred until tomorrow, April 5, 1972.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 483-72) approving the intent and purpose of H. B. No. 2119-72 and recommending its passage on Third Reading with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 483-72 on H. B. No. 2119-72, as amended, was deferred until tomorrow, April 5, 1972.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 484-72) approving the intent and purpose of H. B. No. 2336-72 and recommending its passage on Third Reading with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 484-72 on H. B. No. 2336-72, as amended, was deferred until tomorrow, April 5, 1972.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 485-72) approving the intent and purpose of H. B. No. 2358-72 and recommending its passage on Third Reading with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 485-72 on H. B. No. 2358-72, as amended, was deferred until tomorrow, April 5, 1972.

Representative Suwa, for the



Committee on Finance, presented a report (Stand. Com. Rep. No. 486-72) approving the intent and purpose of H. B. No. 2439-72 and recommending its passage on Third Reading with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 486-72 on H. B. No. 2439-72, as amended, was deferred until tomorrow, April 5, 1972.

The Chair here directed the Clerk to note that printed copies of H. B. Nos. 1656-72; 1658-72, HD 1; 1721-72, HD 1; 2119-72, HD 1; 2336-72, HD 1; 2358-72, HD 1 and 2439-72, HD 1, were made available to the members of the House at 11:12 o'clock a.m., in accordance with Article III, Section 16, of the Constitution of the State of Hawaii.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 487-72) approving the intent and purpose of S.C.R. No. 10 and recommending its adoption with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 487-72 on S. C. R. No. 10, as amended, was deferred until the end of the calendar.

#### INTRODUCTION OF RESOLUTIONS

The following resolutions (H. R. Nos. 360 and 361) and concurrent resolution (H.C.R. No. 51) were read by the Clerk and were disposed of as follows:

A resolution (H. R. No. 360) congratulating Alfred Daguio on being the first Filipino Certified Public Accountant in Hawaii was jointly offered by Representatives Young, Aduja, Ajifu, Akizaki, Chong, de la Cruz, Devereux, Duponte, Fong, J. Garcia, R. Garcia, Hansen, Iha, Inaba, Kaneshiro, Kato, Kawakami, Kihano, Kimura, Kishinami, Kondo, Kunimura, Lee, Leopold, Lunasco, Morioka, Nakama, O'Connor, Oda, Sakima, Soares, Suwa, Takamine, Uechi, Unemori, Wasai, Wedemeyer, Wong, Yamada, Yap and Yim.

On motion by Representative Young, seconded by Representative Lee and carried, H. R. No. 360 was adopted.

A resolution (H. R. No. 361) congratulating and commending Ernest T.

Yuasa was jointly offered by Representatives Wakatsuki, Aduja, Ajifu, Aki, Akizaki, Carroll, Chong, de la Cruz, Devereux, Duponte, J. Garcia, R. Garcia, Hansen, Iha, Inaba, Judd, Kaneshiro, Kato, Kawakami, Kihano, Kimura, Kishinami, Kondo, Kunimura, Lee, Leopold, Lunasco, Medeiros, Morioka, Nakama, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Unemori, Ushijima, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim, Young and Beppu.

On motion by Representative Wakatsuki, seconded by Representative de la Cruz and carried, H. R. No. 361 was adopted.

A concurrent resolution (H.C.R. No. 51) congratulating and honoring Max Roffman on his retirement was jointly offered by Representatives Wong, Aduja, Ajifu, Aki, Akizaki, Chong, de la Cruz, Devereux, Duponte, J. Garcia, R. Garcia, Hansen, Iha, Inaba, Judd, Kaneshiro, Kato, Kihano, Kimura, Kishinami, Kunimura, Lee, Leopold, Lunasco, Medeiros, Morioka, Nakama, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Unemori, Ushijima, Wakatsuki, Wasai, Wedemeyer, Yamada, Yap, Yim, Young and Beppu.

On motion by Representative Wong, seconded by Representative Wakatsuki and carried, H. C. R. No. 51 was adopted.

By unanimous consent, the following resolution (H. R. No. 362) and concurrent resolution (H.C.R. No. 52) were referred to the Committee on Legislative Management and further action was deferred until tomorrow, April 5, 1972:

A resolution (H. R. No. 362) requesting a study of the University of Hawaii financial aid program was jointly offered by Representatives Kimura, Akizaki, Kishinami, Kunimura, Suwa and Beppu.

A concurrent resolution (H.C.R. No. 52) requesting a study of the University of Hawaii financial aids program was jointly offered by Representatives Kimura, Akizaki, Kishinami, Kunimura, Suwa and Beppu.

At 11:13 o'clock a.m., the Chair declared a recess, subject to the call of

the Chair.

At 11:23 o'clock a.m., the House of Representatives reconvened.

At this time, Representative Wedemeyer introduced to the members of the House Mr. Herb Jeffries; Miss Marilyn Spencer, Pianist and Vocalist; Mr. Robert Malina, Drummer and Mr. Ray Patten.

At 11:25 o'clock a.m., the Chair declared a recess, subject to the call of the Chair, for the purpose of having Herb Jeffries and his group entertain the members of the House.

At 1:50 o'clock p.m., the House of Representatives reconvened.

### SUSPENSION OF RULES

On motion by Representative Ushijima, seconded by Representative J. Garcia and carried unanimously, the rules were suspended for the purpose of considering bills on Third Reading on the basis of a modified consent calendar.

### THIRD READING

The following bills, which were on the calendar for Third Reading, were read throughout and the following actions taken:

Third Reading of H. B. No. 2376-72.

Representative Kunimura moved that H. B. No. 2376-72 pass Third Reading, seconded by Representative Kawakami.

Representative Kunimura then rose and stated that the last sentence in Paragraph 4 of the Committee Report, "The references to beer have been deleted because federal law absolutely prohibits the production of beer at any place other than a qualified brewery" is erroneous because it was taken out of context from the Internal Revenue Code pertaining to illegally produced beer and this had reference to the taxes that had to be paid immediately on the production of the beer and has no relevance to the bill.

The motion was put by the Chair and carried, and H. B. No. 2376-72 passed Third Reading by a vote of 47 ayes to 2 noes, with Representatives Hansen and Yim voting no and Representatives Fong

and Lee being excused.

Third Reading of H. B. No. 2382-72.

On motion by Representative Kunimura, seconded by Representative Kawakami, H. B. No. 2382-72 passed Third Reading by a vote of 48 ayes to 1 no, with Representative Hansen voting no and Representatives Fong and Lee being excused.

Third Reading of H. B. No. 2383-72.

On motion by Representative Kunimura, seconded by Representative Kawakami, H. B. No. 2383-72 passed Third Reading by a vote of 48 ayes to 1 no, with Representative Hansen voting no and Representatives Fong and Lee being excused.

Third Reading of H. B. No. 2331-72.

On motion by Representative O'Connor, seconded by Representative Kimura, H. B. No. 2331-72 passed Third Reading by a vote of 49 ayes, with Representatives Fong and Lee being excused.

Third Reading of H. B. No. 1866-72.

By unanimous consent, consideration of H. B. No. 1866-72 on Third Reading was deferred until tomorrow, April 5, 1972.

Third Reading of H. B. No. 1750-72.

On motion by Representative Suwa, seconded by Representative Akizaki, H. B. No. 1750-72 passed Third Reading by a vote of 49 ayes, with Representatives Fong and Lee being excused.

Third Reading of H. B. No. 2222-72.

On motion by Representative Kawakami, seconded by Representative Kaneshiro, H. B. No. 2222-72 passed Third Reading by a vote of 49 ayes, with Representatives Fong and Lee being excused.

### UNFINISHED BUSINESS

Consideration of H. B. No. 2286-72 on Third Reading which had been deferred to this day.

By unanimous consent, consideration

of H. B. No. 2286-72 on Third Reading was deferred until tomorrow, April 5, 1972.

Consideration of Stand. Com. Rep. No. 453-72 on H. B. No. 2065-72, as amended, which had been deferred to this day.

Representative O'Connor moved that the report of the Committee be adopted and H. B. No. 2065-72, as amended, having been throughout, pass Third Reading, seconded by Representative Kimura.

Representative Leopold then rose and spoke in favor of the bill as follows:

"Mr. Speaker, under our existing statutes, no rate increases can be granted our public utilities unless the Public Utilities Commission gives notice of the public hearings regarding the rate increases in a newspaper of general State circulation. The utility companies themselves are required to notify their consumers of the proposed change in rates, and recently Hawaiian Electric Company and Hawaiian Telephone Company have utilized newspaper advertisements to meet this statutory requirement.

While the PUC is authorized by statute to use radio and television to advise the public of rate increase hearings, the Commission itself did not choose to do so in either the Electric Company or the Telephone Company case. In light of this situation, we have no choice at present but to appeal to the community interests of the utilities themselves to protect the public.

With regard to proper notification of rate case hearings, there is no question that the most effective and reasonable method for an applicant company to inform its customers would be by direct mailing. The utility companies have direct, certain and regular contact with each and every customer through the direct mailing lists of their customers, and utilization of such contact for providing notice of a proposed rate change is clearly appropriate. It provides an effective and certain method of reaching each customer individually, and it is a relatively inexpensive method of doing so. Representatives of the electric and telephone companies have indicated that

such a mailing would cost approximately \$15,000. When you consider that the Telephone Company requested over 13 million dollars in new revenues from rate increases, and the Electric Company is presently seeking nearly 8 million dollars in new revenues, 15 thousand dollars hardly seems an unreasonable request. On the contrary, it represents a proper obligation of a public utility toward its subscribing public.

While the bill before us represents only a small step toward meaningful public utility law, the people of this State deserve to know that the Legislature is, at least, willing to move in the direction of reform."

Representative O'Connor then rose and stated:

"I rise to speak in favor of this bill.

Mr. Speaker, there has been a change made in House Draft No. 2 to incorporate a method of notification which is appropriate for the benefit of consumers or patrons. It is the intent of your Committee, in making this change, Mr. Speaker, that the Commission analyze each application seeking the change in rates and determine what methods of notification is most appropriate for the benefit of consumers and patrons. It is expected that the method of mailing for a major rate change hearing is to be the most advantageous and the most proper for consumers or patrons.

However, in analyzing this matter, your Committee finds that many of utilities have as many as one hearing a month on various types of rate changes. Therefore, it is not expected that for this type of minor hearing, that a mailing be required of the public utility. For that type of hearing, it is expected that other means of notification appropriate for the circumstances be utilized by the Public Utilities Commission by order, rule or obligation to the public utility.

I urge the members of this Body to vote in favor of this bill.

Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H. B. No. 2065-72, as amended, passed Third Reading by a vote

of 49 ayes, with Representatives Fong and Lee being excused.

Consideration of Stand. Com. Rep. No. 454-72 on H. B. No. 2360-72, as amended, which had been deferred to this day.

On motion by Representative Kunimura, seconded by Representative Kawakami and carried, Stand. Com. Rep. No. 454-72 and H. B. No. 2360-72, as amended, were recommitted jointly to the Select Committees of Kauai Representatives, Maui Representatives, Oahu Representatives and Hawaii Representatives.

Consideration of Stand. Com. Rep. No. 457-72 on H. B. No. 2515-72, as amended, which had been deferred to this day.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and H. B. No. 2515-72, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 5, 1972.

Consideration of Stand. Com. Rep. No. 458-72 on H. B. No. 1758-72 which had been deferred to this day.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and H. B. No. 1758-72, having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Fong and Lee being excused.

Consideration of Stand. Com. Rep. No. 459-72 on H. B. No. 2110-72, as amended, which had been deferred to this day.

Representative Suwa moved that the report of the Committee be adopted and H. B. No. 2110-72, as amended, having been read throughout, pass Third Reading, seconded by Representative Akizaki.

Representative Kimura then rose and stated:

“Mr. Speaker, I rise to speak in favor of a comprehensive program of legal education which, as we all know, has

been a long time in the making. Several consultants have submitted reports to the Hawaii State Legislature and most recently we have received the advice and guidance of law professor, Thomas Erlich, and Dean Bayless Manning of Stanford University and law professor, I. Michael Heyman, of the University of California at Berkeley. They have drawn the broad outlines of a three-year, J. D. degree granting program and have also given indications about how we might proceed to plan programs for legal assistants at the community colleges, for the practicing bar, and for the public at-large.

It is to this broader range of the public at-large which I extend the vision of the law school provided by the Heyman report. That report, studied by your Committee on Higher Education, recommends that the law school open in Fall, 1973, with a class of 52 students, and eventually expand to 250 students as recommended by your Committee last session. The law school will have both Manoa and downtown presences and plans are now in progress for the hiring of a Dean, for making use of the Supreme Court Library collection, and for locating a downtown center in the vicinity of our State Capitol.

Last year, by Act 68 (H. B. No. 937), we declared that ‘there shall be a School of Law at the University of Hawaii.’ With the opening of the law school program in Fall of 1973, we not only reaffirm this legislative commitment, but we make the opportunity clear and present for extending further the knowledge of judicial and legal processes. We hope, therefore, to interest and educate others, besides lawyers, about the law. Approval of the bill before you, as amended by your Committee on Finance, would reappropriate funds to inaugurate such educational services. We can look forward to hearing in the next few months about the hiring of a new dean and immediate staff to recruit the initial law faculty: we can anticipate hearing plans about the initial curriculum and library collections. As these plans progress, we can also look forward to the day when the public at-large, the people who we work with in our offices and in our districts, can gain further knowledge and wisdom about the legislative process.

There is a sign on many of our doors marked ‘Komo Mai.’ They indicate

something about the openness and accessibility that characterize the Hawaiian way of doing and living. These terms might be a figurative way of saying that passage of the bill before you will open law programs to the people of the State of Hawaii. With the initiation of the law school in Fall of 1973, we not only reaffirm a past commitment, but also inaugurate the extension and opening of legal education to the public.

I am confident that with the passage of House Bill No. 2110-72, these chambers will become accessible and that learning and teaching about law and the legislative process will continue.

Thank you, Mr. Speaker.”

Representative O'Connor then rose and spoke in favor of the passage of the bill as follows:

“Mr. Speaker, it is very difficult to legislate excellence and the matter of excellence has always been one of prominent concern. There has been talk of this type of law school or that type of law school, but we have always come back to the basic premise that if Hawaii is to have a law school, it must be one which is first-rate.

In the voting on the measure in the last session, many people expressed the idea that they were in favor of a law school but only if we are to make a first-rate law school for the State of Hawaii. Nothing would be more tragic, Mr. Speaker, for us to have a law school which was not of that caliber. Nothing would be more tragic than for us to have a law school which produced for the community men and women who are not capable to practice a first-rate brand of law.

Therefore, Mr. Speaker, I vote in favor of this bill and extort and urge those people at the University of Hawaii that have to do with the initial management of the school to make our law school first-rate and in the continuing review of this program which this Body will have and conduct in the years to come.

Thank you, Mr. Speaker.”

Representative Yim then rose and inquired whether or not Representative Kimura would yield to a question to

which Representative Kimura replied in the affirmative.

Representative Yim then inquired whether the legislature's commitment for a law school was made last year and whether this bill is merely to follow through and implement that commitment made last year.

Representative Kimura replied:

“The bill last year, in effect, requested the University of Hawaii to make a study and complete the research and development phase of a law school program.

The Committee Report directed the University that we start with the first year basis and emphasize some of the current concerns expressed by Representative O'Connor that it be of a quality law school.”

The motion was put by the Chair and carried, and the report of the Committee was adopted and H. B. No. 2110-72, as amended, passed Third Reading by a vote of 49 ayes, with Representatives Fong and Lee being excused.

Consideration of Stand. Com. Rep. No. 460-72 on H. B. No. 2161-72 which had been deferred to this day.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and H. B. No. 2161-72, having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Fong and Lee being excused.

Consideration of Stand. Com. Rep. No. 461-72 on H. B. No. 2179-72 which had been deferred to this day.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and H. B. No. 2179-72, having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Fong and Lee being excused.

Consideration of Stand. Com. Rep. No. 462-72 on S. B. No. 1348-72 which had been deferred to this day.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and S. B. No. 1348-72, having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Fong and Lee being excused.

Consideration of Stand. Com. Rep. No. 464-72 on S. B. No. 174, as amended, which had been deferred to this day.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and S. B. No. 174, as amended, having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Fong and Lee being excused.

Consideration of Stand. Com. Rep. No. 465-72 on H. B. No. 2357-72, as amended, which had been deferred to this day.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and H. B. No. 2357-72, as amended, having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Fong and Lee being excused.

The Chair directed the Clerk to note that H. B. No. 2515-72, as amended, had passed Second Reading at 1:11 o'clock p.m.

The Chair then directed the Clerk to note that H. B. Nos. 2376-72, 2382-72, 2383-72, 2331-72, 1750-72, 2222-72, 2065-72, 1758-72, 2110-72, 2161-72, 2179-72 and 2357-72 and S. B. Nos. 1348-72 and 174 had passed Third Reading not earlier than 1:11 o'clock p.m.

#### DEFERRED MATTER

Consideration of Stand. Com. Rep. No. 487-72 on S.C.R. No. 10, as amended, which had been deferred to this time.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and S.C.R. No. 10, as amended, entitled, "Senate Concurrent Resolution expressing interest in the marine commuter service proposed by Kentron Hawaii, Limited," was adopted.

At 1:13 o'clock p.m., on motion by Representative Ushijima, seconded by Representative J. Garcia and carried, the House of Representatives adjourned to 11:00 o'clock a.m. tomorrow, April 5, 1972.

## 53RD DAY

Wednesday, April 5, 1972

The House of Representatives of the Sixth Legislature of the State of Hawaii, Regular Session of 1972, was called to order at 11:00 o'clock a.m.

The Speaker presided.

The Divine Blessing was invoked by Reverend Dr. Gerald Bisbee, Chaplain of the Educators of the Pacific School, United Methodist.

Roll call of the members of the House of Representatives showed that all members were present with the exception of Representatives Kato, Kimura and Yap, who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Fifty-Second Day.

On motion by Representative Ushijima, seconded by Representative J. Garcia and carried, reading of the Journal was dispensed with and the Journal of the Fifty-Second Day was approved.

### GOVERNOR'S MESSAGE

A message from the Governor (Gov. Mess. No. 79) transmitting copies of a report prepared by the University of Hawaii in response to Senate Resolution No. 39, Regular Session of 1971, which requested the University of Hawaii to submit its plan for a comprehensive career planning and job placement system to the 1972 Legislature was read by the Clerk and was placed on file.

### SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 79 to 91) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 79) informing the House that Senate Bill No. 173 had passed Final Reading in the Senate on April 4, 1972, in accordance with Article III, Section 16 of the Constitution of the State of Hawaii was placed on file.

A communication from the Senate (Sen. Com. No. 80) informing the House that the Senate had agreed to the amendments proposed by the House to

Senate Bill No. 308 and that Senate Bill No. 308, as amended, passed Final Reading in the Senate on April 4, 1972, in accordance with Article III, Section 16 of the Constitution of the State of Hawaii was placed on file.

A communication from the Senate (Sen. Com. No. 81) informing the House that the Senate had agreed to the amendments proposed by the House to Senate Bill No. 1060 and that Senate Bill No. 1060, as amended, passed Final Reading in the Senate on April 4, 1972, in accordance with Article III, Section 16 of the Constitution of the State of Hawaii was placed on file.

A communication from the Senate (Sen. Com. No. 82) transmitting Senate Concurrent Resolution No. 23, SD1, urging the City and County of Honolulu to rezone Waikiki to establish a desirable future land use pattern and fix an optimum size for the area, which was adopted by the Senate on April 4, 1972 was placed on file.

By unanimous consent, further action on S. C. R. No. 23 was deferred until later in the calendar.

A communication from the Senate (Sen. Com. No. 83) transmitting Senate Bill No. 1357-72, entitled, "A Bill for an Act relating to boating liability exemption," which passed Third Reading in the Senate on April 4, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 84) transmitting Senate Bill No. 1416-72, entitled, "A Bill for an Act relating to eligibility for unemployment compensation benefits," which passed Third Reading in the Senate on April 4, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 85) transmitting Senate Bill No. 1433-72, entitled, "A Bill for an Act relating to discriminatory practices affecting employment," which passed Third Reading in the Senate on April 4, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 86) transmitting Senate Bill No. 1436-72, entitled, "A Bill for an Act relating to the establishment of a legislative scientific advisory committee," which passed Third Reading in the Senate



on April 4, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 87) transmitting Senate Bill No. 1518-72, SD2, entitled, "A Bill for an Act relating to registration of birth, death, marriage and divorce," which passed Third Reading in the Senate on April 4, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 88) transmitting Senate Bill No. 1575-72, entitled, "A Bill for an Act relating to certification as to availability of funds on contracts," which passed Third Reading in the Senate on April 4, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 89) transmitting Senate Bill No. 1578-72, entitled, "A Bill for an Act relating to the examination of pregnant women," which passed Third Reading in the Senate on April 4, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 90) transmitting Senate Bill No. 1716-72, entitled, "A Bill for an Act to amend Chapter 134-31, Hawaii Revised Statutes, relating to firearms, dealers' licenses," which passed Third Reading in the Senate on April 4, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 91) transmitting Senate Bill No. 1844-72, entitled, "A Bill for an Act relating to safety glazing materials," which passed Third Reading in the Senate on April 4, 1972 was placed on file.

On motion by Representative Ushijima, seconded by Representative J. Garcia and carried, S. B. Nos. 1357-72, 1416-72, 1433-72, 1436-72, 1518-72, 1575-72, 1578-72, 1716-72 and 1844-72 passed First Reading by title and further action was deferred until later in the calendar.

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

Representative Lee introduced 87 students from the sixth grade at Likelike School, with their teachers, Mrs. Chun, Mrs. Goo, Mrs. Sagara, Mrs. Au and Mr. Lee.

Representative Wasai introduced ten

members of the Sierra Club at Castle High School, with their advisor, Mrs. Kupchack.

Representative Uechi introduced 60 students from the eighth grade at Aliamanu Intermediate School, with their teachers, Mrs. Kaina and Mr. Tomita.

Representative Wasai introduced Mr. Albert Louis, president of the Waimanalo Jaycees.

Representative Lunasco introduced 36 students from the eighth grade Social Studies class at Wheeler Intermediate School, with their teacher, Mr. Doo and chaperones, Mrs. Akagi and Mrs. Stow.

Representative Chong introduced Mr. Sidney Leong, President of the Young Republicans.

The Chair declared a recess at 11:09 o'clock a.m., subject to the call of the Chair.

At 11:18 o'clock a.m., the House of Representatives reconvened, and the Chair directed the Clerk to note the presence of Representatives Kato, Kimura and Yap.

## ORDER OF THE DAY

### COMMITTEE REFERRALS

The following bills (S. B. Nos. 1357-72, 1416-72, 1433-72, 1436-72, 1518-72, 1575-72, 1578-72, 1716-72 and 1844-72) were disposed of as follows:

S. B. No. 1357-72 was referred to the Committee on Judiciary.

S. B. No. 1416-72 was referred to the Committee on Judiciary.

S. B. No. 1433-72 was referred to the Committee on Judiciary.

S. B. No. 1436-72 was referred to the Committee on Finance.

S. B. No. 1518-72 was referred to the Committee on Judiciary.

S. B. No. 1575-72 was referred to the Committee on Finance.

S. B. No. 1578-72 was referred to the Committee on Public Health, Youth and

General Welfare and after consideration by it, the Committee was instructed to refer the bill to the Committee on Finance.

S. B. No. 1716-72 was referred to the Committee on Judiciary.

S. B. No. 1844-72 was referred to the Committee on Judiciary.

#### DEFERRED RESOLUTIONS

The following resolution (H. R. No. 362) and concurrent resolutions (H. C. R. No. 52 and S. C. R. No. 23) were disposed of as follows:

H. R. No. 362 was referred to the Committee on Higher Education and after consideration by it, the Committee was instructed to refer the resolution to the Committee on Finance.

H. C. R. No. 52 was referred to the Committee on Higher Education and after consideration by it, the Committee was instructed to refer the concurrent resolution to the Committee on Finance.

S. C. R. No. 23 was referred to the Select Committee of Oahu Representatives.

#### COMMITTEE REASSIGNMENT

H. B. No. 2117-72 which had been referred jointly to the Select Committees of Kauai Representatives, Maui Representatives, Oahu Representatives and Hawaii Representatives and then to the Committee on Judiciary on February 28, 1972, was referred jointly to the Select Committee of Kauai Representatives, Maui Representatives, Oahu Representatives and Hawaii Representatives.

#### STANDING COMMITTEE REPORTS

Representative Akizaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 488-72) informing the House that House Resolution Nos. 360 to 362, House Concurrent Resolution Nos. 51 and 52 and Standing Committee Report Nos. 489-72 to 534-72 had been printed and distributed.

On motion by Representative Akizaki, seconded by Representative Kishinami

and carried, the report of the Committee was adopted.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 489-72) approving the intent and purpose of H. R. No. 138 and recommending its referral to the Committee on Finance.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H. R. No. 138 was referred to the Committee on Finance.

Representative Inaba, for the Select Committee of Hawaii Representatives, presented a report (Stand. Com. Rep. No. 490-72) approving the intent and purpose of H. R. No. 142 and recommending its referral to the Committee on Lands, with certain amendments.

On motion by Representative Inaba, seconded by Representative Takamine and carried, the report of the Committee was adopted and H. R. No. 142, as amended, entitled, "House Resolution requesting the Hawaii Volcanoes National Park to allow the selective control of wild pigs," was referred to the Committee on Lands.

Representative Kawakami, for the Committee on Lands, presented a report (Stand. Com. Rep. No. 491-72) approving the intent and purpose of H. R. No. 343 and recommending its referral to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative Kaneshiro and carried, the report of the Committee was adopted and H. R. No. 343 was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Lands, presented a report (Stand. Com. Rep. No. 492-72) approving the intent and purpose of H. C. R. No. 45 and recommending its referral to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative Kaneshiro and carried, the report of the Committee was adopted and H. C. R. No. 45 was referred to the Committee on Finance.

Representative Yap, for the Committee on Housing and Consumer Protection, presented a report (Stand. Com. Rep. No. 493-72) approving the intent and purpose of H. R. No. 47 and recommending its referral to the Committee on Lands.

On motion by Representative Yap, seconded by Representative R. Garcia and carried, the report of the Committee was adopted and H. R. No. 47 was referred to the Committee on Lands.

Representative Roehrig, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 494-72) approving the intent and purpose of H. R. No. 356 and recommending its referral to the Committee on Finance.

On motion by Representative Roehrig, seconded by Representative Unemori and carried, the report of the Committee was adopted and H. R. No. 356 was referred to the Committee on Finance.

Representative Roehrig, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 495-72) approving the intent and purpose of H. R. No. 351 and recommending its referral to the Committee on Finance.

On motion by Representative Roehrig, seconded by Representative Unemori and carried, the report of the Committee was adopted and H. R. No. 351 was referred to the Committee on Finance.

Representative Roehrig, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 496-72) approving the intent and purpose of H. R. No. 316 and recommending its referral to the Committee on Finance.

On motion by Representative Roehrig, seconded by Representative Unemori and carried, the report of the Committee was adopted and H. R. No. 316 was referred to the Committee on Finance.

Representative Roehrig, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 497-72) approving the intent and purpose of H. R. No. 276 and recommending its referral to the Committee on Finance, with certain amendments.

On motion by Representative Roehrig,

seconded by Representative Unemori and carried, the report of the Committee was adopted and H. R. No. 276, as amended, entitled, "House Resolution requesting the College of Tropical Agriculture of the University of Hawaii to consider alternatives to be more responsive to and to better serve the agricultural needs of the rural areas of the State," was referred to the Committee on Finance.

Representative R. Garcia, for the Committee on Public Health, Youth and General Welfare, presented a report (Stand. Com. Rep. No. 498-72) approving the intent and purpose of H. B. No. 2154-72 and recommending its referral to the Committee on Lands, with certain amendments.

On motion by Representative R. Garcia, seconded by Representative Uechi and carried, the report of the Committee was adopted and H. B. No. 2154-72, as amended, was referred to the Committee on Lands.

Representative R. Garcia, for the Committee on Public Health, Youth and General Welfare, presented a report (Stand. Com. Rep. No. 499-72) approving the intent and purpose of H. B. No. 2233-72 and recommending its passage on Second Reading and its referral to the Committee on Finance, with certain amendments.

On motion by Representative R. Garcia, seconded by Representative Uechi and carried, the report of the Committee was adopted and H. B. No. 2233-72, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 500-72) approving the intent and purpose of H. B. No. 2180-72 and recommending its passage on Second Reading and its referral to the Committee on Finance, with certain amendments.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H. B. No. 2180-72, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative O'Connor, for the

Committee on Judiciary, presented a report (Stand. Com. Rep. No. 501-72) approving the intent and purpose of H. B. No. 2338-72 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H. B. No. 2338-72 passed Second Reading and was referred to the Committee on Finance.

Representative Kunimura, for the Joint Select Committees of Kauai Representatives, Maui Representatives, Oahu Representatives and Hawaii Representatives, presented a report (Stand. Com. Rep. No. 502-72) approving the intent and purpose of H. B. No. 2117-72 and recommending its passage on Second Reading and its referral to the Committee on Judiciary, with certain amendments.

On motion by Representative Kunimura, seconded by Representative Kawakami and carried, the report of the Committee was adopted, and notwithstanding the recommendation contained therein, H. B. No. 2117-72, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 6, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 503-72) approving the intent and purpose of H. B. No. 1190 and recommending its passage on Second Reading, with certain amendments.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H. B. No. 1190, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 6, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 504-72) approving the intent and purpose of H. B. No. 1779-72 and recommending its passage on Second Reading, with certain amendments.

On motion by Representative

O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H. B. No. 1779-72, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 6, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 505-72) approving the intent and purpose of H. B. No. 1828-72 and recommending its passage on Second Reading.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H. B. No. 1828-72 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 6, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 506-72) approving the intent and purpose of H. B. No. 1831-72 and recommending its passage on Second Reading, with certain amendments.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H. B. No. 1831-72, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 6, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 507-72) approving the intent and purpose of H. B. No. 1980-72 and recommending its passage on Second Reading.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H. B. No. 1980-72 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 6, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 508-72) approving the intent and purpose of H. B. No. 2068-72 and recommending its passage on Second Reading.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H. B. No. 2068-72 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 6, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 509-72) approving the intent and purpose of H. B. No. 2116-72 and recommending its passage on Second Reading, with certain amendments.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H. B. No. 2116-72, as amended, entitled, "A Bill for an Act amending Chapter 286, Hawaii Revised Statutes, relating to forfeiture of vehicle or parts thereof," passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 6, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 510-72) approving the intent and purpose of H. B. No. 2193-72 and recommending its passage on Second Reading.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H. B. No. 2193-72 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 6, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 511-72) approving the intent and purpose of H. B. No. 2195-72 and recommending its passage on Second Reading.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H. B. No. 2195-72 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 6, 1972.

Representative O'Connor, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 512-72) approving the intent and purpose

of H. B. No. 2225-72 and recommending its passage on Second Reading.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the majority of the Committee was adopted and H. B. No. 2225-72 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 6, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 513-72) approving the intent and purpose of H. B. No. 2264-72 and recommending its passage on Second Reading.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H. B. No. 2264-72 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 6, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 514-72) approving the intent and purpose of H. B. No. 2284-72 and recommending its passage on Second Reading.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H. B. No. 2284-72 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 6, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 515-72) approving the intent and purpose of H. B. No. 2377-72 and recommending its passage on Second Reading, with certain amendments.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H. B. No. 2377-72, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 6, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 516-72)

approving the intent and purpose of H. B. No. 2511-72 and recommending its passage on Second Reading.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H. B. No. 2511-72 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 6, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 517-72) approving the intent and purpose of H. B. No. 2516-72 and recommending its passage on Second Reading.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H. B. No. 2516-72 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 6, 1972.

The Chair here directed the Clerk to note that H. B. Nos. 2117-72, 1190, 1779-72, 1828-72, 1831-72, 1980-72, 2068-72, 2116-72, 2193-72, 2195-72, 2225-72, 2264-72, 2284-72, 2377-72, 2511-72 and 2516-72 had passed Second Reading not earlier than 11:22 o'clock a.m.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 518-72) approving the intent and purpose of H. B. No. 1764-72 and recommending its passage on Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 518-72 on H. B. No. 1764-72 was deferred until tomorrow, April 6, 1972.

Representative O'Connor, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 519-72) approving the intent and purpose of H. B. No. 1934-72 and recommending its passage on Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 519-72 on H. B. No. 1934-72 was deferred until tomorrow, April 6, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a

report (Stand. Com. Rep. No. 520-72) approving the intent and purpose of H. B. No. 1955-72 and recommending its passage on Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 520-72 on H. B. No. 1955-72 was deferred until tomorrow, April 6, 1972.

Representative O'Connor, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 521-72) approving the intent and purpose of H. B. No. 2010-72 and recommending its passage on Third Reading, with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 521-72 on H. B. No. 2010-72, as amended, was deferred until tomorrow, April 6, 1972.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 522-72) approving the intent and purpose of H. B. No. 1043 and recommending its passage on Third Reading, with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 522-72 on H. B. No. 1043, as amended was deferred until tomorrow, April 6, 1972.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 523-72) approving the intent and purpose of H. B. No. 2111-72 and recommending its passage on Third Reading, with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 523-72 on H. B. No. 2111-72, as amended, was deferred until tomorrow, April 6, 1972.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 524-72) approving the intent and purpose of H. B. No. 2191-72 and recommending its passage on Third Reading, with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 524-72 on H. B. No. 2191-72, as amended, was deferred until tomorrow, April 6, 1972.

The Chair here directed the Clerk to note that printed copies of H. B. Nos. 1764-72; 1934-72, HD1; 1955-72; 2010-72, HD1; 1043, HD2; 2111-72, HD2 and 2191-72, HD2 were made available to the members of the House at 11:25 o'clock a.m., in accordance with Article III, Section 16 of the Constitution of the State of Hawaii.

Representative Kunimura, for the Joint Select Committees of Kauai Representatives, Maui Representatives, Oahu Representatives and Hawaii Representatives, presented a report (Stand. Com. Rep. No. 525-72) approving the intent and purpose of S. B. No. 565 and recommending its passage on Second Reading, with certain amendments.

On motion by Representative Kunimura, seconded by Representative Kawakami and carried, the report of the Committee was adopted and S. B. No. 565, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 6, 1972.

Representative R. Garcia, for the Committee on Public Health, Youth and General Welfare, presented a report (Stand. Com. Rep. No. 526-72) approving the intent and purpose of H. B. No. 2283-72 and recommending its passage on Second Reading, with certain amendments.

On motion by Representative R. Garcia, seconded by Representative Uechi and carried, the report of the Committee was adopted and H. B. No. 2283-72, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 6, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 527-72) approving the intent and purpose of H. B. No. 2190-72 and recommending its passage on Second Reading, with certain amendments.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H. B. No. 2190-72, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 6, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 528-72) approving the intent and purpose of H. B. No. 2509-72 and recommending its passage on Second Reading, with certain amendments.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H. B. No. 2509-72, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 6, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 529-72) approving the intent and purpose of H. B. No. 2449-72 and recommending its passage on Second Reading, with certain amendments.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H. B. No. 2449-72, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 6, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 530-72) approving the intent and purpose of H. B. No. 2196-72 and recommending its passage on Second Reading, with certain amendments.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H. B. No. 2196-72, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 6, 1972.

Representative Kawakami, for the Committee on Lands, presented a report (Stand. Com. Rep. No. 531-72) approving the intent and purpose of S. B. No. 967 and recommending its passage on Second Reading, with certain amendments.

On motion by Representative Kawakami, seconded by Representative Kaneshiro and carried, the report of the Committee was adopted and S. B. No. 967, as amended, passed Second Reading and was placed on the Order of the Day



for Third Reading tomorrow, April 6, 1972.

The Chair here directed the Clerk to note that H. B. Nos. 2283-72, 2190-72, 2509-72, 2449-72 and 2196-72 and S. B. Nos. 565 and 967 had passed Second Reading not earlier than 11:26 o'clock a.m.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 532-72) approving the intent and purpose of H. B. No. 1752-72 and recommending its passage on Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 532-72 on H. B. No. 1752-72 was deferred until tomorrow, April 6, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 533-72) approving the intent and purpose of H. B. No. 1956-72 and recommending its passage on Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 533-72 on H. B. No. 1956-72 was deferred until tomorrow, April 6, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 534-72) approving the intent and purpose of H. B. No. 1991-72 and recommending its passage on Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 534-72 on H. B. No. 1991-72 was deferred until tomorrow, April 6, 1972.

The Chair directed the Clerk to note that printed copies of H. B. Nos. 1752-72, HD1; 1956-72 and 1991-72, HD1 were made available to the members of the House at 11:27 o'clock a.m., in accordance with Article III, Section 16 of the Constitution of the State of Hawaii.

#### CONFERENCE COMMITTEE REPORT

Representative O'Connor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S. B. No. 766, presented a report (Conf. Com. Rep. No. 4) recommending to their

respective Houses the final passage of the bill, with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 4 on S. B. No. 766, as amended, was deferred until tomorrow, April 6, 1972.

The Chair here directed the Clerk to note that printed copies of S. B. No. 766, SD1, HD1, CD1, were made available to the members of the House at 11:27 o'clock a.m., in accordance with Article III, Section 16 of the Constitution of the State of Hawaii.

The Chair declared a recess at 11:28 o'clock a.m., subject to the call of the Chair.

At 12:10 o'clock p.m., the House of Representatives reconvened.

#### INTRODUCTION OF RESOLUTIONS

The following resolutions (H. R. Nos. 363 and 364) were read by the Clerk and were disposed of as follows:

A resolution (H. R. No. 363) thanking and congratulating members of the Honolulu Police Department School Liaison Team of the Junior Crime Prevention Division was jointly offered by Representatives Sakima, Aduja, Akizaki, Carroll, de la Cruz, Duponte, Fong, R. Garcia, Hansen, Iha, Inaba, Kaneshiro, Kato, Kihano, Kimura, Kishinami, Kondo, Kunimura, Lee, Leopold, Lunasco, Medeiros, Morioka, Nakama, O'Connor, Oda, Poepoe, Saiki, Soares, Suwa, Unemori, Wakatsuki, Wasai, Yamada, Yap, Yim, Young and Beppu.

On motion by Representative Sakima, seconded by Representative Yap and carried, H. R. No. 363 was adopted.

A resolution (H. R. No. 364) extending welcome and aloha to the visiting members of the Detroit Downtown Young Republicans Club was jointly offered by Representatives Hansen, Ajifu, de la Cruz, Devereux, Fong, J. Garcia, Iha, Judd, Leopold, Morioka, Poepoe, Saiki, Soares and Unemori.

On motion by Representative Hansen, seconded by Representative Leopold and carried, H. R. No. 364 was adopted.

Representative Hansen then introduced the visiting members of the Detroit Downtown Young Republicans Club, who were in the audience.

By unanimous consent, the following resolutions (H. R. Nos. 365 and 366) were referred to the Committee on Legislative Management and further action was deferred until tomorrow, April 6, 1972:

A resolution (H. R. No. 365) requesting certain groups on the University of Hawaii Manoa Campus to study faculty hiring policies and procedures was offered by Representative Kimura.

A resolution (H. R. No. 366) requesting the University of Hawaii Department of Personnel to conduct a study of hiring of University graduates was offered by Representative Kimura.

#### SUSPENSION OF RULES

On motion by Representative Ushijima, seconded by Representative J. Garcia and carried unanimously, the rules were suspended for the purpose of taking up bills on Third Reading on the basis of a modified consent calendar.

#### THIRD READING

The following bills which were on the calendar for Third Reading, were read throughout and the following actions taken:

Third Reading of H. B. No. 1759-72.

On motion by Representative R. Garcia, seconded by Representative Uechi, H. B. No. 1759-72 passed Third Reading by a vote of 51 ayes.

Third Reading of H. B. No. 1922-72.

Representative Suwa moved that H. B. No. 1922-72, having been read throughout, pass Third Reading, seconded by Representative Akizaki.

Representative Carroll then rose and spoke against the passage of the bill.

The motion was put by the Chair and carried and H. B. No. 1922-72 passed Third Reading by a vote of 50 ayes to 1 no with Representative Carroll voting no.

Third Reading of H. B. No. 2178-72.

Representative Suwa moved that H. B. No. 2178-72, having been read throughout, pass Third Reading, seconded by Representative Akizaki.

Representative Wasai then rose to speak in favor of the passage of the bill as follows:

“Mr. Speaker, I rise to speak in favor of this measure, with some reservations.

Mr. Speaker, the intent of this bill to me is to meet the rising cost of the dental program and I believe this is a sound reason to pass this measure. However, I have some reservation as to the consistency of this bill which allows 18 year-olds to be treated as a dependent child.

We recently passed a bill lowering the age of majority to 18 and I would assume that passage of this bill was to grant 18 year-olds the rights and privileges of adulthood, as well as the responsibility that goes with it.

If the rationale behind treating the 18 year-old as a dependent child is valid, then I do not see why wives and mothers, who are also dependent, in many instances, cannot be given the same consideration. This is the reason I bring this up because I feel there are some inconsistencies in this measure.

Thank you, Mr. Speaker.”

The motion was put by the Chair and carried and H. B. No. 2178-72 passed Third Reading by a vote of 51 ayes.

Third Reading of H. B. No. 2515-72.

Representative Suwa moved that H. B. No. 2515-72, having been read throughout, pass Third Reading, seconded by Representative Akizaki.

Representative Wedemeyer then rose to speak in favor of the measure as follows:

“Mr. Speaker, I rise to speak in favor of this bill.

Mr. Speaker and members of this body, we cannot deny that Waikiki, a world renown symbol of Hawaii and the

greatest asset of our tourist industry, is in major trouble.

The deterioration of Waikiki now presents us with a unique problem—a situation of determining how the State and county government can, along with the private sector, work together to physically improve and rehabilitate a geographic and residential resort area plagued by over-development.

The only real difficulty that we experience since Act 197 was enacted is the same difficulty that produced it; namely, roadblocks to action.

House Bill No. 2515-72, HD1, is a finely tuned amendment to Act 197 designed to introduce flexibility to foster implementation while retaining the delicate package passed last session. It accomplishes three worthy objectives: first, it provides a check and balance by allowing the City or the State to expend the planning money and initiate an improvement district; second, it offers further inducement to the City by introducing more flexible methods of assessment which are in the direction of traditional approaches.

This means that the cost of improvements shall be assessed against lands and improvements or assessed against lands on a frontage basis, or area basis, or any combination thereof. Some may claim that this plan is unfair to property owners. It is not necessarily a situation of being unfair to property owners, since the language provides flexibility and the methods of assessment which allows property owners and the City Council to work out the actual share of the cost the property owners will contribute with the final decision left to the Council.

Third, it specifies what the million dollars in planning money can be spent for; thus diminishing the possibility of its being wasted.

These will be progressive and beneficial changes to the existing vehicle for Waikiki improvements and would help stimulate action. The language of this measure provides a very strong public commitment on the part of the State to assist in the rehabilitation of Waikiki.

The urgency of the situation and the

economic significance of Waikiki to the State demand that we make this kind of joint or cooperative effort now.

I urge my colleagues to act in favor of House Bill No. 2515-72, HD1.

Thank you, Mr. Speaker.”

Representative Leopold then rose to speak against the measure as follows:

“Mr. Speaker, I rise to speak against the bill.

Mr. Speaker, no matter how Waikiki property is assessed, whether it be by a frontage, area or land value method, the Waikiki Improvement District concept remain totally unacceptable to the overwhelming majority of Waikiki residents.

These residents simply cannot accept a financing scheme where they are compelled to pay for improvements which do not accrue to their immediate benefit, and which, in many cases, accrue more to the benefit of the tourist than the resident.

Improvements in Waikiki should be financed in the most equitable way possible, which I believe is according to established policies already practiced. Projects that are of community value, such as mini-parks, should be financed totally by city government. The city has always totally funded park acquisitions without resorting to an improvement district approach, and there is no good reason to alter this practice.

Projects such as offstreet parking garages can be financed by revenue bonds and be self-liquidating. And, those projects which would directly benefit property owners, such as storm drains and sidewalks should be financed under the city's traditional improvement district formula, using one-third City funds and two-thirds special assessments.

Because I fully recognize the urgency of repairing the physical condition of Waikiki, I have introduced legislation this session to release the strings the state has placed on aid to Waikiki and allow the City to utilize State monies in the manner that is appropriate for each project. I was pleased to note the support that this legislative proposal received from Mr.

Robert Choy of the City and County Department of Public Works at a hearing held on March 15 in your Oahu Select Committee. Mr. Choy indicated that he was speaking for the City administration.

It should be noted that the Waikiki Improvement Association which helped draft the bill before us and lobbied heavily for it is not in this matter, representative of the interests of the residents of Waikiki, but of those of Waikiki hotel and business executives. Over 90% of the Waikiki Improvement Association's Board of Directors, as well as its Executive Director and legislative lobbyist, do not live in Waikiki.

What is needed is a new source of revenue, and one that I hope will receive more favorable attention is the hotel occupancy tax.

While I have had reservations in the past about a hotel room tax punitively aimed at tourists, these reservations have vanished, in view of our need for a second campus, a law school, a four-year medical school, drug abuse treatment programs, new correctional facilities, sewage treatment programs, adequate school counseling programs, subsidized school lunches for every child, subsidized free milk and busing for every child, and, of course, our skyrocketing welfare costs.

A small two dollar a day room tax is not going to impair the health of our economy. It is not going to decrease the competitiveness of the hotel industry. What it would do is produce over 20 million dollars a year for the financing of improvements in Waikiki whose benefits would accrue mainly to the individual who has paid for them—the tourist, and thereby enable the local resident to channel his tax dollar more prudently into programs and projects which are clearly and distinctly of benefit to the residents of this State.

If Waikiki improvements cannot be financed under existing, traditional City ordinances, just as improvement district projects are financed in every other community in this State. . . If legislation I have introduced this session to release the restrictive State strings on aid to Waikiki must fail of passage in this Legislature, then let us, at least for the sake of future legislative action, remove the hotel occupancy tax concept from the cloud of

notoriety where it has been placed by special interests and lay it out honestly before the public as a matter deserving serious consideration.

Mr. Speaker, the bill before us today is not in the best interests of the residents of Waikiki. It is a hotel owners' bill, and it deserves defeat by the members of this House.

Thank you, Mr. Speaker."

The motion was put by the Chair and carried and roll call having been requested, H. B. No. 2515-72 passed Third Reading by a vote of 39 ayes to 12 noes with Representatives Aduja, Ajifu, Aki, Devereux, Fong, Hansen, Lee, Leopold, Oda, Wong, Yamada and Yim voting no.

The Chair directed the Clerk to note that H. B. No. 1759-72 had passed Third Reading at 11:29 o'clock a.m.; H. B. No. 1922-72 at 11:31 o'clock a.m.; H. B. No. 2178-72 at 11:33 o'clock a.m.; and H. B. No. 2515-72 at 11:50 o'clock a.m.

#### UNFINISHED BUSINESS

Consideration of H. B. No. 2286-72 on Third Reading, which had been deferred to this day.

On motion by Representative Nakama, seconded by Representative Kihano and carried, H. B. No. 2286-72 was recommitted to the Committee on Transportation.

Consideration of H. B. No. 1866-72 on Third Reading, which had been deferred to this day.

On motion by Representative Kawakami, seconded by Representative Kaneshiro and carried, H. B. No. 1866-72 was recommitted to the Committee on Lands.

Consideration of Stand. Com. Rep. No. 480-72 on H. B. No. 1656-72, which had been deferred to this day.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and H. B. No. 1656-72 passed Third Reading by a vote of 51 ayes.

Consideration of Stand. Com. Rep.

No. 481-72 on H. B. No. 1658-72, as amended, which had been deferred to this day.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and H. B. No. 1658-72, as amended, passed Third Reading by a vote of 51 ayes.

Consideration of Stand. Com. Rep. No. 482-72 on H. B. No. 1721-72, as amended, which had been deferred to this day.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and H. B. No. 1721-72, as amended, passed Third Reading by a vote of 51 ayes.

Consideration of Stand. Com. Rep. No. 483-72 on H. B. No. 2119-72, as amended, which had been deferred to this day.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and H. B. No. 2119-72, as amended, passed Third Reading by a vote of 51 ayes.

Consideration of Stand. Com. Rep. No. 484-72 on H. B. No. 2336-72, as amended, which had been deferred to this day.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and H. B. No. 2336-72, as amended, passed Third Reading by a vote of 51 ayes.

Consideration of Stand. Com. Rep. No. 485-72 on H. B. No. 2358-72, as amended, which had been deferred to this day.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and H. B. No. 2358-72, as amended, passed Third Reading by a vote of 51 ayes.

Consideration of Stand. Com. Rep. No. 486-72 on H. B. No. 2439-72, as amended, which had been deferred to this

day.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and roll call vote having been requested, H. B. No. 2439-72, as amended, passed Third Reading by a vote of 47 ayes to 4 noes, with Representatives Aduja, Devereux, Hansen and Soares voting no.

The Chair directed the Clerk to note that H. B. No. 1656-72 passed Third Reading at 11:53 o'clock a.m.; H. B. No. 1658-72 at 11:56 o'clock a.m.; H. B. No. 1721-72 at 11:59 o'clock a.m.; H. B. No. 2119-72 at 12:01 o'clock p.m.; H. B. No. 2336-72 at 12:03 o'clock p.m.; H. B. No. 2358-72 at 12:05 o'clock p.m.; and H. B. No. 2439-72 at 12:10 o'clock p.m.

The Chair declared a recess at 12:10 o'clock p.m., subject to the call of the Chair.

The House of Representatives reconvened at 12:28 o'clock p.m.

At 12:30 o'clock p.m., on motion by Representative Ushijima, seconded by Representative J. Garcia and carried, the House of Representatives stood in recess until 5:00 o'clock p.m., this afternoon.

#### AFTERNOON SESSION

The House of Representatives reconvened at 5:30 o'clock p.m.

#### SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 92 to 107) were read by the Clerk and the following actions taken:

A communication from the Senate (Sen. Com. No. 92) informing the House that the Senate had agreed to the amendments proposed by the House to Senate Concurrent Resolution No. 10 and that Senate Concurrent Resolution No. 10, as amended, was Finally adopted by the Senate on April 5, 1972, was placed on file.

A communication from the Senate (Sen. Com. No. 93) returning House Concurrent Resolution No. 51 which was adopted by the Senate on April 5, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 94) returning House Concurrent Resolution No. 12 which was adopted by the Senate in an amended form on April 5, 1972 was placed on file.

By unanimous consent, H. C. R. No. 12, as amended by the Senate, was placed on the Clerk's desk.

A communication from the Senate (Sen. Com. No. 95) transmitting Senate Concurrent Resolution No. 32 requesting that careful consideration be given to Ala Moana Park in the Ala Moana drainage canal widening project which was adopted by the Senate on April 5, 1972, was placed on file.

A communication from the Senate (Sen. Com. No. 96) transmitting Senate Concurrent Resolution No. 38 requesting the Department of Land and Natural Resources to designate the Napali Coast as a State Park which was adopted by the Senate on April 5, 1972, was placed on file.

A communication from the Senate (Sen. Com. No. 97) transmitting Senate Bill No. 770, entitled, "A Bill for an Act relating to bicycles," which passed Third Reading in the Senate on April 5, 1972, was placed on file.

A communication from the Senate (Sen. Com. No. 98) transmitting Senate Bill No. 1355-72, SD2, entitled, "A Bill for an Act relating to abandoned vessels," which passed Third Reading in the Senate on April 5, 1972, was placed on file.

A communication from the Senate (Sen. Com. No. 99) transmitting Senate Bill No. 1365-72, SD2, entitled, "A Bill for an Act relating to qualifications for dental licensure," which passed Third Reading in the Senate on April 5, 1972, was placed on file.

A communication from the Senate (Sen. Com. No. 100) transmitting Senate Bill No. 1588-72, SD2, entitled, "A Bill for an Act relating to public broadcasting," which passed Third Reading in the Senate on April 5, 1972, was placed on file.

A communication from the Senate (Sen. Com. No. 101) transmitting Senate Bill No. 1593-72, entitled, "A Bill for an Act relating to Motor Vehicle Industry

Licensing Act," which passed Third Reading in the Senate on April 5, 1972, was placed on file.

A communication from the Senate (Sen. Com. No. 102) transmitting Senate Bill No. 1720-72, entitled, "A Bill for an Act to amend Section 286-47, Hawaii Revised Statutes as amended, relating to certificates of registration and ownership of motor vehicles," which passed Third Reading in the Senate on April 5, 1972, was placed on file.

A communication from the Senate (Sen. Com. No. 103) transmitting Senate Bill No. 1737-72, entitled, "A Bill for an Act relating to Chapter 317, Hawaii Revised Statutes," which passed Third Reading in the Senate on April 5, 1972, was placed on file.

A communication from the Senate (Sen. Com. No. 104) transmitting Senate Bill No. 1749-72, SD1, entitled, "A Bill for an Act relating to savings and loan association," which passed Third Reading in the Senate on April 5, 1972, was placed on file.

A communication from the Senate (Sen. Com. No. 105) transmitting Senate Bill No. 1822-72, SD1, entitled, "A Bill for an Act relating to the charges collectible by industrial loan companies," which passed Third Reading in the Senate on April 5, 1972, was placed on file.

A communication from the Senate (Sen. Com. No. 106) transmitting Senate Bill No. 1823-72, SD1, entitled, "A Bill for an Act relating to the specific provisions of industrial loan companies," which passed Third Reading in the Senate on April 5, 1972, was placed on file.

A communication from the Senate (Sen. Com. No. 107) transmitting Senate Bill No. 1947-72, entitled, "A Bill for an Act proposing an amendment to Article VI, Section 5, of the Hawaii Constitution, to clarify legislation needed for a supplemental appropriation," which passed Third Reading in the Senate on April 5, 1972, by not less than two-thirds vote of all the members to which the Senate is entitled, was placed on file.

On motion by Representative Ushijima, seconded by Representative J. Garcia and carried, S. B. Nos. 770, 1355-72, 1365-72, 1588-72, 1593-72,

1720-72, 1737-72, 1749-72, 1822-72, 1823-72 and 1947-72 passed First Reading by title and further action was deferred until tomorrow, April 6, 1972.

#### STANDING COMMITTEE REPORTS

Representative O'Connor, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 535-72) approving the intent and purpose of H. B. No. 867 and recommending its passage on Second Reading, with certain amendments.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the majority of the Committee was adopted and H. B. No. 867, as amended, entitled, "A Bill for an Act prohibiting the use of motor vehicles as a domicile or residence," passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 6, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 536-72) approving the intent and purpose of H. B. No. 1891-72 and recommending its passage on Second Reading.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H. B. No. 1891-72 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 6, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 537-72) approving the intent and purpose of H. B. No. 2192-72 and recommending its passage on Second Reading, with certain amendments.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H. B. No. 2192-72, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 6, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 538-72) approving the intent and purpose of H. B.

No. 2258-72 and recommending its passage on Second Reading, with certain amendments.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H. B. No. 2258-72, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 6, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 539-72) approving the intent and purpose of H. B. No. 2262-72 and recommending its passage on Second Reading, with certain amendments.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H. B. No. 2262-72, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 6, 1972.

The Chair here directed the Clerk to note that H. B. Nos. 867, 1891-72, 2192-72, 2258-72 and 2262-72 had passed Second Reading not earlier than 5:33 o'clock p.m.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 540-72) approving the intent and purpose of H. B. No. 2208-72 and recommending its passage on Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 540-72 on H. B. No. 2208-72 was deferred until tomorrow, April 6, 1972.

Representative Lunasco, for the Committee on Public Institutions, presented a report (Stand. Com. Rep. No. 541-72) approving the intent and purpose of S. B. No. 1346-72 and recommending its passage on Third Reading, with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 541-72 on S. B. No. 1346-72, as amended, was deferred until tomorrow, April 6, 1972.

The Chair directed the Clerk to note



that printed copies of H. B. No. 2208-72 and S. B. No. 1346-72, SD1, HD1, were made available to the members of the House at 5:34 o'clock p.m., in accordance with Article III, Section 16 of the Constitution of the State of Hawaii.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 542-72) approving the intent and purpose of H. B. No. 2556-72 and recommending its referral to the Committee on Finance, with certain amendments.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H. B. No. 2556-72, as amended, was referred to the Committee on Finance.

Representative Yap, for the Committee on Housing and Consumer Protection, presented a report, (Stand. Com. Rep. No. 543-72) approving the intent and purpose of H. B. No. 2114-72 and recommending its passage on Second Reading and its referral to the Committee on Judiciary.

On motion by Representative Yap, seconded by Representative R. Garcia and carried, the report of the Committee was adopted and H. B. No. 2114-72 passed Second Reading and was referred to the Committee on Judiciary.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 544-72) approving the intent and purpose of H. B. No. 1638-72 and recommending its passage on Second Reading, with certain amendments.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and H. B. No. 1638-72, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 6, 1972.

The Chair directed the Clerk to note that H. B. No. 1638-72 had passed Second Reading at 5:35 o'clock p.m.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 545-72) approving the intent and purpose of H. B.

No. 2257-72 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H. B. No. 2257-72 passed Second Reading and was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Lands, presented a report (Stand. Com. Rep. No. 546-72) approving the intent and purpose of H. C. R. No. 31 and recommending its referral to the Committee on Finance, with certain amendments.

On motion by Representative Kawakami, seconded by Representative Kaneshiro and carried, the report of the Committee was adopted and H. C. R. No. 31, as amended, was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Lands, presented a report (Stand. Com. Rep. No. 547-72) approving the intent and purpose of S. C. R. No. 33 and recommending its referral to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative Kaneshiro and carried, the report of the Committee was adopted and S. C. R. No. 33 was referred to the Committee on Finance.

Representative Lunasco, for the Committee on Public Institutions, presented a report (Stand. Com. Rep. No. 548-72) approving the intent and purpose of S. C. R. No. 26 and recommending its referral to the Committee on Finance.

On motion by Representative Lunasco, seconded by Representative Nakama and carried, the report of the Committee was adopted and S. C. R. No. 26 was referred to the Committee on Finance.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 549-72) approving the intent and purpose of H. B. No. 2039-72 and recommending its passage on Second Reading and its referral to the Committee on Finance, with certain amendments.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, consideration of Stand. Com. Rep. No. 549-72 on H. B. No. 2039-72, as amended, was deferred until Friday, April 7, 1972.

The Chair declared a recess at 5:37 o'clock p.m., subject to the call of the Chair.

At 5:50 o'clock p.m., the House of Representatives reconvened.

At this time, the members of the House extended congratulations to Representative Wong on the birth of his daughter.

At 5:53 o'clock p.m., the House of Representatives stood in recess until 7:30 o'clock p.m., this evening.

#### EVENING SESSION

The House of Representatives reconvened at 8:19 o'clock p.m.

#### STANDING COMMITTEE REPORTS

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 550-72) approving the intent and purpose of H. B. No. 1755-72 and recommending its passage on Second Reading, with certain amendments.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H. B. No. 1755-72, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 6, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 551-72) approving the intent and purpose of H. B. No. 1781-72 and recommending its passage on Second Reading.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H. B. No. 1781-72 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 6, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 552-72) approving the intent and purpose of H. B. No. 1864-72 and recommending its passage on Second Reading.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H. B. No. 1864-72 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 6, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 553-72) approving the intent and purpose of H. B. No. 2194-72 and recommending its passage on Second Reading.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H. B. No. 2194-72 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 6, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 554-72) approving the intent and purpose of H. B. No. 2260-72 and recommending its passage on Second Reading, with certain amendments.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H. B. No. 2260-72 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 6, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 555-72) approving the intent and purpose of H. B. No. 2305-72 and recommending its passage on Second Reading, with certain amendments.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H. B. No. 2305-72, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow,

April 6, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 556-72) approving the intent and purpose of H. B. No. 2375-72 and recommending its passage on Second Reading, with certain amendments.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H. B. No. 2375-72, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 6, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 557-72) approving the intent and purpose of H. B. No. 2500-72 and recommending its passage on Second Reading, with certain amendments.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H. B. No. 2500-72, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 6, 1972.

The Chair directed the Clerk to note that H. B. Nos. 1755-72, 1781-72, 1864-72, 2194-72, 2260-72, 2305-72, 2375-72 and 2500-72 had passed Second Reading not earlier than 8:20 o'clock p.m.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 558-72) approving the intent and purpose of H. B. No. 2510-72 and recommending its passage on Third Reading, with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 558-72 on H. B. No. 2510-72, as amended, was deferred until tomorrow, April 6, 1972.

The Chair directed the Clerk to note that printed copies of H. B. No. 2510-72, HD2, were made available to the members of the House at 8:20 o'clock p.m., in accordance with Article III, Section 16 of the Constitution of the

State of Hawaii.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 559-72) approving the intent and purpose of H. B. No. 2571-72 and recommending its passage on Second Reading, with certain amendments.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H. B. No. 2571-72, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 6, 1972.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 560-72) approving the intent and purpose of H. B. No. 2200-72 and recommending its passage on Second Reading, with certain amendments.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and H. B. No. 2200-72, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 6, 1972.

The Chair here directed the Clerk to note that H. B. Nos. 2571-72 and 2200-72 had passed Second Reading not earlier than 8:21 o'clock p.m.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 561-72) approving the intent and purpose of H. B. No. 1714-72 and recommending its passage on Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 561-72 on H. B. No. 1714-72 was deferred until tomorrow, April 6, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 562-72) approving the intent and purpose of H. B. No. 1769-72 and recommending its passage on Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 562-72 on H. B. No. 1769-72 was deferred until

tomorrow, April 6, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 563-72) approving the intent and purpose of H. B. No. 440 and recommending its passage on Third Reading, with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 563-72 on H. B. No. 440 was deferred until tomorrow, April 6, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 564-72) approving the intent and purpose of H. B. No. 2144-72 and recommending its passage on Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 564-72 on H. B. No. 2144-72 was deferred until tomorrow, April 6, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 565-72) approving the intent and purpose of H. B. No. 2249-72 and recommending its passage on Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 565-72 on H. B. No. 2249-72 was deferred until tomorrow, April 6, 1972.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 566-72) approving the intent and purpose of H. B. No. 2536-72 and recommending its passage on Third Reading, with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 566-72 on H. B. No. 2536-72, as amended, was deferred until tomorrow, April 6, 1972.

The Chair here directed the Clerk to note that printed copies of H. B. Nos. 1714-72, 1769-72, 440, HD2, 2144-72, 2249-72 and 2536-72, HD2, were made available to the members of the House at 8:21 o'clock p.m., in accordance with Article III, Section 16 of the Constitution of the State of Hawaii.

Representative O'Connor, for the Committee on Judiciary, presented a

report (Stand. Com. Rep. No. 567-72) approving the intent and purpose of H. B. No. 1670-72 and recommending its passage on Second Reading, with certain amendments.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H. B. No. 1670-72, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 6, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 568-72) approving the intent and purpose of H. B. No. 1751-72 and recommending its passage on Second Reading.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H. B. No. 1751-72 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 6, 1972.

Representative O'Connor, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 569-72) approving the intent and purpose of H. B. No. 1969-72 and recommending its passage on Second Reading, with certain amendments.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the majority of the Committee was adopted and H. B. No. 1969-72, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 6, 1972.

Representative O'Connor, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 570-72) approving the intent and purpose of H. B. No. 2373-72 and recommending its passage on Second Reading, with certain amendments.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the majority of the Committee was adopted and H. B. No. 2373-72, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading

tomorrow, April 6, 1972.

The Chair here directed the Clerk to note that H. B. Nos. 1670-72, 1751-72, 1969-72 and 2373-72 had passed Second Reading not earlier than 8:22 o'clock p.m.

Representative O'Connor, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 571-72) approving the intent and purpose of H. B. No. 2506-72 and recommending its passage on Second Reading, with certain amendments.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, Stand. Com. Rep. No. 571-72 and H. B. No. 2506-72 were recommitted to the Committee on Judiciary.

Representative O'Connor, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 572-72) approving the intent and purpose of H. B. No. 2120-72 and recommending its passage on Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 572-72 on H. B. No. 2120-72 was deferred until tomorrow, April 6, 1972.

The Chair here directed the Clerk to note that printed copies of H. B. No. 2120-72 were made available to the members of the House at 8:22 o'clock p.m., in accordance with Article III, Section 16 of the Constitution of the State of Hawaii.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 573-72) approving the intent and purpose of H. B. No. 2374-72 and recommending its passage on Second Reading.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H. B. No. 2374-72 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 6, 1972.

The Chair here directed the Clerk to note that H. B. No. 2374-72 had passed Second Reading at 8:23 o'clock p.m.

Representative Suwa, for the majority of the Committee on Finance, presented a report (Stand. Com. Rep. No. 574-72) approving the intent and purpose of H. B. No. 2255-72 and recommending its passage on Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 574-72 on H. B. No. 2255-72 was deferred until tomorrow, April 6, 1972.

The Chair here directed the Clerk to note that printed copies of H. B. No. 2255-72, HD1, were made available to the members of the House at 8:23 o'clock p.m., in accordance with Article III, Section 16 of the Constitution of the State of Hawaii.

Representative Suwa, for the majority of the Committee on Finance, presented a report (Stand. Com. Rep. No. 575-72) approving the intent and purpose of H. B. No. 2514-72 and recommending its passage on Second Reading.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the majority of the Committee was adopted and H. B. No. 2514-72 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 6, 1972.

The Chair here directed the Clerk to note that H. B. No. 2514-72 had passed Second Reading at 8:24 o'clock p.m.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 576-72) approving the intent and purpose of H. B. No. 1965-72 and recommending its passage on Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 576-72 on H. B. No. 1965-72 was deferred until tomorrow, April 6, 1972.

The Chair here directed the Clerk to note that printed copies of H. B. No. 1965-72 were made available to the members of the House at 8:24 o'clock p.m., in accordance with Article III, Section 16 of the Constitution of the State of Hawaii.

The Chair declared a recess at 8:26 o'clock p.m., subject to the call of the

Chair.

At 9:12 o'clock p.m., the House of Representatives reconvened.

#### COMMITTEE REASSIGNMENT

H. B. No. 290 which had been referred to the Committee on Judiciary and then to the Committee on Finance on February 28, 1971 was referred solely to the Committee on Judiciary.

#### STANDING COMMITTEE REPORTS

Representative Takamine, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 577-72) approving the intent and purpose of S. B. No. 25 and recommending its passage on Second Reading and its referral to the Committee on Judiciary, with certain amendments.

On motion by Representative Wasai, seconded by Representative Wong and carried, the report of the Committee was adopted and S. B. No. 25, as amended, passed Second Reading and was referred to the Committee on Judiciary.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 578-72) approving the intent and purpose of H. B. No. 1636-72 and recommending its passage on Second Reading, with certain amendments.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and H. B. No. 1636-72, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 6, 1972.

The Chair directed the Clerk to note that H. B. No. 1636-72 had passed Second Reading at 9:12 o'clock p.m.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 579-72) approving the intent and purpose of H. B. No. 2525-72 and recommending its passage on Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 579-72 on H. B. No. 2525-72 was deferred until tomorrow, April 6, 1972.

Representative Suwa, for the majority of the Committee on Finance, presented a report (Stand. Com. Rep. No. 580-72) approving the intent and purpose of H. B. No. 1921-72 and recommending its passage on Third Reading, with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 580-72 on H. B. No. 1921-72, as amended, was deferred until tomorrow, April 6, 1972.

The Chair here directed the Clerk to note that printed copies of H. B. No. 2525-72 and H. B. No. 1921-72, HD2, were made available to the members of the House at 9:12 o'clock p.m., in accordance with Article III, Section 16 of the Constitution of the State of Hawaii.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 581-72) approving the intent and purpose of H. B. No. 2503-72 and recommending its passage on Second Reading, with certain amendments.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H. B. No. 2503-72, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 6, 1972.

The Chair here directed the Clerk to note that H. B. No. 2503-72 had passed Second Reading at 9:13 o'clock p.m.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 582-72) approving the intent and purpose of H. B. No. 2392-72 and recommending its passage on Third Reading, with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 582-72 on H. B. No. 2392-72, as amended, was deferred until tomorrow, April 6, 1972.

The Chair here directed the Clerk to note that printed copies of H. B. No. 2392-72, HD1, were made available to the members of the House at 9:13 o'clock p.m., in accordance with Article III, Section 16 of the Constitution of the State of Hawaii.

Representative O'Connor, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 583-72) approving the intent and purpose of H. B. No. 290 and recommending its passage on Second Reading, with certain amendments.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the majority of the Committee was adopted and H. B. No. 290, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 6, 1972.

Representative O'Connor, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 584-72) approving the intent and purpose of H. B. No. 1700-72 and recommending

its passage on Second Reading.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the majority of the Committee was adopted and H. B. No. 1700-72 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 6, 1972.

The Chair here directed the Clerk to note that H. B. Nos. 290 and 1700-72 had passed Second Reading at 9:14 o'clock p.m.

At 9:17 o'clock p.m., on motion by Representative Ushijima, seconded by Representative J. Garcia and carried, the House of Representatives adjourned to 11:00 o'clock a.m., tomorrow, April 6, 1972.



## 54TH DAY

Thursday, April 6, 1972

The House of Representatives of the Sixth Legislature of the State of Hawaii, Regular Session of 1972, was called to order at 11:00 o'clock a.m.

The Speaker presided.

The Divine Blessing was invoked by Bishop Saiji Zakimi, Bishop of the Makiki Ward, The Church of Jesus Christ of Latter-Day Saints.

Roll call of the members of the House of Representatives showed that all members were present with the exception of Representatives Kimura, Wakatsuki and Wong, who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Fifty-Third Day.

On motion by Representative Ushijima, seconded by Representative J. Garcia and carried, reading of the Journal was dispensed with and the Journal of the Fifty-Third Day was approved.

### MISCELLANEOUS COMMUNICATIONS

The following communications (Misc. Com. Nos. 45 and 46) were read by the Clerk and were disposed of as follows:

A communication from Thomas Nickerson, President, Friends of the Library of Hawaii (Misc. Com. No. 45) acknowledging receipt of and expressing appreciation for the adoption of House Concurrent Resolution No. 32 during the Regular Session of 1972, was placed on file.

A communication from Eileen K. Lota, City Clerk, City and County of Honolulu (Misc. Com. No. 46) acknowledging receipt of a certified copy of House Resolution No. 131, which was adopted during the Regular Session of 1972, was placed on file.

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

Representative Young introduced 60 second and third grade students from Waipahu Elementary School, with their teachers, Mrs. Mae Yorimoto, Mrs. Grace Yuen and Mrs. Sharyn Yoshiro and

Administrative Intern, Mr. Mamara.

Representative Lee introduced 75 fifth grade students from Likelike School, with their teachers, Mrs. Ellen Kajikawa, Mrs. Au, Mr. Reginald Coelho and Mr. Henry Nishimura.

Representative Uechi introduced 70 fourth grade students from Mokulele Elementary School, with their teachers, Miss Kekipi, Mrs. Benson, Mrs. Hetherington and Mrs. Mosmeir.

Representative Lunasco introduced 45 eighth grade students from Wheeler Intermediate School who are participating in the mini-student observer program and are assigned to various offices in the House. They were accompanied by their teacher, Mr. Wayne Doo, and chaperones, Mrs. Akagi and Mrs. Stow.

### ORDER OF THE DAY

#### COMMITTEE REFERRALS

The following bills (S.B. Nos. 770; 1355-72, SD 2; 1365-72, SD 2; 1588-72, SD 2; 1593-72; 1720-72; 1737-72; 1749-72, SD 1; 1822-72; 1823-72 and 1947-72) were disposed of as follows:

S. B. No. 770 was referred to the Committee on Finance.

S. B. No. 1355-72 was referred to the Committee on Judiciary.

S. B. No. 1365-72 was referred to the Committee on Judiciary.

S. B. No. 1588-72 was referred to the Committee on Finance.

S. B. No. 1593-72 was referred to the Committee on Judiciary.

S. B. No. 1720-72 was referred jointly to the Select Committees of Kauai Representatives, Maui Representatives, Oahu Representatives and Hawaii Representatives.

S. B. No. 1737-72 was referred to the Committee on Education and after consideration by it, the Committee was instructed to refer the bill to the Committee on Finance.

S. B. No. 1749-72 was referred to the

Committee on Judiciary.

S. B. No. 1822-72 was referred to the Committee on Judiciary.

S. B. No. 1823-72 was referred to the Committee on Judiciary.

S. B. No. 1947-72 was referred to the Committee on Finance.

#### DEFERRED RESOLUTIONS

The following resolutions (H. R. Nos. 365 and 366) and concurrent resolutions (S.C.R. Nos. 32 and 38) were disposed of as follows:

H. R. No. 365 was referred to the Committee on Higher Education and after consideration by it, the Committee was instructed to refer the resolution to the Committee on Finance.

H. R. No. 366 was referred to the Committee on Higher Education and after consideration by it, the Committee was instructed to refer the resolution to the Committee on Finance.

S.C.R. No. 32 was referred to the Select Committee of Oahu Representatives.

S.C.R. No. 38 was referred to the Committee on Lands.

#### STANDING COMMITTEE REPORTS

Representative Akizaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 585-72) informing the House that Conference Committee Report No. 4, Re: Senate Bill No. 766, Senate Draft 1, House Draft No. 1, Conference Draft No. 1; House Resolution Nos. 363 to 366, Standing Committee Report Nos. 535-72 to 584-72, and Standing Committee Report Nos. 586-72 and 587-72, had been printed and distributed.

On motion by Representative Akizaki, seconded by Representative Kishinami and carried, the report of the Committee was adopted.

Representative O'Connor, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 586-72) approving the intent and purpose of H. B. No. 2330-72 and recommending

its passage on Third Reading with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 586-72 on H. B. No. 2330-72, as amended, was deferred until tomorrow, April 7, 1972.

The Chair here directed the Clerk to note that printed copies of H. B. No. 2330-72, HD 2, were made available to the members of the House at 11:10 o'clock a.m., in accordance with Article III, Section 16, of the Constitution of the State of Hawaii.

At 11:11 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

At 11:19 o'clock a.m., the House of Representatives reconvened and the Chair directed the Clerk to note the presence of Representatives Kimura, Wakatsuki and Wong.

#### RECONSIDERATION OF ACTION TAKEN BY THE HOUSE

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the House reconsidered its action taken on April 5, 1972 in adopting Stand. Com. Rep. No. 573-72 on H. B. No. 2374-72 and passing said bill on Second Reading and placing it on the Order of the Day for Third Reading on April 6, 1972.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, Stand. Com. Rep. No. 573-72 was adopted and notwithstanding the recommendation contained therein, H. B. No. 2374-72 passed Second Reading and was recommitted to the Committee on Judiciary.

At 11:20 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

At 11:26 o'clock a.m., the House of Representatives reconvened.

#### STANDING COMMITTEE REPORT

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 587-72) approving the intent and purpose of H. B.

No. 2374-72 and recommending its passage on Third Reading with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 587-72 on H. B. No. 2374-72, as amended, was deferred until tomorrow, April 7, 1972.

The Clerk directed the Clerk to note that printed copies of H. B. No. 2374-72, HD 1, were made available to the members of the House at 11:27 o'clock a.m., in accordance with Article III, Section 16, of the Constitution of the State of Hawaii.

At 11:29 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

At 11:55 o'clock a.m., the House of Representatives reconvened.

#### INTRODUCTION OF RESOLUTIONS

The following resolutions (H. R. Nos. 367 to 371) were read by the Clerk and were disposed of as follows:

A resolution (H. R. No. 367) congratulating the Valley Isle Marathon Club for its outstanding contributions in the field of sports and recreation; congratulating Norman K. Tamanaha on his 65th birthday was jointly offered by Representatives Duponte, Aduja, Ajifu, Aki, Akizaki, Carroll, Chong, de la Cruz, Devereux, Fong, R. Garcia, Hansen, Iha, Inaba, Judd, Kaneshiro, Kato, Kishinami, Kondo, Lee, Lunasco, Medeiros, Nakama, Oda, Roehrig, Saiki, Sakima, Suwa, Takamine, Uechi, Unemori, Wakatsuki, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim, Young and Beppu.

On motion by Representative Duponte, seconded by Representative Kondo and carried, H. R. No. 367 was adopted.

A resolution (H. R. No. 368) extending congratulations to Michael Ignacio, winner of the state-wide Future Farmers of America public speaking contest was jointly offered by Representatives Chong, Aduja, Ajifu, Aki, Akizaki, Carroll, de la Cruz, Devereux, Duponte, Fong, J. Garcia, R. Garcia, Hansen, Iha, Inaba, Judd, Kaneshiro, Kato, Kawakami, Kihano, Kimura, Kishinami, Kondo, Kunimura, Lee,

Leopold, Lunasco, Medeiros, Morioka, Nakama, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Unemori, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim, Young and Beppu.

On motion by Representative Chong, seconded by Representative J. Garcia and carried, H. R. No. 368 was adopted.

A resolution (H. R. No. 369) congratulating and commending the members of the League of Women Voters of Kauai upon their recognition as a fully-qualified local league of the League of Women Voters of the United States was jointly offered by Representatives Kawakami, Aduja, Ajifu, Aki, Akizaki, Chong, de la Cruz, Devereux, Duponte, R. Garcia, Hansen, Iha, Inaba, Judd, Kaneshiro, Kihano, Kimura, Kishinami, Kondo, Kunimura, Lunasco, Medeiros, Morioka, Nakama, O'Connor, Roehrig, Sakima, Suwa, Takamine, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim, Young and Beppu.

On motion by Representative Kawakami, seconded by Representative Yamada and carried, H. R. No. 369 was adopted.

A resolution (H. R. No. 370) honoring and congratulating Sergeant First Class Ricarte Tumacder for his outstanding army career was jointly offered by Representatives Kunimura, Aduja, Ajifu, Aki, Akizaki, Carroll, Chong, de la Cruz, Devereux, Duponte, Fong, J. Garcia, R. Garcia, Hansen, Iha, Inaba, Judd, Kaneshiro, Kato, Kawakami, Kihano, Kimura, Kishinami, Kondo, Lee, Leopold, Lunasco, Medeiros, Morioka, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Suwa, Uechi, Unemori, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim and Young.

On motion by Representative Kunimura, seconded by Representative Kawakami and carried, H. R. No. 370 was adopted.

A resolution (H. R. No. 371) honoring and congratulating Specialist Five Milton Caspillo for his outstanding army service was jointly offered by Representatives Kunimura, Aduja, Ajifu, Aki, Akizaki, Carroll, Chong, de la Cruz, Devereux, Duponte, Fong, J. Garcia, R. Garcia,

Hansen, Iha, Inaba, Judd, Kaneshiro, Kato, Kawakami, Kihano, Kimura, Kishinami, Kondo, Lee, Leopold, Lunasco, Medeiros, Morioka, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Suwa, Uechi, Unemori, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim and Young.

On motion by Representative Kunimura, seconded by Representative Kawakami and carried, H. R. No. 371 was adopted.

By unanimous consent, the following resolution (H. R. No. 372) was referred to the Committee on Legislative Management and further action was deferred until tomorrow, April 7, 1972:

A resolution (H. R. No. 372) requesting the Marine Affairs Coordinator to study whether Hawaii should participate in the International Ocean Exposition, Okinawa 1975 was jointly offered by Representatives Sakima, Ajifu, Akizaki, Chong, de la Cruz, Duponte, Fong, R. Garcia, Hansen, Iha, Inaba, Kaneshiro, Kato, Kawakami, Kihano, Kimura, Kishinami, Kondo, Kunimura, Lee, Lunasco, Medeiros, Morioka, Nakama, O'Connor, Oda, Roehrig, Saiki, Suwa, Takamine, Uechi, Unemori, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim, Young and Beppu.

#### SUSPENSION OF RULES

On motion by Representative Ushijima, seconded by Representative J. Garcia and carried unanimously, the rules were suspended for the purpose of considering bills on Third and Final Readings on the basis of a modified consent calendar.

#### THIRD READING

The following bills, which were on the calendar for Third Reading, were read throughout and the following actions taken:

Third Reading of H. B. No. 2117-72.

On motion by Representative Kunimura, seconded by Representative Kawakami and carried, H. B. No. 2117-72 was recommitted jointly to the Select Committees of Kauai Representatives, Maui Representatives, Oahu

Representatives and Hawaii Representatives.

Third Reading of H. B. No. 1190.

On motion by Representative O'Connor, seconded by Representative Kimura, H. B. No. 1190 passed Third Reading by a vote of 49 ayes, with Representatives Nakama and Takamine being excused.

Third Reading of H. B. No. 1779-72.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, H. B. No. 1779-72 was recommitted to the Committee on Judiciary.

Third Reading of H. B. No. 1828-72.

On motion by Representative O'Connor, seconded by Representative Kimura, H. B. No. 1828-72 passed Third Reading by a vote of 49 ayes, with Representatives Nakama and Takamine being excused.

Third Reading of H. B. No. 1831-72.

On motion by Representative O'Connor, seconded by Representative Kimura, H. B. No. 1831-72 passed Third Reading by a vote of 49 ayes, with Representatives Nakama and Takamine being excused.

Third Reading of H. B. No. 1980-72.

On motion by Representative O'Connor, seconded by Representative Kimura, H. B. No. 1980-72 passed Third Reading by a vote of 49 ayes, with Representatives Nakama and Takamine being excused.

Third Reading of H. B. No. 2068-72.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, H. B. No. 2068-72 was recommitted to the Committee on Judiciary.

Third Reading of H. B. No. 2116-72.

On motion by Representative O'Connor, seconded by Representative Kimura, H. B. No. 2116-72 passed Third Reading by a vote of 49 ayes, with Representatives Nakama and Takamine

being excused.

Third Reading of H. B. No. 2193-72.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, H. B. No. 2193-72 passed Third Reading by a vote of 49 ayes, with Representatives Nakama and Takamine being excused.

Third Reading of H. B. No. 2195-72.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, H. B. No. 2195-72 was recommitted to the Committee on Judiciary.

Third Reading of H. B. No. 2225-72.

By unanimous consent, consideration of H. B. No. 2225-72 on Third Reading was deferred until tomorrow, April 7, 1972.

At 12:02 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

At 12:03 o'clock p.m., the House of Representatives reconvened.

Third Reading of H. B. No. 2264-72.

By unanimous consent, consideration of H. B. No. 2264-72 on Third Reading was deferred until the end of the calendar.

Third Reading of H. B. No. 2284-72.

By unanimous consent, consideration of H. B. No. 2284-72 on Third Reading was deferred until the end of the calendar.

Third Reading of H. B. No. 2377-72.

Representative O'Connor moved that H. B. No. 2377-72 pass Third Reading, seconded by Representative Kimura.

Representative J. Garcia then spoke in favor of the passage of H. B. No. 2377-72.

The motion was put by the Chair and carried and H. B. No. 2377-72 passed Third Reading by a vote of 49 ayes, with Representatives Roehrig and Takamine being excused.

Third Reading of H. B. No. 2511-72.

Representative O'Connor moved that H. B. No. 2511-72 pass Third Reading, seconded by Representative Kimura.

Representative Ushijima then rose and stated that he is employed at a financial institution and asked the Chair for a ruling as to whether or not there was a conflict of interest.

The Chair ruled that there was no conflict of interest and Representative Ushijima was not excused from voting on this measure.

The motion was put by the Chair and carried and H. B. No. 2511-72 passed Third Reading by a vote of 49 ayes, with Representatives Roehrig and Takamine being excused.

Third Reading of H. B. No. 2516-72.

On motion by Representative O'Connor, seconded by Representative Kimura, H. B. No. 2516-72 passed Third Reading by a vote of 49 ayes, with Representatives Roehrig and Takamine being excused.

Third Reading of S. B. No. 565.

On motion by Representative Kunimura, seconded by Representative Kawakami, S. B. No. 565 passed Third Reading by a vote of 48 ayes to 1 no, with Representative Hansen voting no and Representatives Roehrig and Takamine being excused.

Third Reading of H. B. No. 2283-72.

By unanimous consent, consideration of H. B. No. 2283-72 on Third Reading was deferred until tomorrow, April 7, 1972.

Third Reading of H. B. No. 2190-72.

On motion by Representative O'Connor, seconded by Representative Kimura, H. B. No. 2190-72 passed Third Reading by a vote of 49 ayes, with Representatives Roehrig and Takamine being excused.

Third Reading of H. B. No. 2509-72.

On motion by Representative O'Connor, seconded by Representative

Kimura, H. B. No. 2509-72 passed Third Reading by a vote of 50 ayes, with Representative Takamine being excused.

Third Reading of H. B. No. 2449-72.

On motion by Representative O'Connor, seconded by Representative Kimura, H. B. No. 2449-72 passed Third Reading by a vote of 50 ayes, with Representative Takamine being excused.

Third Reading of H. B. No. 2196-72.

By unanimous consent, consideration of H. B. No. 2196-72 on Third Reading was deferred until the end of the calendar.

Third Reading of S. B. No. 967.

By unanimous consent, consideration of S. B. No. 967 on Third Reading was deferred until Monday, April 10, 1972.

The Chair here directed the Clerk to note that H. B. Nos. 1190, 1828-72, 1831-72, 1980-72, 2116-72, 2193-72, 2377-72, 2511-72, 2516-72, 2190-72, 2509-72 and 2449-72 and S. B. No. 565 had passed Third Reading not earlier than 12:09 o'clock p.m.

#### UNFINISHED BUSINESS

Consideration of Stand. Com. Rep. No. 518-72 on H. B. No. 1764-72 which had been deferred to this day.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H. B. No. 1764-72, having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Takamine being excused.

Consideration of Stand. Com. Rep. No. 519-72 on H. B. No. 1934-72 which had been deferred to this day.

By unanimous consent, consideration of Stand. Com. Rep. No. 519-72 on H. B. No. 1934-72 was deferred until the end of the calendar.

Consideration of Stand. Com. Rep. No. 520-72 on H. B. No. 1955-72 which had been deferred to this day.

On motion by Representative

O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H. B. No. 1955-72, having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Takamine being excused.

At 12:11 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

At 12:13 o'clock p.m., the House of Representatives reconvened.

Consideration of Stand. Com. Rep. No. 521-72 on H. B. No. 2010-72, as amended, which had been deferred to this day.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the majority of the Committee was adopted and H. B. No. 2010-72, as amended, having been read throughout, passed Third Reading by a vote of 40 ayes to 10 noes, with Representatives Devereux, Duponte, R. Garcia, Lee, Roehrig, Sakima, Ushijima, Wong, Yap and Yim voting no and Representative Takamine being excused.

Consideration of Stand. Com. Rep. No. 522-72 on H. B. No. 1043, as amended, which had been deferred to this day.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and roll call vote having been requested, H. B. No. 1043, as amended, passed Third Reading by a vote of 35 ayes to 14 noes, with Representatives Aduja, Aki, Carroll, Devereux, Fong, J. Garcia, Hansen, Judd, Kato, Leopold, Medeiros, Oda, Saiki and Yamada voting no and Representatives Soares and Takamine being excused.

Consideration of Stand. Com. Rep. No. 523-72 on H. B. No. 2111-72, as amended, which had been deferred to this day.

Representative Suwa moved that the report of the Committee be adopted and H. B. No. 2111-72, as amended, having been read throughout, pass Third Reading, seconded by Representative Akizaki.

Representative Yim then rose and spoke against the bill, as follows:

“Mr. Speaker, the purpose of this bill is to reappropriate certain unused funds expressly to expand the present medical school program from 2 to 4 years. By enacting this bill, we would be making the final hard decision to commit this State and directing the Governor to underwrite a full blown medical school with all the tremendous investment of money and other resources necessary for such an operation.

The annual cost of the medical school in full operation for the third and fourth year programs only will be over 6 million dollars by 1977. The enrollment for those two grades will be 120, which means the cost per student per year will be over \$50,000. For comparison, the Leeward Community College with an enrollment of over 5,000, the cost per student per year is \$700; Honolulu Community College, enrollment over 2,100, the cost per student is \$1,200 and Kapiolani Community College, enrollment over 2,700, the cost per student is \$800.

Further, Mr. Speaker, the projected budget for the third and fourth year medical school equals the total 1971 budget of the Leeward and Kapiolani Community Colleges combined. I have very strong reservations about the high cost per student factor. I question that we can afford to make a resource commitment of such magnitude at a time when the State is facing a financial crisis with a possible deficit of over 30 million dollars this fiscal year.

I see a desperate need to hold the line on spending such as is contemplated in this bill. Mr. Speaker, we must hold the line on such major commitments until next year. We must hold the line until we see the total needs of the State in order that we may better set our spending priorities and make the necessary investment trade-offs.

We have seen the projected costs of the DSSH—rising from 80 million dollars last year to over 600 million dollars six years away--while tax revenues are projected to rise from \$350 million last year to only \$480 million five years away. Adding on the future costs of the DOE and the University of Hawaii, the State budget may well run out of sight.

And we have yet to see the full cost of collective bargaining which may be astronomical.

Mr. Speaker, I have no quarrels with the merits for a medical school in Hawaii if and when we can afford it. But I do question the wisdom to commit the State to act now.

We have, in the legislative session, held the line on committing the State to implement the findings of the Master Plan for Correctional Institutions. Cost—over \$19 million. We also held off a commitment to implement a much needed program in Special Education for our emotionally, intellectually, and physically handicapped children. Possible cost over the next ten years—\$170 million.

For those who argue that the need for upgrading medical care outweighs the cost, I would add that the need to care for our emotionally and physically handicapped children also outweighs the cost and the need to protect our people with an adequate and modern prison system, along with the most advanced facilities to rehabilitate those who violated our laws also may outweigh the costs.

These are just two examples of the problems we face in the legislature. Which is the most important need? Which program comes first in competing for the tax dollars? Mr. Speaker, I think I hear the taxpayers beginning to groan already and may I conclude by saying, let's wait and see.”

Representatives Wasai and Uechi then spoke against the measure.

Representative Kimura then rose and spoke in favor of the bill, as follows:

“Mr. Speaker, I believe that the time for a medical program is now. I believe that to dismiss the importance of authorizing a four-year medical school during this session is unrealistic. Even in these times of precautionary educational planning, I think it would be tragic if the State of Hawaii were to ignore the sixty students presently in the first year of the two-year program, the seven hospitals now negotiating with the University of Hawaii to reach mutual affiliation agreements and, most of all, the people



who will be healed by the students who graduate from Hawaii's first class in 1975 and every class thereafter.

An investment in education must always be given generously and from a long-range point of view. It is with this green light in the distance that we grant authorization through the bill before you now. H. B. No. 2111-72, HD 2, reappropriates research and development monies for the four-year school, and thus authorizes the University of Hawaii to proceed. I believe that we now shift the green light to the foreground, and we think not of the Welbys or Morgans on television or in cartoons, but now of the Naulawahi's and the Chun's, the Kawamoto's, and the Ancheta's, and these are names that I picked from the roster of the medical school.

I think too, that we should consider the children and senior citizen, the adolescents and middle-aged, the sick, the ill, the maimed, the impaired, the healthy, those already healed and those not so well. These assorted people cannot be ignored. Attention must be paid. A third-year class at the University, Mr. Speaker, will begin, hopefully, in the Fall of 1973.

By passing the bill before us today, the House of the Sixth Legislature will provide a health care delivery system to the State of Hawaii that it cannot deny.

Mr. Speaker, this idea of a medical school goes back to 1960 and even before and I submit, Mr. Speaker, that we can talk and talk about a medical school for ten, twelve, fifteen years and still in the year 2000 and this is the time to proceed.

Thank you, Mr. Speaker."

Representative Kato then rose and spoke against the measure as follows:

"Mr. Speaker, the point has been brought out very well that there is no great need for a medical school on our University campus. I would like to address myself, therefore, to a factor that has been mentioned before; namely, our bleak financial picture.

The projections supplied the Finance Committee indicate that we are operating under a deficit of about 30 million dollars and that only through forced savings. The

projections also indicate that for the next fiscal year, we will have a deficit of about 50 million dollars. I cannot see how we can afford the luxury of a medical school which carries such a large and continuing appropriation.

In view of the lack of a showing that there is a need for a medical school, and in view of our bad financial picture, how can we embark on this program, this four-year medical program. Mr. Speaker and members of this Body, it should not be forgotten that we are not dealing with our own money--we are dealing with taxpayers' money.

We have an opportunity here to institute some savings. At the rate we are spending, a tax increase is inevitable. We are not going to vote down this bill but, I submit, we should face up to our responsibilities and provide the revenues to fund programs of this type.

Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and roll call vote having been requested, H. B. No. 2111-72, as amended, passed Third Reading by a vote of 34 ayes to 14 noes, with Representatives Aki, Carroll, Fong, Hansen, Iha, Kato, Lee, Nakama, Oda, Uechi, Unemori, Wasai, Yamada and Yim voting no and Representatives Aduja, Soares and Takamine being excused.

Consideration of Stand. Com. Rep. No. 524-72 on H. B. No. 2191-72, as amended, which had been deferred to this day.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and H. B. No. 2191-72, as amended, having been read throughout, passed Third Reading by a vote of 48 ayes, with Representatives Aduja, Soares and Takamine being excused.

Consideration of Stand. Com. Rep. No. 532-72 on H. B. No. 1752-72 which had been deferred to this day.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H. B. No. 1752-72, having been read throughout,



passed Third Reading by a vote of 48 ayes, with Representatives Aduja, Soares and Takamine being excused.

Consideration of Stand. Com. Rep. No. 533-72 on H. B. No. 1956-72 which had been deferred to this day.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H. B. No. 1956-72, having been read throughout, passed Third Reading by a vote of 48 ayes, with Representatives Aduja, Soares and Takamine being excused.

Consideration of Stand. Com. Rep. No. 534-72 on H. B. No. 1991-72 which had been deferred to this day.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H. B. No. 1991-72, having been read throughout, passed Third Reading by a vote of 47 ayes to 1 no, with Representative Hansen voting no and Representatives Aduja, Soares and Takamine being excused.

Consideration of Conf. Com. Rep. No. 4 on S. B. No. 766, as amended, which had been deferred to this day.

By unanimous consent, consideration of Conf. Com. Rep. No. 4 on S. B. No. 766, as amended, was deferred until tomorrow, April 7, 1972.

The Chair directed the Clerk to note that H. B. Nos. 1764-72, 1955-72, 2010-72, 1043, 2111-72, 2191-72, 1752-72, 1956-72 and 1991-72 had passed Third Reading not earlier than 12:15 o'clock p.m.

At 12:44 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

At 12:57 o'clock p.m., the House of Representatives reconvened.

#### DEFERRED MATTERS

Consideration of H. B. No. 2264-72 on Third Reading which had been deferred to this time.

On motion by Representative O'Connor, seconded by Representative

Kimura, H. B. No. 2264-72, having been read throughout, passed Third Reading by a vote of 46 ayes, with Representatives Aduja, Soares, Takamine, Wedemeyer and Wong being excused.

Consideration of H. B. No. 2284-72 on Third Reading which had been deferred to this time.

On motion by Representative O'Connor, seconded by Representative Kimura, H. B. No. 2284-72, having been read throughout, passed Third Reading by a vote of 46 ayes, with Representatives Aduja, Soares, Takamine, Wedemeyer and Wong being excused.

Consideration of H. B. No. 2196-72 on Third Reading which had been deferred to this time.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, H. B. No. 2196-72, HD 1, was recommitted to the Committee on Judiciary.

The Chair directed the Clerk to note that H. B. Nos. 2264-72 and 2284-72 had passed Third Reading not earlier than 12:59 o'clock p.m.

At 1:05 o'clock p.m., on motion by Representative Ushijima, seconded by Representative J. Garcia and carried, the House of Representatives stood in recess until 3:30 o'clock p.m. this afternoon.

#### AFTERNOON SESSION

The House of Representatives reconvened at 3:30 o'clock p.m.

The Vice Speaker assumed the rostrum.

#### SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 108 to 121) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 108) informing the House that the Senate had agreed to the amendments proposed by the House to S. B. No. 174 and that S. B. No. 174, as amended, passed Final Reading in the Senate on April 5, 1972, in accordance with Article III, Section 16 of the

Constitution of the State of Hawaii, was placed on file.

A communication from the Senate (Sen. Com. No. 109) returning House Bill No. 941 which passed Third Reading in the Senate on April 6, 1972, was placed on file.

A communication from the Senate (Sen. Com. No. 110) transmitting Senate Bill No. 241, SD 1, entitled: "A Bill for an Act relating to public assistance," which passed Third Reading in the Senate on April 6, 1972, was placed on file.

A communication from the Senate (Sen. Com. No. 111) transmitting Senate Bill No. 1206, SD 1, entitled: "A Bill for an Act relating to State educational television," which passed Third Reading in the Senate on April 6, 1972, was placed on file.

A communication from the Senate (Sen. Com. No. 112) transmitting Senate Bill No. 1420-72, SD 1, entitled: "A Bill for an Act relating to free copies of certain decrees for veterans," which passed Third Reading in the Senate on April 6, 1972, was placed on file.

A communication from the Senate (Sen. Com. No. 113) transmitting Senate Bill No. 1435-72, SD 1, entitled: "A Bill for an Act relating to a central repository for studies," which passed Third Reading in the Senate on April 6, 1972, was placed on file.

A communication from the Senate (Sen. Com. No. 114) transmitting Senate Bill No. 1472-72 entitled: "A Bill for an Act relating to property exempt from levy and sale on execution," which passed Third Reading in the Senate on April 6, 1972, was placed on file.

A communication from the Senate (Sen. Com. No. 115) transmitting Senate Bill No. 1546-72, SD 1, entitled: "A Bill for an Act relating to residency requirement for physicians," which passed Third Reading in the Senate on April 6, 1972, was placed on file.

A communication from the Senate (Sen. Com. No. 116) transmitting Senate Bill No. 1577-72 entitled: "A Bill for an Act relating to inspection fees for certification of chicken eggs," which passed Third Reading in the Senate on

April 6, 1972, was placed on file.

A communication from the Senate (Sen. Com. No. 117) transmitting Senate Bill No. 1694-72, SD 1, entitled: "A Bill for an Act making an appropriation for a public park at Anuenue, Oahu," which passed Third Reading in the Senate on April 6, 1972, was placed on file.

A communication from the Senate (Sen. Com. No. 118) transmitting Senate Bill No. 1719-72, SD 1, entitled: "A Bill for an Act amending Chapter 286, Hawaii Revised Statutes, relating to traffic safety by adding thereto a new section relating to forfeiture of vehicle or parts thereof," which passed Third Reading in the Senate on April 6, 1972, was placed on file.

A communication from the Senate (Sen. Com. No. 119) transmitting Senate Bill No. 1805-72, SD 1, entitled: "A Bill for an Act relating to organized crime," which passed Third Reading in the Senate on April 6, 1972, was placed on file.

A communication from the Senate (Sen. Com. No. 120) transmitting Senate Bill No. 1829-72 entitled: "A Bill for an Act making an appropriation for the World Boxing Association's Convention to be held in Hawaii, August 6 - 9, 1972," which passed Third Reading in the Senate on April 6, 1972, was placed on file.

A communication from the Senate (Sen. Com. No. 121) transmitting Senate Bill No. 1878-72, SD 1, entitled: "A Bill for an Act relating to elevator mechanics," which passed Third Reading in the Senate on April 6, 1972, was placed on file.

On motion by Representative Ushijima, seconded by Representative J. Garcia and carried, S. B. Nos. 241, 1206, 1420-72, 1435-72, 1472-72, 1546-72, 1577-72, 1694-72, 1719-72, 1805-72, 1829-72 and 1878-72 passed First Reading by title and further action was deferred until tomorrow, April 7, 1972.

#### RECONSIDERATION OF ACTION TAKEN BY THE HOUSE

Representative Suwa moved that the House reconsider its action taken on April 5, 1972, in placing H. B. No. 1921-72, HD 2, on 24-hour notice, seconded by Representative Akizaki and carried.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, Stand. Com. Rep. No. 580-72 and H. B. No. 1921-72, HD 2, were recommitted to the Committee on Finance.

#### STANDING COMMITTEE REPORTS

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 588-72) approving the intent and purpose of H. B. No. 2620-72 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H. B. No. 2620-72 passed Second Reading and was referred to the Committee on Finance.

Representative Suwa, for the majority of the Committee on Finance, presented a report (Stand. Com. Rep. No. 589-72) approving the intent and purpose of H. B. No. 1921-72 and recommending its passage on Third Reading with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 589-72 on H. B. No. 1921-72, as amended, was deferred until tomorrow, April 7, 1972.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 590-72) approving the intent and purpose of H. B. No. 2180-72 and recommending its passage on Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 590-72 on H. B. No. 2180-72 was deferred until tomorrow, April 7, 1972.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 591-72) approving the intent and purpose of H. B. No. 281 and recommending its passage on Third Reading with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 591-72 on H. B. No. 281, as amended, was deferred until tomorrow, April 7, 1972.

Representative Suwa, for the

Committee on Finance, presented a report (Stand. Com. Rep. No. 592-72) approving the intent and purpose of H. B. No. 1881-72 and recommending its passage on Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 592-72 on H. B. No. 1881-72 was deferred until tomorrow, April 7, 1972.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 593-72) approving the intent and purpose of H. B. No. 2263-72 and recommending its passage on Third Reading with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 593-72 on H. B. No. 2263-72, as amended, was deferred until tomorrow, April 7, 1972.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 594-72) approving the intent and purpose of H. B. No. 2556-72 and recommending its passage on Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 594-72 on H. B. No. 2556-72 was deferred until tomorrow, April 7, 1972.

The Chair here directed the Clerk to note that printed copies of H. B. No. 1921-72, HD 3; H. B. No. 2180-72, HD 1; H. B. No. 281, HD 1; H. B. No. 1881-72, HD 1; H. B. No. 2263-72, HD 1 and H. B. No. 2556-72, HD 2, were made available to the members of the House at 3:31 o'clock p.m., in accordance with Article III, Section 16 of the Constitution of the State of Hawaii.

At 3:46 o'clock p.m., on motion by Representative Ushijima, seconded by Representative J. Garcia and carried, the House of Representatives stood in recess until 8:30 o'clock p.m. tonight.

#### NIGHT SESSION

The House of Representatives reconvened at 9:05 o'clock p.m. and the Speaker resumed the rostrum.

#### STANDING COMMITTEE REPORTS

Representative Kunimura, for the joint

Select Committees of Kauai Representatives, Maui Representatives, Oahu Representatives and Hawaii Representatives, presented a report (Stand. Com. Rep. No. 595-72) approving the intent and purpose of H. B. No. 2360-72 and recommending its passage on Third Reading with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 595-72 on H. B. No. 2360-72, as amended, was deferred until tomorrow, April 7, 1972.

The Chair directed the Clerk to note that printed copies of H. B. No. 2360-72, HD 1, were made available to the members of the House at 7:55 o'clock p.m., in accordance with Article III, Section 16 of the Constitution of the State of Hawaii.

Representative Kunimura, for the joint Select Committees of Kauai Representatives, Maui Representatives, Oahu Representatives and Hawaii Representatives, presented a report (Stand. Com. Rep. No. 596-72) approving the intent and purpose of S. B. No. 1720-72 and recommending its passage on Second Reading with certain amendments.

On motion by Representative Kunimura, seconded by Representative Kawakami and carried, the report of the Committee was adopted and S. B. No. 1720-72, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 7, 1972.

The Chair directed the Clerk to note that S. B. No. 1720-72 had passed Second Reading at 9:06 o'clock p.m.

### THIRD READING

The following bills, which were on the calendar for Third Reading, were read throughout and the following actions taken:

Third Reading of H. B. No. 867.

Representative O'Connor moved that H. B. No. 867 pass Third Reading, seconded by Representative Kimura.

Representative Roehrig then rose and spoke against the passage of the bill,

stating that although those people living in vans and other motor vehicles can create a health hazard, no complaint has been registered with the Board of Health and that living in such vans and trailers is the life style of the present generation and urged the members of the House to vote this measure down.

The motion was put by the Chair and carried and H. B. No. 867 passed Third Reading by a vote of 47 ayes to 2 noes, with Representatives Roehrig and Wong voting no and Representatives Carroll and Wedemeyer being excused.

Third Reading of H. B. No. 1891-72.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, H. B. No. 1891-72 was recommitted to the Committee on Judiciary.

Third Reading of H. B. No. 2192-72.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, H. B. No. 2192-72 was recommitted to the Committee on Judiciary.

Third Reading of H. B. No. 2258-72.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, H. B. No. 2258-72 was recommitted to the Committee on Judiciary.

Third Reading of H. B. No. 2262-72.

On motion by Representative O'Connor, seconded by Representative Kimura, H. B. No. 2262-72 passed Third Reading by a vote of 48 ayes to 1 no, with Representative Aduja voting no and Representatives Carroll and Wedemeyer being excused.

Third Reading of H. B. No. 1638-72.

On motion by Representative Suwa, seconded by Representative Akizaki, H. B. No. 1638-72 passed Third Reading by a vote of 49 ayes which is not less than two-thirds vote of all the members to which the House is entitled, with Representatives Carroll and Wedemeyer being excused.

The Chair directed the Clerk to note

that H. B. No. 867 had passed Third Reading at 9:07 o'clock p.m. and H. B. Nos. 2262-72 and 1638-72 at 9:09 o'clock p.m.

### UNFINISHED BUSINESS

Consideration of Stand. Com. Rep. No. 540-72 on H. B. No. 2208-72 which had been deferred to this day.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and H. B. No. 2208-72, having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Carroll and Wedemeyer being excused.

Consideration of Stand. Com. Rep. No. 541-72 on S. B. No. 1346-72, as amended, which had been deferred to this day.

On motion by Representative Lunasco, seconded by Representative Nakama and carried, the report of the Committee was adopted and S. B. No. 1346-72, as amended, having been read throughout, passed Third Reading by a vote of 48 ayes to 1 no, with Representative Lee voting no and Representatives Carroll and Wedemeyer being excused.

The Chair directed the Clerk to note that H. B. No. 2208-72 and S. B. No. 1346-72 had passed Third Reading at 9:10 o'clock p.m.

### THIRD READING

The following bills, which were on the calendar for Third Reading, were read throughout and the following actions taken:

Third Reading of H. B. No. 1755-72.

By unanimous consent, consideration of H. B. No. 1755-72 on Third Reading was deferred until the end of the calendar.

Third Reading of H. B. No. 1781-72.

By unanimous consent, consideration of H. B. No. 1781-72 on Third Reading, was deferred until the end of the calendar.

Third Reading of H. B. No. 1864-72.

On motion by Representative O'Connor, seconded by Representative Kimura, H. B. No. 1864-72 passed Third Reading by a vote of 49 ayes, with Representatives Carroll and Wedemeyer being excused.

Third Reading of H. B. No. 2194-72.

Representative O'Connor moved that H. B. No. 2194-72 pass Third Reading, seconded by Representative Kimura.

Representative Fong then rose and stated that he is a stockholder in an industrial loan company and asked the Chair for a ruling as to whether or not there was a conflict of interest.

The Chair ruled that there was no conflict of interest and Representative Fong was not excused from voting on this measure.

The motion was put by the Chair and carried and H. B. No. 2194-72 passed Third Reading by a vote of 49 ayes, with Representatives Carroll and Wedemeyer being excused.

Third Reading of H. B. No. 2260-72.

On motion by Representative O'Connor, seconded by Representative Kimura, H. B. No. 2260-72 passed Third Reading by a vote of 49 ayes, with Representatives Carroll and Wedemeyer being excused.

Third Reading of H. B. No. 2305-72.

By unanimous consent, consideration of H. B. No. 2305-72 on Third Reading was deferred until the end of the calendar.

Third Reading of H. B. No. 2375-72.

On motion by Representative O'Connor, seconded by Representative Kimura, H. B. No. 2375-72 passed Third Reading by a vote of 49 ayes, with Representatives Carroll and Wedemeyer being excused.

Third Reading of H. B. No. 2500-72.

On motion by Representative O'Connor, seconded by Representative

Kimura, H. B. No. 2500-72 passed Third Reading by a vote of 49 ayes, with Representatives Carroll and Wedemeyer being excused.

Third Reading of H. B. No. 2571-72.

On motion by Representative O'Connor, seconded by Representative Kimura, H. B. No. 2571-72 passed Third Reading by a vote of 49 ayes, with Representatives Carroll and Wedemeyer being excused.

Third Reading of H. B. No. 2200-72.

On motion by Representative Suwa, seconded by Representative Akizaki, H. B. No. 2200-72 passed Third Reading by a vote of 49 ayes, which is not less than two-thirds vote of all the members to which the House is entitled, with Representatives Carroll and Wedemeyer being excused.

Third Reading of H. B. No. 1670-72.

Representative O'Connor moved that H. B. No. 1670-72 pass Third Reading, seconded by Representative Kimura.

Representative Unemori then spoke against the passage of the bill, as follows:

“House Bill No. 1670-72 expresses concern and raises emphasis on providing more land for open spaces. However, this concern for open space is only a guide to hold or preserve land for private interest and deny the public the use of such land. Upon the filing of notice by the holder or developer that the property is devoted or will be devoted to open space use, the public is denied the right to acquire the property by eminent proceedings. Only by written notice by the owner or the developer on the change of the land use can the public exercise its right.

There exists great danger of large landholders or developers using this privilege to withhold land from acquisition by the public. As an example, if there existed a tract of land near some public facility, this land could be held in abeyance by the owner as long as he files an intent for open space use.

Furthermore, I believe this is contrary and not consistent to the land use philosophy of the State.

I urge you all to vote no on this matter.”

Representative Yim then spoke against the bill as follows:

“Mr. Speaker, the purpose of this bill is to encourage private land developers to assist the State and counties in meeting their objectives in providing more land for open space use. The need for open space in an expanding urban society is undeniable. Such open spaces provide recreational areas for communities, tends to conserve the natural attributes of the land, result in the preservation of historically valuable property and provide an aesthetically pleasing and restful environment for the people in the busy work-a-day world.

In a way, the demand of an expanding economy in a fixed area of land makes the rule of land use in Hawaii of prime importance to the legislature. As the population increases, more demands are made by the public upon our lands and within the framework of a still spacious but not unlimited resources. Unfortunately, Mr. Speaker, I feel that House Bill No. 1670-72 can meet neither the demands nor the needs of the public.

With the land under private ownership, there is absolutely no guarantee that these open spaces will be made available for public use. At one time, the lack of land use controls in Hawaii led to the damage and loss of many of the State's valuable lands. We cannot let this happen again by transferring what is essentially land control powers from the State to the private sector.

While House Bill No. 1670-72 does require a statement from the developer, declaring that the property will be devoted for open space use, there is no provision requiring that the land be developed for these purposes within the given period of time. Therefore, such areas could remain undeveloped and unusable for an indefinite period of time. The State will be helpless to correct the situation since they are prohibited from instituting condemnation proceedings under this bill.

The supply of land in Hawaii is obviously fixed in area and the productivity of land depends not only in its area but on the input of intelligence,

skill and technology. This bill lacks the necessary input to accomplish these goals and thus should not be adopted.”

Representative Kawakami then rose and spoke in favor of the measure as follows:

“Mr. Speaker, there has been and will continue to be a great deal of discussions and proposals for open space legislation. This bill before us tonight will help accomplish the State’s goal of maintaining open space with the assistance from the private sector.

There are many among us who are of the opinion that unless the State owns the land in fee title, there is no guarantee the land can be dedicated to open space in perpetuity. Granted, Mr. Speaker, with fee title control or use of the land remains with us. But I query, Mr. Speaker, can the State with its limited financial resources and its multitude of priorities, afford to condemn private lands for the purpose of open space.

There are many safeguards incorporated into this bill whereby the private owner who exercises this option to dedicate his land to open space use will in very simple language be locked in. Further, this bill will continue to give the power of eminent domain to the State or County in the event the change in the use of the property is contemplated by the owner.

Mr. Speaker, I urge all members to vote for this bill.

Thank you.”

Representative O’Connor then rose and spoke in favor of the bill, as follows:

“Mr. Speaker, if the bill is carefully examined, it will be obvious that there are certain conditions inherent to the utilization of this particular piece of legislation which would preclude the average landowner from using it and which will protect the State and people of the State of Hawaii in the event anyone does use it.

I will point out to some of the previous speakers that the statement which is required to be filed with the Bureau of Conveyances concerning the property must include a covenant running

with the land in favor of the State of Hawaii that the property shall be subject to the terms and conditions of the particular section. And further a covenant that in the event the government shall acquire the property for open space use under this particular section, that the owner shall stipulate that the amount paid for the property shall only be that amount which shall be assessed for the property in open space use. This would mean, Mr. Speaker, that if someone attempted to use this section and violated the open space use of the property or failed rapidly to place the property in open space use as described in this section, the covenant running in favor of the State could be exercised and the State could acquire the property. I doubt seriously, Mr. Speaker, that anyone would attempt to use this section and file such a piece of paper and not legitimately use his land for open space use as defined herein.

Further, there is the condition in the bill that the State may acquire the property of the owner if the owner tries to change the use of the property at any time two years after the filing of such intent by the owner.

I feel, Mr. Speaker, that the safeguards that are included in this bill will protect the State and will protect the people of Hawaii and will enhance the use of open space in this State.

Thank you, Mr. Speaker.”

Representative Yim then rose and inquired whether or not Representative O’Connor would yield to a question to which Representative O’Connor replied in the affirmative.

Representative Yim then inquired:

“If, at the wisdom of the State that we ought to because of proper planning, decide to condemn the whole area out in Hawaii Kai known as the Queen Beach presently owned by Bishop Estate and presently under development by the Kaiser Industries--if we decide to condemn that land for open space and recreational use and so happen that Kaiser and the Bishop Estate have already declared that area to be open space, and for recreational use for their own private purpose, can the State condemn that land for the public?”



Representative O'Connor replied that the State could not.

At 9:26 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

At 9:32 o'clock p.m., the House of Representatives reconvened.

Representative Ushijima then rose and stated that he is employed by a financial institution whose land may possibly fall in the realm of this bill and asked the Chair for a ruling as to whether or not there was a conflict of interest.

The Chair ruled that there was no conflict of interest and Representative Ushijima was not excused from voting on this measure.

The motion was put by the Chair and carried and H. B. No. 1670-72 passed Third Reading by a vote of 41 ayes to 8 noes, with Representatives de la Cruz, Duponte, Hansen, Kondo, Lee, Roehrig, Unemori and Yim voting no and Representatives Carroll and Wedemeyer being excused.

Third Reading of H. B. No. 1751-72.

By unanimous consent, consideration of H. B. No. 1751-72 on Third Reading was deferred until the end of the calendar.

Third Reading of H. B. No. 1969-72.

On motion by Representative O'Connor, seconded by Representative Kimura, H. B. No. 1969-72 passed Third Reading by a vote of 48 ayes to 1 no, with Representative Hansen voting no and Representatives Carroll and Wedemeyer being excused.

Third Reading of H. B. No. 2373-72.

By unanimous consent, consideration of H. B. No. 2373-72 on Third Reading was deferred until the end of the calendar.

The Chair directed the Clerk to note that H. B. Nos. 1864-72, 2194-72, 2260-72, 2375-72, 2500-72, 2571-72, 2200-72, 1670-72 and 1969-72 had passed Third Reading not earlier than 9:15 o'clock p.m.

At 9:35 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

At 9:50 o'clock p.m., the House of Representatives reconvened and resumed the Order of Third Reading bills.

Third Reading of H. B. No. 2514-72.

By unanimous consent, consideration of H. B. No. 2514-72 on Third Reading was deferred until tomorrow, April 7, 1972.

### UNFINISHED BUSINESS

Consideration of Stand. Com. Rep. No. 558-72 on H. B. No. 2510-72, as amended, which had been deferred to this day.

By unanimous consent, consideration of Stand. Com. Rep. No. 558-72 on H. B. No. 2510-72, as amended, was deferred until the end of the calendar.

Consideration of Stand. Com. Rep. No. 561-72 on H. B. No. 1714-72 which had been deferred to this day.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H. B. No. 1714-72, having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Carroll and Wedemeyer being excused.

Consideration of Stand. Com. Rep. No. 562-72 on H. B. No. 1769-72 which had been deferred to this day.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H. B. No. 1769-72, having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Carroll and Wedemeyer being excused.

Consideration of Stand. Com. Rep. No. 563-72 on H. B. No. 440, as amended, which had been deferred to this day.

By unanimous consent, consideration of Stand. Com. Rep. No. 563-72 on H. B. No. 440, as amended, was deferred until



tomorrow, April 7, 1972.

Consideration of Stand. Com. Rep. No. 564-72 on H. B. No. 2144-72 which had been deferred to this day.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, Stand. Com. Rep. No. 564-72 and H. B. No. 2144-72 were recommitted to the Committee on Judiciary.

Consideration of Stand. Com. Rep. No. 565-72 on H. B. No. 2249-72 which had been deferred to this day.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H. B. No. 2249-72, having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Carroll and Wedemeyer being excused.

Consideration of Stand. Com. Rep. No. 566-72 on H. B. No. 2536-72, as amended, which had been deferred to this day.

Representative O'Connor moved that the report of the Committee be adopted and H. B. No. 2536-72, as amended, having been read throughout, pass Third Reading, seconded by Representative Kimura.

Representative O'Connor then rose and stated:

"Mr. Speaker, I rise to speak very briefly on this bill.

During the last session, the bill now commonly known as the Public Defender Bill was passed. There was much controversy concerning that bill and some inadequacies were pointed out after it was passed.

This bill, H. B. No. 2536-72, rectifies the inadequacies which were pointed out in the previous bill and I believe satisfies all of the problems which have been debated so hotly concerning the Public Defender Bill.

Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee

was adopted and H. B. No. 2536-72, as amended, passed Third Reading by a vote of 49 ayes, with Representatives Carroll and Wedemeyer being excused.

Consideration of Stand. Com. Rep. No. 572-72 on H. B. No. 2120-72 which had been deferred to this day.

By unanimous consent, consideration of Stand. Com. Rep. No. 572-72 on H. B. No. 2120-72 was deferred until the end of the calendar.

Consideration of Stand. Com. Rep. No. 574-72 on H. B. No. 2255-72 which had been deferred to this day.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the majority of the Committee was adopted and H. B. No. 2255-72, having been read throughout, passed Third Reading by a roll call vote of 36 ayes to 13 noes, with Representatives Aduja, Ajifu, Aki, Chong, Devereux, Fong, J. Garcia, Hansen, Leopold, Medeiros, Oda, Saiki and Soares voting no and Representatives Carroll and Wedemeyer being excused.

Consideration of Stand. Com. Rep. No. 576-72 on H. B. No. 1965-72 which had been deferred to this day.

Representative O'Connor moved that the report of the Committee be adopted and H. B. No. 1965-72, having been read throughout, pass Third Reading, seconded by Representative Kimura.

Representative Medeiros then rose and stated:

"Mr. Speaker, I rise to speak in favor of H. B. No. 1965-72.

Mr. Speaker, we in this Body have long been concerned over the questionable planning process which has affected the use or misuse of our lands over the past decade. It was because of our concern that the Land Use Commission, the General Plan and the recent Overview Study were initiated. And it is because of that concern that I speak in favor of H. B. No. 1965-72 today.

There is no doubt that we must have new communities, new housing complexes, apartments and office buildings to meet our growing needs but

at the same time, we must act with reason to preserve our open spaces and the beauty of our heritage.

Mr. Speaker, this bill we consider today will provide an additional check on reckless speculation by requiring that petitions disapproved by the Land Use Commission cannot be refiled for a year. Under our present system, repeated applications for zoning changes have the effect of wearing down community resistance to unwanted land developments and to allow changes to occur by default. In addition, the overwhelming cost to county and state governments and the time lost by citizens have been an excessive burden. The proposed change is long overdue.

Community interest and action is the strongest weapon against selfish assaults on our open spaces. This bill we consider today strengthens the voice of our communities and encourages their participation in future land use planning.

Mr. Speaker, I urge all the members of this House to vote aye on this measure.

Thank you.”

The motion was put by the Chair and carried and the report of the Committee was adopted and H. B. No. 1965-72 passed Third Reading by a vote of 49 ayes, with Representatives Carroll and Wedemeyer being excused.

The Chair directed the Clerk to note that H. B. Nos. 1714-72, 1769-72, 2249-72, 2536-72, 2255-72 and 1965-72 had passed Third Reading not earlier than 9:53 o'clock p.m.

### THIRD READING

The following bills, which were on the calendar for Third Reading, were read throughout and the following actions taken:

Third Reading of H. B. No. 1636-72.

On motion by Representative Suwa, seconded by Representative Akizaki, H. B. No. 1636-72 passed Third Reading by a vote of 49 ayes, with Representatives Carroll and Wedemeyer being excused.

Third Reading of H. B. No. 2503-72.

By unanimous consent, consideration of H. B. No. 2503-72 on Third Reading was deferred until the end of the calendar.

Third Reading of H. B. No. 290.

On motion by Representative O'Connor, seconded by Representative Kimura, H. B. No. 290 passed Third Reading by a vote of 49 ayes, with Representatives Carroll and Wedemeyer being excused.

Third Reading of H. B. No. 1700-72.

On motion by Representative O'Connor, seconded by Representative Kimura, H. B. No. 1700-72 passed Third Reading by a vote of 48 ayes which is not less than two-thirds vote of all the members to which the House is entitled, to 1 no, with Representative Duponte voting no and Representatives Carroll and Wedemeyer being excused.

The Chair directed the Clerk to note that H. B. Nos. 1636-72, 290 and 1700-72 had passed Third Reading not earlier than 10:15 o'clock p.m.

### UNFINISHED BUSINESS

Consideration of Stand. Com. Rep. No. 579-72 on H. B. No. 2525-72 which had been deferred to this day.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and H. B. No. 2525-72, having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Carroll and Wedemeyer being excused.

The Chair directed the Clerk to note that H. B. No. 2525-72 had passed Third Reading at 10:16 o'clock p.m.

Consideration of Stand. Com. Rep. No. 582-72 on H. B. No. 2392-72, as amended, which had been deferred to this day.

Representative O'Connor moved that the report of the Committee be adopted and H. B. No. 2392-72, as amended, having been read throughout, pass Third Reading, seconded by Representative Kimura.

Representative Roehrig then offered the following amendment to H. B. No. 2392-72, as amended:

“Section 2 of H. B. No. 2392-72, H. D. 1 is amended by adding after Sec. -1 thereof a new Sec. to read as follows:

‘Sec. -1.1 Applicability. The provisions of this chapter shall be applicable in any county in the State with a population in excess of two hundred thousand people.’”

At 10:24 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

At 10:26 o'clock p.m., the House of Representatives reconvened.

Representative Roehrig moved that the amendment be adopted, seconded by Representative Wong.

Representative Roehrig then spoke in favor of the amendment, as follows:

“Mr. Speaker, as the bill was originally drafted, H. B. No. 2392-72 applied to counties in excess of 200,000 people. At the time it was introduced, having this provision, the administration of the County of Hawaii had no opposition to the bill. It was told to me very clearly by the administration of the County of Hawaii that the situation there at the present time is a stable one, the County Council by ordinance regulates the taxicabs and they are not faced with some of the problems that Oahu county is faced with by virtue of the size of Oahu county and the complex problems that have arisen in the taxicab industry. Consequently, in order to return this measure to its original intent, I have offered this amendment.”

Representative Kunimura, on a point of information, inquired whether or not Representative Roehrig would yield to a question to which Representative Roehrig replied in the affirmative.

Representative Kunimura then inquired whether or not this amendment would in any way jeopardize this bill as to its constitutionality.

Representative Roehrig replied:

“Mr. Speaker, if I may answer that

question, the language that is being offered is the same language that was in the original measure. The language is one of general application. The constitutional restriction against special legislation is not infringed upon so long as the language is general in nature and when the provision provides that, generally speaking, it applies to counties of a population in excess of a certain population figure. This is considered a general legislation and it would not be a constitutional infringement.”

Representative Kunimura further inquired whether or not this provision was ever tested in court to which Representative Roehrig replied that this type of provision has been tested many times in court and is clearly constitutional.

Representative Kunimura then inquired whether or not this provision--this type of exception--to our statute has been tested in the Supreme Court of the State of Hawaii.

Representative Roehrig replied that he was not certain whether or not it was tested in the Supreme Court of the State of Hawaii, but that it has been tested elsewhere in other jurisdictions and if the language is general and it provides a rational classification according to population, it is, as a general rule, declared constitutional.

Representative Kunimura then spoke against the amendment, as follows:

“This amendment, Mr. Speaker, is again going to create dual standards in the State of Hawaii. Because of provincialism, I believe we are going to deprive the people of Kauai, Maui and Hawaii equal treatment under the laws of this State.

H. B. No. 2392-72 is a good bill inasmuch as the legislature will make taxi driving a meaningful occupation. It will give them value and security in the job they are doing, and to those who use taxis, a security that responsible people will be operating these taxis instead of transients or part-time operators.

I cannot buy this amendment because it is going to leave the taxi drivers on Kauai, Hawaii and Maui out on the limb because they have no protection under this proposed law with this amendment,

and I urge my colleagues to vote down this amendment.”

At 10:40 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

At 10:45 o'clock p.m., the House of Representatives reconvened.

At this time, Representative Roehrig withdrew his motion to adopt the amendment and Representative Wong withdrew his second.

The motion was put by the Chair and carried and the report of the Committee was adopted and H. B. No. 2392-72, as amended, passed Third Reading by a vote of 49 ayes, with Representatives Carroll and Wedemeyer being excused.

The Chair directed the Clerk to note that H. B. No. 2392-72 passed Third Reading at 10:47 o'clock p.m.

At 10:49 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

At 11:02 o'clock p.m., the House of Representatives reconvened.

#### DEFERRED MATTERS

Consideration of Stand. Com. Rep. No. 558-72 on H. B. No. 2510-72, as amended, which had been deferred to this time.

Representative O'Connor moved that the report of the Committee be adopted and H. B. No. 2510-72, as amended, having been read throughout, pass Third Reading, seconded by Representative Kimura.

Representative O'Connor then offered the following amendment to H. B. No. 2510-72, as amended:

“Section 4 of H. B. No. 2510-72, H. D. 2 is amended to read as follows:

‘Sec. 4. Resort Preservation District.  
(a) The area of Waikiki is designated as a resort preservation district which is determined to be a tourist destination area of national or statewide significance and whose present state of use or development is such that the preservation and growth of the area must be subject to overall state control if it is to continue to

maintain its significance. Such an area is one whose present state of use, if retained, or whose potential state of use, if obtained, will enhance the present or potential value of abutting or surrounding urban development, or would maintain or enhance the cultural, social, esthetic or economic value of such area.

(b) Designation of any future resort preservation district shall be made only after holding of a public hearing in accordance with Section 6 of this Chapter and such designation shall include the specific limits of the boundaries of the area to be designated a resort preservation district.’”

Representative O'Connor moved that the amendment be adopted, seconded by Representative Kimura.

Representative Yim, on a point of information, inquired whether or not Representative O'Connor would yield to a question to which Representative O'Connor replied in the affirmative.

Representative Yim then inquired if this amendment was special legislation.

Representative O'Connor replied that he would have to know what constitutional question the inquirer is talking about.

Representative Yim then stated:

“Does this particular amendment apply only to Waikiki and not to any other part of the State. Is this special legislation and does it meet the constitutional question?”

Representative O'Connor replied that the legislation in general is general legislation and does not apply to one area of the State only. He further stated that the legislation does designate, within the framework of its definition, the area of Waikiki as a resort preservation district but other than that, it is general legislation.

Representative Yim further inquired whether this type of amendment was ever tested in the State Supreme Court to which Representative O'Connor replied that he did not understand the question.

Representative Yim then rephrased his question and stated that this bill applies

to only Waikiki and it seemed like it is special legislation and inquired whether or not this type of amendment was ever tested by the State Supreme Court.

Representative O'Connor stated that Representative Yim might have misunderstood his answer to the previous question that this piece of legislation is not special legislation and, therefore, this type of situation is not contested in the Supreme Court because there is no constitutional question involved.

Representative Yim inquired whether or not the Majority Attorney has made an opinion inasmuch as there is a difference of opinion to which Representative O'Connor replied that the Majority Attorney drafted the change.

Representative Leopold then rose and spoke against the amendment.

The motion to adopt the amendment was put by the Chair and carried by a roll call vote of 28 ayes to 21 noes, with Representatives Aduja, Ajifu, Chong, Devereux, Duponte, J. Garcia, R. Garcia, Hansen, Judd, Kihano, Lee, Leopold, Lunasco, Medeiros, Oda, Soares, Unemori, Wasai, Wong, Yamada and Yim voting no and Representatives Carroll and Wedemeyer being excused.

By unanimous consent, consideration of Stand. Com. Rep. No. 558-72 on H. B. No. 2510-72, as amended, was deferred until tomorrow, April 7, 1972.

The Chair directed the Clerk to note that printed copies of H. B. No. 2510-72, HD 3, were made available to the members of the House at 11:10 o'clock p.m., in accordance with Article III, Section 16, of the Constitution of the State of Hawaii.

Consideration of Stand. Com. Rep. No. 519-72 on H. B. No. 1934-72 which had been deferred to this time.

Representative O'Connor moved that the report of the majority of the Committee be adopted and H. B. No. 1934-72, having been read throughout, pass Third Reading, seconded by Representative Kimura.

Representative Lunasco then spoke in favor of the bill, as follows:

"Mr. Speaker, for a long time we have shunned aside persons who are termed undesirables, bums and dropouts. What makes these people that different from the high school or the college graduate. They are as human as the rest of us. We are here to assure the people of Hawaii that we stand for an equal and just society.

Mr. Speaker, presently, people can attend the Honolulu Community College, Leeward Community College and Kapiolani Community College without a high school diploma. In addition, the Honolulu Barber School's only educational requirement is that you have an eighth grade education. Why, Mr. Speaker, should we deny entrance to people who need and desire a chance to obtain a goal of becoming a beautician.

For too long we have neglected these people who could otherwise have been a viable part of our State work force. We attack the high unemployment rate and yet we fail to incorporate all of the eligible people in the State of Hawaii.

As we consider this bill, let us consider our positions as legislators. We are here as representatives of an equal society and it is our duty to enact legislation which will eliminate discrimination--discrimination against that segment of society which needs our protection and help.

I urge all members of this Honorable Body to join me in support of this measure.

Thank you, Mr. Speaker."

The motion was put by the Chair and carried and the report of the majority of the Committee was adopted and roll call vote having been requested, H. B. No. 1934-72 passed Third Reading by a vote of 31 ayes to 18 noes, with Representatives Chong, Devereux, Duponte, Fong, J. Garcia, Hansen, Judd, Kato, Lee, Medeiros, Oda, Poepoe, Saiki, Soares, Uechi, Unemori, Wasai and Yamada voting no and Representatives Carroll and Wedemeyer being excused.

The Chair directed the Clerk to note that H. B. No. 1934-72 had passed Third Reading at 11:15 o'clock p.m.

Consideration of H. B. No. 1755-72 on

Third Reading which had been deferred to this time.

On motion by Representative O'Connor, seconded by Representative Kimura, H.B. No. 1755-72, having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Carroll and Wedemeyer being excused.

Consideration of H. B. No. 1781-72 on Third Reading which had been deferred to this time.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, H. B. No. 1781-72 was recommitted to the Committee on Judiciary.

Consideration of H. B. No. 2305-72 on Third Reading which had been deferred to this time.

On motion by Representative O'Connor, seconded by Representative Kimura, H. B. No. 2305-72, having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Carroll and Wedemeyer being excused.

Consideration of H. B. No. 1751-72 on Third Reading which had been deferred to this time.

By unanimous consent, consideration of H. B. No. 1751-72 on Third Reading was deferred until tomorrow, April 7, 1972.

Consideration of H. B. No. 2373-72 on Third Reading which had been deferred to this time.

On motion by Representative O'Connor, seconded by Representative Kimura, H. B. No. 2373-72, having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Carroll and Wedemeyer being excused.

Consideration of Stand. Com. Rep. No. 572-72 on H. B. No. 2120-72 which had been deferred to this time.

Representative O'Connor moved that the report of the majority of the Committee be adopted and H. B. No. 2120-72, having been read throughout,

pass Third Reading, seconded by Representative Kimura.

Representative Lee then spoke against the passage of H. B. No. 2120-72 and Representative Roehrig spoke in support thereof.

The motion was put by the Chair and carried, and the report of the majority of the Committee was adopted and roll call vote having been requested, H. B. No. 2120-72 passed Third Reading by a vote of 30 ayes to 19 noes, with Representatives Ajifu, de la Cruz, Devereux, Duponte, Fong, Iha, Judd, Kato, Kihano, Lee, Leopold, Medeiros, Nakama, Oda, Poepoe, Saiki, Soares, Unemori and Yamada voting no and Representatives Carroll and Wedemeyer being excused.

Consideration of H. B. No. 2503-72 on Third Reading which had been deferred to this time.

On motion by Representative O'Connor, seconded by Representative Kimura, H. B. No. 2503-72, having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Carroll and Wedemeyer being excused.

The Chair directed the Clerk to note that H. B. Nos. 1755-72, 2305-72, 2373-72, 2120-72 and 2503-72 had passed Third Reading not earlier than 11:25 o'clock p.m.

#### STANDING COMMITTEE REPORT

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 597-72) approving the intent and purpose of H. B. No. 2144-72 and recommending its passage on Third Reading.

Representative O'Connor moved that the report of the Committee be adopted and H. B. No. 2144-72, having been read throughout, pass Third Reading, seconded by Representative Kimura.

Representative O'Connor then explained that this Committee Report merely replaces Standing Committee Report No. 564-72 on H. B. No. 2144-72 which was on the calendar for Third Reading this morning and which was recommitted to the Committee on

Judiciary.

He further stated that no changes were made to the bill and that the Committee Report was changed to strengthen the legislative intent.

Representative Soares then rose and stated that he is employed by a utility company and asked the Chair for a ruling as to whether or not there was a conflict of interest.

The Chair ruled that there was no conflict of interest and Representative Soares was not excused from voting on this measure.

Representative Morioka then rose and stated that he is employed by a utility company and asked the Chair for a ruling as to whether or not there was a conflict of interest.

The Chair ruled that there was no

conflict of interest and Representative Morioka was not excused from voting on this measure.

The motion was put by the Chair and carried, and the report of the Committee was adopted and H. B. No. 2144-72 passed Third Reading by a vote of 47 ayes to 2 noes, with Representatives Aduja and Yim voting no and Representatives Carroll and Wedemeyer being excused.

The Chair directed the Clerk to note that H. B. No. 2144-72 had passed Third Reading at 11:35 o'clock p.m.

At 11:36 o'clock p.m., on motion by Representative Ushijima, seconded by Representative J. Garcia and carried, the House of Representatives adjourned to 11:00 o'clock a.m. tomorrow, April 7, 1972.

## 55TH DAY

Friday, April 7, 1972

The House of Representatives of the Sixth Legislature of the State of Hawaii, Regular Session of 1972, was called to order at 11:00 o'clock a.m.

The Speaker presided.

The Divine Blessing was invoked by Reverend Thomas B. Choo, Associate Pastor at St. Patrick's Church.

Roll call of the members of the House of Representatives showed that all members were present with the exception of Representatives Carroll, Iha, Kimura, Kondo, Kunimura, Wakatsuki and Wong, who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Fifty-Fourth Day.

On motion by Representative Ushijima, seconded by Representative J. Garcia and carried, reading of the Journal was dispensed with and the Journal of the Fifty-Fourth Day was approved.

### SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 122 to 177) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 122) informing the House that the Senate had reconsidered its action taken on February 1, 1972, in disagreeing to the amendments made by the House to Senate Bill No. 7, and that the Managers on the part of the Senate were discharged was placed on file.

A communication from the Senate (Sen. Com. No. 123) informing the House of the adoption of the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 766 and that Senate Bill No. 766 passed Final Reading in the Senate on April 6, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 124) returning House Concurrent Resolution No. 29 which was adopted by the Senate in an amended form on April 6, 1972 was placed on file.

By unanimous consent, H. C. R. No. 29, as amended by the Senate, was placed on the Clerk's desk.

A communication from the Senate (Sen. Com. No. 125) transmitting Senate Bill No. 43, SD2, entitled, "A Bill for an Act relating to elections," which passed Third Reading in the Senate on April 6, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 126) transmitting Senate Bill No. 87, SD1, entitled, "A Bill for an Act relating to compensation of public officers and employees," which passed Third Reading in the Senate on April 6, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 127) transmitting Senate Bill No. 707, entitled, "A Bill for an Act making an appropriation in aid of youth operated enterprises," which passed Third Reading in the Senate on April 6, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 128) transmitting Senate Bill No. 802, entitled, "A Bill for an Act relating to personal history statements," which passed Third Reading in the Senate on April 6, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 129) transmitting Senate Bill No. 837, SD2, entitled, "A Bill for an Act relating to Land Use Commission," which passed Third Reading in the Senate on April 6, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 130) transmitting Senate Bill No. 858, SD2, entitled, "A Bill for an Act relating to unfair and deceptive collection acts or practices," which passed Third Reading in the Senate on April 6, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 131) transmitting Senate Bill No. 881, SD1, entitled, "A Bill for an Act relating to agricultural marketing orders and agreements," which passed Third Reading in the Senate on April 6, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 132) transmitting Senate Bill No. 1002, SD1, entitled, "A Bill for an Act relating to elections," which passed Third Reading in the Senate on



April 6, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 133) transmitting Senate Bill No. 1024, SD1, entitled, "A Bill for an Act relating to the establishment of a State Commission on hospital and health facilities," which passed Third Reading in the Senate on April 6, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 134) transmitting Senate Bill No. 1061, SD1, entitled, "A Bill for an Act relating to the Criminal Injuries Compensation Law," which passed Third Reading in the Senate on April 6, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 135) transmitting Senate Bill No. 1177, SD1, entitled, "A Bill for an Act relating to the use and sale of devices used to fraudulently obtain telecommunications services," which passed Third Reading in the Senate on April 6, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 136) transmitting Senate Bill No. 1340-72, SD1, entitled, "A Bill for an Act relating to temporary disability insurance and amending Chapter 392, Hawaii Revised Statutes," which passed Third Reading in the Senate on April 6, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 137) transmitting Senate Bill No. 1349-72, entitled, "A Bill for an Act relating to the disposition of public lands," which passed Third Reading in the Senate on April 6, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 138) transmitting Senate Bill No. 1381-72, SD1, entitled, "A Bill for an Act relating to economic development," which passed Third Reading in the Senate on April 6, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 139) transmitting Senate Bill No. 1382-72, SD1, entitled, "A Bill for an Act relating to ecology, environment, and recreation," which passed Third Reading in the Senate on April 6, 1972 was placed on file.

A communication from the Senate

(Sen. Com. No. 140) transmitting Senate Bill No. 1384-72, SD1, entitled, "A Bill for an Act relating to human resources," which passed Third Reading in the Senate on April 6, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 141) transmitting Senate Bill No. 1437-72, SD1, entitled, "A Bill for an Act relating to the transfer of jurisdiction over waste disposal and sewerage systems to Boards of Water Supply," which passed Third Reading in the Senate on April 6, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 142) transmitting Senate Bill No. 1471-72, entitled, "A Bill for an Act relating to drug abuse control," which passed Third Reading in the Senate on April 6, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 143) transmitting Senate Bill No. 1491-72, entitled, "A Bill for an Act relating to tobacco tax," which passed Third Reading in the Senate on April 6, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 144) transmitting Senate Bill No. 1502-72, SD2, entitled, "A Bill for an Act relating to a residential landlord-tenant code," which passed Third Reading in the Senate on April 6, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 145) transmitting Senate Bill No. 1570-72, entitled, "A Bill for an Act relating to levy and distraint proceedings to aid in collection of unpaid taxes," which passed Third Reading in the Senate on April 6, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 146) transmitting Senate Bill No. 1576-72, entitled, "A Bill for an Act relating to the regulation of dealers in agricultural farm produce," which passed Third Reading in the Senate on April 6, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 147) transmitting Senate Bill No. 1639-72, SD2, entitled, "A Bill for an Act relating to the Department of Agriculture and amending Chapter 142, Hawaii Revised Statutes," which passed Third Reading in the Senate on April 6,

1972 was placed on file.

A communication from the Senate (Sen. Com. No. 148) transmitting Senate Bill No. 1649-72, SD1, entitled, "A Bill for an Act relating to pest control, regulating pest control operators and the use of fumigation and other means of pest control," which passed Third Reading in the Senate on April 6, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 149) transmitting Senate Bill No. 1650-72, SD2, entitled, "A Bill for an Act relating to the establishment of day care centers for the elderly," which passed Third Reading in the Senate on April 6, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 150) transmitting Senate Bill No. 1723-72, entitled, "A Bill for an Act making an appropriation for the establishment and development of a training program by the Hawaii Employers Recruiting and Training Services," which passed Third Reading in the Senate on April 6, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 151) transmitting Senate Bill No. 1729-72, SD1, entitled, "A Bill for an Act relating to counsel and other services for indigent criminal defendants," which passed Third Reading in the Senate on April 6, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 152) transmitting Senate Bill No. 1740-72, SD1, entitled, "A Bill for an Act relating to the establishment of the State Conservation Corps," which passed Third Reading in the Senate on April 6, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 153) transmitting Senate Bill No. 1742-72, SD1, entitled, "A Bill for an Act making an appropriation for the publication of the Hawaii Penal Code," which passed Third Reading in the Senate on April 6, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 154) transmitting Senate Bill No. 1756-72, SD1, entitled, "A Bill for an Act relating to intoxicating liquors," which passed Third Reading in

the Senate on April 6, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 155) transmitting Senate Bill No. 1806-72, SD2, entitled, "A Bill for an Act relating to the development of a quality growth policy for the State of Hawaii and to provide for the implementation thereof," which passed Third Reading in the Senate on April 6, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 156) transmitting Senate Bill No. 1819-72, SD1, entitled, "A Bill for an Act relating to a conference of college and university student leaders and making an appropriation therefor," which passed Third Reading in the Senate on April 6, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 157) transmitting Senate Bill No. 1837-72, SD1, entitled, "A Bill for an Act relating to the State budget," which passed Third Reading in the Senate on April 6, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 158) transmitting Senate Bill No. 1862-72, SD2, entitled, "A Bill for an Act relating to workmen's compensation," which passed Third Reading in the Senate on April 6, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 159) transmitting Senate Bill No. 1863-72, entitled, "A Bill for an Act relating to motor vehicle registration expense," which passed Third Reading in the Senate on April 6, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 160) transmitting Senate Bill No. 1894-72, entitled, "A Bill for an Act relating to veterans rights and benefits," which passed Third Reading in the Senate on April 6, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 161) transmitting Senate Bill No. 1905-72, SD1, entitled, "A Bill for an Act relating to boxer benefits," which passed Third Reading in the Senate on April 6, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 162) transmitting Senate

Bill No. 1906-72, SD1, entitled, "A Bill for an Act relating to master plan for noise control and abatement," which passed Third Reading in the Senate on April 6, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 163) transmitting Senate Bill No. 1919-72, SD1, entitled, "A Bill for an Act relating to housing," which passed Third Reading in the Senate by not less than two-thirds vote of all the members to which the Senate is entitled on April 6, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 164) transmitting Senate Bill No. 1941-72, SD1, entitled, "A Bill for an Act relating to programs and making an appropriation therefor," which passed Third Reading in the Senate on April 6, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 165) transmitting Senate Bill No. 1949-72, SD1, entitled, "A Bill for an Act relating to the lapsing of appropriations," which passed Third Reading in the Senate on April 6, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 166) transmitting Senate Bill No. 1965-72, SD1, entitled, "A Bill for an Act relating to the State of Hawaii," which passed Third Reading in the Senate on April 6, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 167) transmitting Senate Bill No. 1970-72, SD1, entitled, "A Bill for an Act relating to legislative support," which passed Third Reading in the Senate on April 6, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 168) transmitting Senate Bill No. 1972-72, SD1, entitled, "A Bill for an Act relating to public employment," which passed Third Reading in the Senate on April 6, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 169) transmitting Senate Bill No. 1974-72, SD1, entitled, "A Bill for an Act relating to higher education," which passed Third Reading in the Senate on April 6, 1972 was placed on file.

A communication from the Senate

(Sen. Com. No. 170) transmitting Senate Bill No. 1975-72, SD1, entitled, "A Bill for an Act relating to education and culture," which passed Third Reading in the Senate on April 6, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 171) transmitting Senate Bill No. 1983-72, SD1, entitled, "A Bill for an Act relating to taxation," which passed Third Reading in the Senate on April 6, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 172) transmitting Senate Bill No. 1988-72, SD1, entitled, "A Bill for an Act relating to the Progressive Neighborhoods law and programs," which passed Third Reading in the Senate on April 6, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 173) transmitting Senate Bill No. 2002-72, entitled, "A Bill for an Act relating to a statewide nutrition program for the elderly and making appropriations therefor," which passed Third Reading in the Senate on April 6, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 174) transmitting Senate Bill No. 2013-72, entitled, "A Bill for an Act relating to housing," which passed Third Reading in the Senate on April 6, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 175) transmitting Senate Bill No. 2014-72, SD1, entitled, "A Bill for an Act to establish the Hawaii Occupational Safety and Health Law," which passed Third Reading in the Senate on April 6, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 176) transmitting Senate Bill No. 2060-72, SD1, entitled, "A Bill for an Act to amend Part 5 of Chapter 46, Hawaii Revised Statutes, by adding thereto a new section relating to sewerage systems, sewer charges, and liens," which passed Third Reading in the Senate on April 6, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 177) transmitting Senate Bill No. 2068-72, SD1, entitled, "A Bill for an Act relating to the Commission on the Status of Women," which passed Third Reading in the Senate on April 6,

1972 was placed on file.

On motion by Representative Ushijima, seconded by Representative J. Garcia and carried, S. B. Nos. 43, 87, 707, 802, 837, 858, 881, 1002, 1024, 1061, 1177, 1340-72, 1349-72, 1381-72, 1382-72, 1384-72, 1437-72, 1471-72, 1491-72, 1502-72, 1570-72, 1576-72, 1639-72, 1649-72, 1650-72, 1723-72, 1729-72, 1740-72, 1742-72, 1756-72, 1806-72, 1819-72, 1837-72, 1862-72, 1863-72, 1894-72, 1905-72, 1906-72, 1919-72, 1941-72, 1949-72, 1965-72, 1970-72, 1972-72, 1974-72, 1975-72, 1983-72, 1988-72, 2002-72, 2013-72, 2014-72, 2060-72 and 2068-72 passed First Reading by title and further action was deferred until later in the calendar.

The Chair here directed the Clerk to note the presence of Representative Wong.

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

Representative Morioka introduced 48 second and third grade students from Palolo Elementary School with their teachers, Mrs. Nakagawa, Mrs. Rodrigues, and a parent, Mrs. Matsushige.

Representative Lee introduced 109 students from the fourth grade at Kauluwela School with their teachers, Mrs. Irene Tyau, Miss Leatrice Tada, Miss Elizabeth Conway and Mr. Michael Pargee.

Representative Yap introduced 70 students from the seventh grade at Dole Intermediate School, with their teachers, Mrs. Munger and Mr. P. Choo.

Representative Uechi introduced 70 fourth grade students from Mokulele Elementary School with their teachers and room mothers, Mrs. Miyake, Mrs. Adkins, Mrs. Holbrook and Mrs. Lee.

Representative J. Garcia introduced seventh grade students from Naalehu Elementary School, and their principal, Mr. Tom Higa, and the principal of Ka'u High School, Mr. Yoshi Nekoba and chaperones. These students are on a three-day trip to Honolulu sponsored by C. Brewer and Company, Limited, and Administration, Inc.

The Chair declared a recess at 11:15 o'clock a.m., subject to the call of the Chair.

The House of Representatives reconvened at 11:18 o'clock a.m., and the Chair directed the Clerk to note the presence of Representatives Kimura, Kondo, Kunimura and Wakatsuki.

Representative Kondo then introduced to the members of the House 77 students from Wailuku Elementary School and Waihee School, with their teachers, Mrs. Miyake, Mr. Teraoka, Mrs. Furomoto, Miss Ayers and Miss Whitmore. He then introduced Miss Sheila Taketa, who is a niece of Representative Kishinami, from within that group.

## ORDER OF THE DAY

### COMMITTEE REFERRALS

The following bills (S. B. Nos. 43, 87, 241, 707, 802, 837, 858, 881, 1002, 1024, 1061, 1177, 1206, 1340-72, 1349-72, 1381-72, 1382-72, 1384-72, 1420-72, 1435-72, 1437-72, 1471-72, 1472-72, 1491-72, 1502-72, 1546-72, 1570-72, 1576-72, 1577-72, 1639-72, 1649-72, 1650-72, 1694-72, 1719-72, 1723-72, 1729-72, 1740-72, 1742-72, 1756-72, 1805-72, 1806-72, 1819-72, 1829-72, 1837-72, 1862-72, 1863-72, 1878-72, 1894-72, 1905-72, 1906-72, 1919-72, 1941-72, 1949-72, 1965-72, 1970-72, 1972-72, 1974-72, 1975-72, 1983-72, 1988-72, 2002-72, 2013-72, 2014-72, 2060-72 and 2068-72) were disposed of as follows:

S. B. No. 43 was referred to the Committee on Judiciary.

S. B. No. 87 was referred jointly to the Select Committees of Kauai Representatives, Maui Representatives, Oahu Representatives and Hawaii Representatives and after consideration by it, the Committee was instructed to refer the bill to the Committee on Finance.

S. B. No. 241 was referred to the Committee on Finance.

S. B. No. 707 was referred to the Committee on Finance.

S. B. No. 802 was referred to the

Committee on Judiciary.

S. B. No. 837 was referred to the Committee on Lands.

S. B. No. 858 was referred to the Committee on Housing and Consumer Protection and after consideration by it, the Committee was referred to the Committee on Judiciary.

S. B. No. 881 was referred to the Committee on Finance.

S. B. No. 1002 was referred to the Committee on Judiciary.

S. B. No. 1024 was referred to the Committee on Public Health, Youth and General Welfare and after consideration by it, the Committee was instructed to refer the bill to the Committee on Finance.

S. B. No. 1061 was referred to the Committee on Finance.

S. B. No. 1177 was referred to the Committee on Judiciary.

S. B. No. 1206 was referred to the Committee on Higher Education and after consideration by it, the Committee was instructed to refer the bill to the Committee on Finance.

S. B. No. 1340-72 was referred to the Committee on Judiciary.

S. B. No. 1349-72 was referred to the Committee on Lands.

S. B. No. 1381-72 was referred to the Committee on Finance.

S. B. No. 1382-72 was referred to the Committee on Judiciary and after consideration by it, the Committee was instructed to refer the bill to the Committee on Finance.

S. B. No. 1384-72 was referred to the Committee on Finance.

S. B. No. 1420-72 was referred to the Committee on Finance.

S. B. No. 1435-72 was referred to the Committee on Finance.

S. B. No. 1437-72 was referred jointly to the Select Committees of Kauai

Representatives, Maui Representatives, Oahu Representatives and Hawaii Representatives and after consideration by them, the Committees were instructed to refer the bill to the Committee on Finance.

S. B. No. 1471-72 was referred to the Committee on Public Health, Youth and General Welfare and after consideration by it, the Committee was instructed to refer the bill to the Committee on Finance.

S. B. No. 1472-72 was referred to the Committee on Judiciary and after consideration by it, the Committee was instructed to refer the bill to the Committee on Finance.

S. B. No. 1491-72 was referred to the Committee on Finance.

S. B. No. 1502-72 was referred to the Committee on Judiciary.

S. B. No. 1546-72 was referred to the Committee on Public Health, Youth and General Welfare and after consideration by it, the Committee was instructed to refer the bill to the Committee on Judiciary.

S. B. No. 1570-72 was referred to the Committee on Finance.

S. B. No. 1576-72 was referred to the Committee on Judiciary.

S. B. No. 1577-72 was referred to the Committee on Agriculture and after consideration by it, the Committee was instructed to refer the bill to the Committee on Finance.

S. B. No. 1639-72 was referred to the Committee on Judiciary.

S. B. No. 1649-72 was referred to the Committee on Public Health, Youth and General Welfare and after consideration by it, the Committee was instructed to refer the bill to the Committee on Finance.

S. B. No. 1650-72 was referred to the Committee on Finance.

S. B. No. 1694-72 was referred to the Committee on Lands and after consideration by it, the Committee was instructed to refer the bill to the

Committee on Finance.

S. B. No. 1719-72 was referred to the Committee on Judiciary.

S. B. No. 1723-72 was referred to the Committee on Labor and after consideration by it, the Committee was instructed to refer the bill to the Committee on Finance.

S. B. No. 1729-72 was referred to the Committee on Judiciary.

S. B. No. 1740-72 was referred to the Committee on Lands and after consideration by it, the Committee was instructed to refer the bill to the Committee on Finance.

S. B. No. 1742-72 was referred to the Committee on Finance.

S. B. No. 1756-72 was referred jointly to the Select Committees of Kauai Representatives, Maui Representatives, Oahu Representatives and Hawaii Representatives.

S. B. No. 1805-72 was referred to the Committee on Judiciary.

S. B. No. 1806-72 was referred to the Committee on Lands and after consideration by it, the Committee was instructed to refer the bill to the Committee on Finance.

S. B. No. 1819-72 was referred to the Committee on Higher Education and after consideration by it, the Committee was instructed to refer the bill to the Committee on Finance.

S. B. No. 1829-72 was referred to the Committee on Finance.

S. B. No. 1837-72 was referred to the Committee on Finance.

S. B. No. 1862-72 was referred to the Committee on Finance.

S. B. No. 1863-72 was referred to the Select Committee of Oahu Representatives and after consideration by it, the Committee was instructed to refer the bill to the Committee on Finance.

S. B. No. 1878-72 was referred to the Committee on Judiciary.

S. B. No. 1894-72 was referred to the Committee on Finance.

S. B. No. 1905-72 was referred to the Committee on Finance.

S. B. No. 1906-72 was referred to the Committee on Public Health, Youth and General Welfare and after consideration by it, the Committee was instructed to refer the bill to the Committee on Finance.

S. B. No. 1919-72 was referred to the Committee on Finance.

S. B. No. 1941-72 was referred to the Committee on Finance.

S. B. No. 1949-72 was referred to the Committee on Finance.

S. B. No. 1965-72 was referred to the Committee on Finance.

S. B. No. 1970-72 was referred to the Committee on Finance.

S. B. No. 1972-72 was referred jointly to the Select Committees of Kauai Representatives, Maui Representatives, Oahu Representatives and Hawaii Representatives and after consideration by them, the Committees were instructed to refer the bill to the Committee on Finance.

S. B. No. 1974-72 was referred to the Committee on Finance.

S. B. No. 1975-72 was referred to the Committee on Finance.

S. B. No. 1983-72 was referred jointly to the Select Committees of Kauai Representatives, Maui Representatives, Oahu Representatives and Hawaii Representatives and after consideration by them, the Committees were instructed to refer the bill to the Committee on Finance.

S. B. No. 1988-72 was referred to the Committee on Public Health, Youth and General Welfare and after consideration by it, the Committee was instructed to refer the bill to the Committee on Finance.

S. B. No. 2002-72 was referred to the Committee on Finance.

S. B. No. 2013-72 was referred to the Committee on Lands and after consideration by it, the Committee was instructed to refer the bill to the Committee on Judiciary.

S. B. No. 2014-72 was referred to the Committee on Labor and after consideration by it, the Committee was instructed to refer the bill to the Committee on Finance.

S. B. No. 2060-72 was referred jointly to the Select Committees of Kauai Representatives, Maui Representatives, Oahu Representatives and Hawaii Representatives and after consideration by them, the Committees were instructed to refer the bill to the Committee on Finance.

S. B. No. 2068-72 was referred to the Committee on Judiciary.

#### DEFERRED RESOLUTION

The following resolution (H. R. No. 372) was disposed of as follows:

H. R. No. 372 was referred to the Committee on Finance.

#### STANDING COMMITTEE REPORTS

Representative Akizaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 598-72) informing the House that House Resolution Nos. 367 to 372, Standing Committee Report Nos. 588-72 to 597-72, House Bill No. 2510-72, House Draft No. 3, Standing Committee Report Nos. 599-72 to 604-72 and Conference Committee Report No. 5, Re: Senate Bill No. 13, SD1, HD1, CD1, had been printed and distributed.

On motion by Representative Akizaki, seconded by Representative Kishinami and carried, the report of the Committee was adopted.

Representative Kihano, for the Select Committee of Oahu Representatives, presented a report (Stand. Com. Rep. No. 599-72) approving the intent and purpose of H. C. R. No. 40 and recommending its referral to the Committee on Finance.

On motion by Representative Kihano, seconded by Representative R. Garcia and carried, the report of the Committee

was adopted and H. C. R. No. 40 was referred to the Committee on Finance.

Representative Kihano, for the Select Committee of Oahu Representatives, presented a report (Stand. Com. Rep. No. 600-72) approving the intent and purpose of H. R. No. 299 and recommending its referral to the Committee on Finance.

On motion by Representative Kihano, seconded by Representative R. Garcia and carried, the report of the Committee was adopted and H. R. No. 299 was referred to the Committee on Finance.

Representative Wasai, for the Committee on Public Employment, presented a report (Stand. Com. Rep. No. 601-72) approving the intent and purpose of S. B. No. 1547-72 and recommending its passage on Second Reading and its referral to the Committee on Judiciary.

On motion by Representative Wasai, seconded by Representative Kimura and carried, the report of the Committee was adopted and S. B. No. 1547-72 passed Second Reading and was referred to the Committee on Judiciary.

Representative R. Garcia, for the Committee on Public Health, Youth and General Welfare, presented a report (Stand. Com. Rep. No. 602-72) approving the intent and purpose of S. B. No. 1368-72 and recommending its passage on Second Reading.

On motion by Representative R. Garcia, seconded by Representative Uechi and carried, the report of the Committee was adopted and S. B. No. 1368-72 passed Second Reading and was placed on the Order of the Day for Third Reading Monday, April 10, 1972.

The Chair directed the Clerk to note that S. B. No. 1368-72 had passed Second Reading at 11:21 o'clock a.m.

Representative Kawakami, for the majority of the Committee on Lands, presented a report (Stand. Com. Rep. No. 603-72) approving the intent and purpose of H. C. R. No. 46 and recommending its adoption.

Representative Kawakami moved that the report of the Committee be adopted and that H. C. R. No. 46 be adopted, seconded by Representative Kaneshiro.



Representative Wong then rose to speak for the measure as follows:

“Mr. Speaker, I rise to speak in favor of H. C. R. No. 46.

As you know, Mr. Speaker, this Legislature has received from Mr. Stewart Udall Overview Inc., an initial report on the comprehensive State plan entitled, ‘Shaping the Future of Hawaii’s Environment,’ which had been commissioned by the State government.

This plan has been presented in brief form only and we still are awaiting the more detailed and final description of this space plan. Because there would not be time to implement such an open space plan with legislation this session, House Concurrent Resolution 46 seeks interim Committee study of the contents of the plan during the interval between the 1972 and 1973 session, with a report to the 1973 Legislature no later than January 25, 1973.

If we are really sincere about this open space plan, then we should go one step further to insure that no significant irreversible decisions are made on development of present open land by declaring a moratorium on the rezoning of presently open land and on the development presently open urban zone land of any significant size or strategic location until May 31, 1973, by which time, the Legislature will have had an opportunity to act upon recommendations concerning the utilization of land made by its Committee during the interim.

With the State mandate of the Overview study, the Governor of this State set the example by requesting a moratorium on the rezoning of land over 50 acres in size until completion of the comprehensive open space plan.

This concurrent resolution, Mr. Speaker, is an extension of the Governor’s recognition that we should be willing to hold a firm line until this major plan can be properly implemented through legislation.

I urge adoption of House Concurrent Resolution No. 46 as our way of indicating a sincere belief in those principles and objectives of open space planning which are in the public interest.

Thank you, Mr. Speaker.”

The motion was put by the Chair and carried, and the report of the majority of the Committee was adopted and H. C. R. No. 46 was adopted.

Representative Yap, for the majority of the Committee on Housing and Consumer Protection, presented a report (Stand. Com. Rep. No. 604-72) approving the intent and purpose of H. R. No. 291 and recommending its adoption.

On motion by Representative Yap, seconded by Representative R. Garcia and carried, the report of the majority of the Committee was adopted and H. R. No. 291 was adopted.

### CONFERENCE COMMITTEE REPORT

Representative Roehrig, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S. B. No. 13, presented a report (Conf. Com. Rep. No. 5) recommending to their respective Houses the final passage of the bill, with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 5 on S. B. No. 13, as amended, was deferred until Monday, April 10, 1972.

The Chair here directed the Clerk to note that printed copies of S. B. No. 13, SD1, HD1, CD1, were made available to the members of the House at 11:22 o’clock a.m., in accordance with Article III, Section 16 of the Constitution of the State of Hawaii.

### INTRODUCTION OF RESOLUTIONS

The following resolutions (H. R. Nos. 373 to 375) were read by the Clerk and were disposed of as follows:

A resolution (H. R. No. 373) commending and extending aloha and best wishes to Soichi Yonemori on his retirement from Kahuku Plantation Company was offered by Representatives Carroll, Aduja, Ajifu, Aki, Akizaki, Chong, de la Cruz, Devereux, Duponte, Fong, J. Garcia, R. Garcia, Iha, Inaba, Judd, Kaneshiro, Kato, Kihano, Kishinami, Kondo, Kunimura, Lee, Lunasco, Medeiros, Morioka, Nakama, O’Connor, Oda, Saiki, Sakima, Suwa,



Takamine, Uechi, Unemori, Wakatsuki, Wasai, Wedemeyer, Yamada, Yap, Yim, Young and Beppu.

On motion by Representative Ajifu, seconded by Representative Devereux and carried, H. R. No. 373 was adopted.

A resolution (H. R. No. 374) recognizing and commemorating April 3-9, 1972, as Buddha Day Observance Week and April 8, 1972, as Buddha Day in celebration and observance of the anniversary of the birth of Lord Sakyamuni Buddha was jointly offered by Representatives Suwa, Aduja, Ajifu, Aki, Akizaki, Chong, de la Cruz, Devereux, Duponte, Fong, J. Garcia, R. Garcia, Hansen, Inaba, Judd, Kaneshiro, Kato, Kawakami, Kihano, Kimura, Kishinami, Kondo, Kunimura, Lee, Leopold, Lunasco, Medeiros, Morioka, Nakama, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Soares, Takamine, Uechi, Unemori, Ushijima, Wakatsuki, Wasai, Wong, Yamada, Yap, Yim, Young and Beppu.

On motion by Representative Suwa, seconded by Representative Wasai and carried, H. R. No. 374 was adopted.

A resolution (H. R. No. 375) extending condolences to the family of the late William Isaac Kakanui was jointly offered by Representatives Ajifu, Aduja, Aki, Akizaki, Chong, de la Cruz, Devereux, Duponte, Fong, J. Garcia, R. Garcia, Hansen, Inaba, Judd, Kaneshiro, Kato, Kawakami, Kihano, Kimura, Kishinami, Kondo, Kunimura, Lee, Leopold, Lunasco, Medeiros, Morioka, Nakama, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Unemori, Ushijima, Wakatsuki, Wasai, Wong, Yamada, Yap, Yim, Young and Beppu.

On motion by Representative Ajifu, seconded by Representative Aduja and carried, H. R. No. 375 was adopted.

At this time, Representative Inaba introduced to the members of the House Carol and Bob Rogers who recently celebrated the fifth year of their association with the Kona Arts Center in Holualoa, Kona, Hawaii, and the recipients of House Resolution No. 330 which had been adopted by the House during the Regular Session of 1972. Representative Suwa presented a lei to

Mrs. Rogers, and Representative Devereux presented one to Mr. Rogers. Representative Inaba then presented the couple with a certified copy of House Resolution No. 330.

The Chair declared a recess at 11:26 o'clock a.m., subject to the call of the Chair.

At 12:26 o'clock p.m., the House of Representatives reconvened.

### SUSPENSION OF RULES

On motion by Representative Ushijima, seconded by Representative J. Garcia and carried unanimously, the rules were suspended for the purpose of taking up bills on Third and Final Readings on the basis of a modified consent calendar.

### UNFINISHED BUSINESS

Consideration of Stand. Com. Rep. No. 549-72 on H. B. No. 2039-72, as amended, which had been deferred to this day.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, consideration of Stand. Com. Rep. No. 549-72 on H. B. No. 2039-72, as amended, was deferred until Monday, April 10, 1972.

Consideration of Stand. Com. Rep. No. 586-72 on H. B. No. 2330-72, as amended, which had been deferred to this day.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the majority of the Committee was adopted and H. B. No. 2330-72, as amended, having been read throughout, passed Third Reading by a vote of 47 ayes, with Representatives Carroll, Iha, Lee and Wedemeyer being excused.

Consideration of H. B. No. 2225-72 on Third Reading, which had been deferred to this day.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, H. B. No. 2225-72 was recommitted to the Committee on Judiciary.

Consideration of H. B. No. 2283-72 on

Third Reading, which had been deferred to this day.

On motion by Representative R. Garcia, seconded by Representative Uechi and carried, H. B. No. 2283-72 was recommitted to the Committee on Public Health, Youth and General Welfare.

Consideration of Conf. Com. Rep. No. 4 on S. B. No. 766, as amended, which had been deferred to this day.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, consideration of Conf. Com. Rep. No. 4 on S. B. No. 766, as amended, was deferred until Monday, April 10, 1972.

Consideration of Stand. Com. Rep. No. 587-72 on H. B. No. 2374-72, as amended, which had been deferred to this day.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, Stand. Com. Rep. No. 587-72 and H. B. No. 2374-72 were recommitted to the Committee on Judiciary.

Consideration of H. B. No. 1751-72 on Third Reading, which had been deferred to this day.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, consideration of H. B. No. 1751-72 on Third Reading was deferred until Monday, April 10, 1972.

Consideration of H. B. No. 2514-72 on Third Reading, which had been deferred to this day.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, consideration of H. B. No. 2514-72 on Third Reading was deferred until Monday, April 10, 1972.

Consideration of Stand. Com. Rep. No. 563-72 on H. B. No. 440, as amended, which had been deferred to this day.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H. B. No. 440, as amended, having been read

throughout, passed Third Reading by a vote of 47 ayes, with Representatives Carroll, Iha, Lee and Wedemeyer being excused.

The Chair directed the Clerk to note that H. B. No. 2330-72 had passed Third Reading at 12:27 o'clock p.m. and H. B. No. 440 at 12:30 o'clock p.m.

At 12:32 o'clock p.m., on motion by Representative Ushijima, seconded by Representative J. Garcia and carried, the House of Representatives stood in recess until 3:30 o'clock p.m., this afternoon.

#### AFTERNOON SESSION

The House of Representatives reconvened at 3:40 o'clock p.m.

#### SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 178 to 180) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 178) informing the House that the Senate had agreed to the amendments proposed by the House to Senate Bill No. 565 and that Senate Bill No. 565 had passed Final Reading in the Senate on April 7, 1972, in accordance with Article III, Section 16 of the Constitution of the State of Hawaii was placed on file.

A communication from the Senate (Sen. Com. No. 179) returning House Bill No. 1441, which passed Third Reading in the Senate in an amended form on April 7, 1972 was placed on file.

By unanimous consent, H. B. No. 1441, as amended by the Senate, was placed on the Clerk's desk.

The Chair directed the Clerk to note that printed copies of H. B. No. 1441, HD1, SD1, were made available to the members of the House at 3:40 o'clock p.m., in accordance with Article III, Section 16, of the Constitution of the State of Hawaii.

A communication from the Senate (Sen. Com. No. 180) transmitting Senate Concurrent Resolution No. 34 relating to the leasing or licensing of public lands to private organizations which was adopted

by the Senate on April 7, 1972 was placed on file.

By unanimous consent, further action on S. C. R. No. 34 was deferred until Monday, April 10, 1972.

### THIRD READING

The following bill (S. B. No. 1720-72) which was on the calendar for Third Reading was read throughout and the following action taken:

Third Reading of S. B. No. 1720-72.

By unanimous consent, consideration of S. B. No. 1720-72 on Third Reading was deferred until Monday, April 10, 1972.

### UNFINISHED BUSINESS

Consideration of Stand. Com. Rep. No. 589-72 on H. B. No. 1921-72, as amended, which had been deferred to this day.

By unanimous consent, consideration of Stand. Com. Rep. No. 589-72 on H. B. No. 1921-72, as amended, was deferred to the end of the calendar.

Consideration of Stand. Com. Rep. No. 590-72 on H. B. No. 2180-72 which had been deferred to this day.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and H. B. No. 2180-72, having been read throughout, passed Third Reading by a vote of 44 ayes, with Representatives Carroll, de la Cruz, Iha, Kunimura, Sakima, Wedemeyer and Wong being excused.

Consideration of Stand. Com. Rep. No. 591-72 on H. B. No. 281, as amended, which had been deferred to this day.

Representative Suwa moved that the report of the Committee be adopted and that H. B. No. 281, as amended, pass Third Reading, seconded by Representative Akizaki.

Representative Medeiros then rose and spoke in favor of the measure as follows:

“Mr. Speaker, I rise to speak in

support of House Bill No. 281, H. D. 1.

Mr. Speaker, vandalism and burglary in our public schools have caused the loss of valuable and necessary equipment in the amount of \$800,000 over the past three years.

Negative student behavior such as hi-jacking, gambling, drug use and drug sales have caused social problems on our community campuses as well as our school campuses.

Students, parents and teachers have all expressed their concern over these atrocities.

Mr. Speaker, this bill before us will enable the Department of Education to establish a statewide school security patrol which I feel will help curb and prevent some of these problems.

I urge the passage of this bill.

Thank you, Mr. Speaker.”

The motion was put by the Chair and carried and the report of the Committee was adopted and H. B. No. 281, as amended, having been read throughout, passed Third Reading by a vote of 45 ayes, with Representatives Carroll, de la Cruz, Iha, Kunimura, Wasai and Wedemeyer being excused.

Consideration of Stand. Com. Rep. No. 592-72 on H. B. No. 1881-72, which had been deferred to this day.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and H. B. No. 1881-72, having been read throughout, passed Third Reading by a vote of 45 ayes, with Representatives Carroll, de la Cruz, Iha, Kunimura, Wasai and Wedemeyer being excused.

Consideration of Stand. Com. Rep. No. 593-72 on H. B. No. 2263-72, as amended, which had been deferred to this day.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and H. B. No. 2263-72, as amended, having been read throughout, passed Third Reading by a vote of 45

ayes, with Representatives Carroll, de la Cruz, Iha, Kunimura, Wasai and Wedemeyer being excused.

Consideration of Stand. Com. Rep. No. 594-72 on H. B. No. 2556-72, which had been deferred to this day.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and H. B. No. 2556-72, having been read throughout, passed Third Reading by a vote of 45 ayes, with Representatives Carroll, de la Cruz, Iha, Kunimura, Wasai and Wedemeyer being excused.

Consideration of Stand. Com. Rep. No. 595-72 on H. B. No. 2360-72, as amended, which had been deferred to this day.

By unanimous consent, consideration of Stand. Com. Rep. No. 595-72 on H. B. No. 2360-72, as amended, was deferred until Monday, April 10, 1972.

Consideration of Stand. Com. Rep. No. 558-72 on H. B. No. 2510-72, as amended, which had been deferred to this day.

By unanimous consent, consideration of Stand. Com. Rep. No. 558-72 on H. B. No. 2510-72, as amended, was deferred until Monday, April 10, 1972.

The Chair directed the Clerk to note that H. B. Nos. 2180-72, 281, 1881-72, 2263-72 and 2556-72 had passed Third Reading not earlier than 3:45 o'clock p.m.

The Chair declared a recess at 3:50 o'clock p.m., subject to the call of the Chair.

The House of Representatives reconvened at 3:52 o'clock p.m.

#### DEFERRED MATTER

Consideration of Stand. Com. Rep. No. 589-72 on H. B. No. 1921-72, as amended, which had been deferred to this time.

Representative Suwa moved that the report of the majority of the Committee be adopted and that H. B. No. 1921-72, as amended, pass Third Reading,

seconded by Representative Akizaki.

Representative Unemori then rose to speak against the measure as follows:

“Mr. Speaker, I rise to speak against H. B. No. 1921-72, HD3.

Mr. Speaker, although I am in basic agreement with the intent of this bill, which is to preserve and encourage agriculture, I do not believe that this bill is necessary or desirable, primarily because I feel that the effective administration enforcement of the Land Use Commission would be able to adequately accomplish the purpose of preserving agricultural lands.

The creating of agricultural preserves would be adding additional dimension to the already complex and sometimes confusing matter of regulating land use within the State. At the present time, there are four land use districts as established by the Land Use Law. Within the State urban district, the counties have full zoning authority. Within the conservation district, the State Board of Land and Natural Resources has authority to promulgate regulations and enforce these regulations. Within the rural and agricultural districts, the State Land Use Commission promulgates regulations, but has placed the burden of enforcement upon the counties. Thus there are already three different processes for administering and regulating land use. Agricultural preserves will add a fourth process in that the Land Use Commission would promulgate appropriate regulations as well as enforce and administer them.

It is my feeling that local government is more responsive to the needs of the people directly affected and that local government is in a position to more effectively act in the interest of the community. By limiting the options available to the local government, it is our feeling that we run the risk of compounding the problems of urban sprawl, congestion and environmental pollution.

Secondly, as property tax represents a major income to all counties, the provisions to exempt lands within the agricultural preserves from a percentage of the property taxes assessed and levied would indeed cut into the real property revenue of the county and have an

adverse effect on the county's program. Also, the differential in the real property taxation created by this bill would not alone have prevented the three K's from going out of business.

In conclusion, I would like to reiterate my question, Could a program such as this have prevented the phasing-out of Kilauea, Kahuku and Kohala? Could this program have kept the pineapple operation of Kauai Pine, Hawaiian Canneries, Libby and Haserot from going out of business? Because the land is classified as an agricultural preserve, should the farmer continue farming as a money-losing operation? Could this State subsidize such a program? Do we have other crops which would bring in equivalent income and utilize these vast lands from becoming idle?

It would be a sad situation where agriculture meets a crisis and because the land is tied up in preserves, vast areas of otherwise usable land would lie idle and unproductive.

I strongly urge the members of this House to vote 'no'.

Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the majority of the Committee was adopted and H. B. No. 1921-72, as amended, having been read throughout, passed Third Reading by a vote of 37 ayes to 9 noes with Representatives Aduja, Devereux, J. Garcia, Hansen, Judd, Lee, Soares, Unemori and Yim voting no and Representatives Carroll, de la Cruz, Iha, Wasai and Wedemeyer being excused.

The Chair directed the Clerk to note that H. B. No. 1921-72 had passed Third Reading at 3:55 o'clock p.m.

The Chair declared a recess at 3:56 o'clock p.m., subject to the call of the Chair.

At 4:05 o'clock p.m., the House of Representatives reconvened.

#### **DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK**

By unanimous consent, H. C. R. No. 12, as amended by the Senate, was taken from the Clerk's desk.

Representative Sakima moved that the House agree to the amendments proposed by the Senate to H. C. R. No. 12 and that H. C. R. No. 12, as amended by the

Senate, be Finally adopted, seconded by Representative Yap.

Representative Sakima then explained the amendments made by the Senate.

The motion was put by the Chair and carried, and H. C. R. No. 12, as amended by the Senate, was Finally adopted.

By unanimous consent, H. C. R. No. 29, as amended by the Senate, was taken from the Clerk's desk.

Representative Roehrig moved that the House agree to the amendments proposed by the Senate to H. C. R. No. 29 and that H. C. R. No. 29, as amended by the Senate, be Finally adopted, seconded by Representative R. Garcia.

Representative Roehrig then explained the amendments made by the Senate.

The motion was put by the Chair and carried, and H. C. R. No. 29, as amended by the Senate, was Finally adopted.

By unanimous consent, H. B. No. 69, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Kimura, seconded by Representative Roehrig and carried, the House disagreed to the amendments proposed by the Senate to H. B. No. 69, and requested a conference on the subject matter of said amendments.

In accordance therewith, the Chair appointed Representatives R. Garcia, Chairman, Kaneshiro, Kimura, Roehrig, Judd and Saiki as Managers on the part of the House at such conference.

By unanimous consent, H. B. No. 1441, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Sakima, seconded by Representative Yap and carried, the House disagreed to the amendments proposed by the Senate to H. B. No. 1441, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of conferees on the part of the House was deferred.

At 4:15 o'clock p.m., on motion by Representative Ushijima, seconded by Representative J. Garcia and carried, the House of Representatives adjourned to 11:00 o'clock a.m., Monday, April 10, 1972.

## 56TH DAY

**Monday, April 10, 1972**

The House of Representatives of the Sixth Legislature of the State of Hawaii, Regular Session of 1972, was called to order at 11:00 o'clock a.m.

The Speaker presided.

The Divine Blessing was invoked by Reverend Mark A. L. Acosta of Kahikuonalani United Church of Christ.

Roll call of the members of the House of Representatives showed that all members were present.

The Clerk proceeded to read the Journal of the House of Representatives of the Fifty-Fifth Day.

On motion by Representative Ushijima, seconded by Representative J. Garcia and carried, reading of the Journal was dispensed with and the Journal of the Fifty-Fifth Day was approved.

### GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Mess. Nos. 80 to 82) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Mess. No. 80) informing the Legislature that all provisions contained in the collective bargaining agreement for educational officers between the Board of Education and the Hawaii Government Employees' Association can be implemented by existing funds, was placed on file.

A message from the Governor (Gov. Mess. No. 81) informing the House that the Governor has signed House Bill No. 1623 as Act 3 on March 30, 1972, was placed on file.

A message from the Governor (Gov. Mess. No. 82) informing the House that the Governor has signed the following bills on April 6, 1972: House Bill No. 490 as Act 4; House Bill No. 1746-72 as Act 5; House Bill No. 1747-72 as Act 6; House Bill No. 1912-72 as Act 7 and House Bill No. 1913-72 as Act 8, was placed on file.

### SENATE COMMUNICATIONS

The following communications from

the Senate (Sen. Com. Nos. 181 and 182) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 181) informing the House of the adoption of the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 13 and that Senate Bill No. 13 passed Final Reading in the Senate on April 7, 1972, was placed on file.

A communication from the Senate (Sen. Com. No. 182) transmitting Senate Bill No. 288 entitled: "A Bill for an Act relating to the initiation by the State of improvement by assessments," which passed Third Reading in the Senate on April 7, 1972, was placed on file.

On motion by Representative Ushijima, seconded by Representative J. Garcia and carried, S. B. No. 288 passed First Reading by title and further action was deferred until later in the calendar.

### MISCELLANEOUS COMMUNICATIONS

The following communications (Misc. Com. Nos. 47 and 48) were read by the Clerk and were disposed of as follows:

A communication from John P. Keppeler (Misc. Com. No. 47) acknowledging receipt of and expressing appreciation for the adoption of House Resolution No. 227 during the Regular Session of 1972, was placed on file.

A communication from James H. Falk, Staff Assistant to the President, Domestic Council (Misc. Com. No. 48) acknowledging receipt of and expressing appreciation for the adoption of House Resolution No. 145 during the Regular Session of 1972, was placed on file.

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

Representative Carroll introduced Miss Gail Arakaki, a student at Mid-Pacific Institute and Miss Lynne Yamamoto of Los Angeles, who were present in the audience.

Representative Sakima introduced 10 students from Farrington High School, with their teachers, Miss Cayetano and

Miss Komenaka.

Representative Wakatsuki introduced 12 businessmen from Kyushu, Japan, who are presently visiting the Islands.

Representative Kishinami introduced 65 fifth grade students from Pearl City Elementary School with their teachers, Mrs. Barbara Fukumoto, Mrs. Lorraine Yasui and Mr. Gregg Yamaki.

Representative Lunasco introduced 30 students from Waialua High School with their teacher, Mr. Bob Golden.

Representative Ajifu introduced Messrs. Steve and Joe Haderanton, who were present in the audience.

### ORDER OF THE DAY

#### COMMITTEE REFERRAL

The following bill (S. B. No. 288) was disposed of as follows:

S. B. No. 288 was referred to the Committee on Finance.

#### DEFERRED RESOLUTION

The following concurrent resolution (S.C.R. No. 34) was disposed of as follows:

S.C.R. No. 34 was referred jointly to the Select Committees of Kauai Representatives, Maui Representatives, Oahu Representatives and Hawaii Representatives and after consideration by them, the Committees were instructed to refer the concurrent resolution to the Committee on Lands.

#### COMMITTEE REASSIGNMENTS

S. B. No. 866 which had been referred to the Committee on Public Health, Youth and General Welfare and to the Committee on Finance on April 1, 1972, was referred solely to the Committee on Finance.

S. B. No. 1206-72 which had been referred to the Committee on Higher Education and to the Committee on Finance on April 7, 1972, was referred solely to the Committee on Finance.

S. B. No. 1471-72 which had been referred to the Committee on Public

Health, Youth and General Welfare and to the Committee on Finance on April 7, 1972, was referred solely to the Committee on Finance.

S. B. No. 1546-72 which had been referred to the Committee on Public Health, Youth and General Welfare and to the Committee on Judiciary on April 7, 1972, was referred solely to the Committee on Judiciary.

S. B. No. 1819-72 which had been referred to the Committee on Higher Education and to the Committee on Finance on April 7, 1972, was referred solely to the Committee on Finance.

S. B. No. 1988-72 which had been referred to the Committee on Public Health, Youth and General Welfare and to the Committee on Finance on April 7, 1972, was referred solely to the Committee on Finance.

H. B. No. 2039-72 which had been referred to the Committee on Judiciary and to the Committee on Finance on March 13, 1972, was referred solely to the Committee on Judiciary.

#### STANDING COMMITTEE REPORTS

Representative Akizaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 605-72) informing the House that House Resolution Nos. 373 to 375, and Standing Committee Report Nos. 606-72 to 611-72, had been printed and distributed.

On motion by Representative Akizaki, seconded by Representative Kishinami and carried, the report of the Committee was adopted.

Representative Sakima, for the Committee on Education, presented a report (Stand. Com. Rep. No. 606-72) approving the intent and purpose of S. B. No. 1737-72 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Sakima, seconded by Representative Yap and carried, the report of the Committee was adopted and S. B. No. 1737-72 passed Second Reading and was referred to the Committee on Finance.



Representative Sakima, for the Committee on Education, presented a report (Stand. Com. Rep. No. 607-72) approving the intent and purpose of H. R. No. 229 and recommending its referral to the Committee on Finance with certain amendments.

On motion by Representative Sakima, seconded by Representative Yap and carried, the report of the Committee was adopted and H. R. No. 229, as amended, entitled: "House Resolution requesting the Department of Education to conduct a study on the feasibility of basing the deployment of vice principals on the number of staff members and instructional programs assigned to a school," was referred to the Committee on Finance.

Representative Yap, for the Committee on Housing and Consumer Protection, presented a report (Stand. Com. Rep. No. 608-72) approving the intent and purpose of H. R. No. 117 and recommending its referral to the Committee on Finance.

On motion by Representative Yap, seconded by Representative R. Garcia and carried, the report of the Committee was adopted and H. R. No. 117 was referred to the Committee on Finance.

Representative Yap, for the Committee on Housing and Consumer Protection, presented a report (Stand. Com. Rep. No. 609-72) approving the intent and purpose of H. R. No. 106 and recommending its referral to the Committee on Finance.

On motion by Representative Yap, seconded by Representative R. Garcia and carried, the report of the Committee was adopted and H. R. No. 106 was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Lands, presented a report (Stand. Com. Rep. No. 610-72) approving the intent and purpose of H. R. No. 142 and recommending its adoption.

By unanimous consent, consideration of Stand. Com. Rep. No. 610-72 on H. R. No. 142 was deferred until later in the calendar.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 611-72) approving the intent and purpose of H. R.

No. 59 and recommending its adoption.

By unanimous consent, consideration of Stand. Com. Rep. No. 611-72 on H. R. No. 59 was deferred until later in the calendar.

#### INTRODUCTION OF RESOLUTIONS

A resolution (H. R. No. 376) congratulating and commending Miss Beryl Leiko Ikeda on being selected the State Betty Crocker Homemaker of Tomorrow for Hawaii was jointly offered by Representatives Inaba, Aduja, Ajifu, Aki, Akizaki, Chong, de la Cruz, Devereux, Duponte, Fong, J. Garcia, R. Garcia, Hansen, Judd, Kaneshiro, Kato, Kawakami, Kihano, Kimura, Kishinami, Kondo, Kunimura, Lee, Leopold, Lunasco, Medeiros, Morioka, Nakama, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Unemori, Ushijima, Wakatsuki, Wasai, Wong, Yamada, Yap, Yim, Young and Beppu.

On motion by Representative Inaba, seconded by Representative Takamine and carried, H. R. No. 376 was adopted.

By unanimous consent, the following resolutions (H. R. Nos. 377 to 381) and concurrent resolutions (H.C.R. Nos. 53 to 55) were referred to the Committee on Legislative Management and further action was deferred until later in the calendar:

A resolution (H. R. No. 377) requesting the University of Hawaii to examine the possibility of a transportation system for its campuses was jointly offered by Representatives Kimura, Akizaki, J. Garcia, Kishinami, Kunimura, Leopold, Nakama, Suwa, Takamine and Wasai.

A resolution (H. R. No. 378) requesting the University of Hawaii and the Department of Education to develop a joint Hawaii Governmental Processes Program was jointly offered by Representatives Kimura, Akizaki, J. Garcia, Kishinami, Kunimura, Leopold, Suwa, Takamine, Ushijima and Wasai.

A resolution (H. R. No. 379) requesting the University of Hawaii to establish a program for earning academic credit for A.S.U.H. positions was jointly offered by Representatives Kimura,



Akizaki, Kishinami, Kunimura, Leopold, Nakama, Suwa, Takamine, Wakatsuki and Wasai.

A resolution (H. R. No. 380) relating to landscape architects was jointly offered by Representatives Ushijima, Aduja, Aki, Akizaki, Carroll, de la Cruz, Devereux, Fong, J. Garcia, R. Garcia, Hansen, Iha, Inaba, Judd, Kaneshiro, Kawakami, Kihano, Kishinami, Kondo, Kunimura, Lee, Leopold, Lunasco, Medeiros, Morioka, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Wedemeyer, Wong, Yamada, Yap, Yim, Young and Beppu.

A concurrent resolution (H.C.R. No. 53) requesting the University of Hawaii to examine the possibility of a transportation system for its campuses was jointly offered by Representatives Kimura, Akizaki, J. Garcia, Kishinami, Kunimura, Leopold, Suwa, Takamine and Wasai.

A concurrent resolution (H.C.R. No. 54) requesting the University of Hawaii and the Department of Education to develop a joint Hawaii Governmental Processes Program was jointly offered by Representatives Kimura, Akizaki, J. Garcia, Kishinami, Kunimura, Leopold, Nakama, Suwa, Takamine, Ushijima and Wasai.

A concurrent resolution (H.C.R. No. 55) requesting the University of Hawaii to establish a program for earning academic credit for A.S.U.H. positions was jointly offered by Representatives Kimura, Akizaki, Kishinami, Kunimura, Leopold, Suwa, Takamine, Wakatsuki and Wasai.

At 11:13 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

At 11:19 o'clock a.m., the House of Representatives reconvened.

At this time, Representative Ushijima introduced to the members of the House His Excellency Ambassador L. K. Jha, India's Ambassador to the United States, and Mrs. Jha, Mrs. Ellen Watumull, India's Consul in Hawaii, and Mr. Bidge Sawhney who accompanied them.

The Chair then appointed

Representatives Wakatsuki, de la Cruz, J. Garcia and Soares to escort His Excellency Ambassador Jha to the rostrum whereupon he expressed his thanks and appreciation to the people of Hawaii for the wonderful hospitality extended to Mrs. Jha and himself.

At 11:23 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

At 12:04 o'clock p.m., the House of Representatives reconvened.

### SUSPENSION OF RULES

On motion by Representative Ushijima, seconded by Representative J. Garcia and carried unanimously, the rules were suspended for the purpose of considering bills on Third and Final Readings on the basis of a modified consent calendar.

### THIRD READING

Third Reading of S. B. No. 1368-72.

On motion by Representative R. Garcia, seconded by Representative Uechi, S. B. No. 1368-72, having been read throughout, passed Third Reading by a vote of 51 ayes.

### UNFINISHED BUSINESS

Consideration of S. B. No. 967 on Third Reading which had been deferred to this day.

On motion by Representative Kawakami, seconded by Representative Kaneshiro, S. B. No. 967, having been read throughout, passed Third Reading by a vote of 46 ayes to 5 noes, with Representatives de la Cruz, Duponte, Fong, Kondo and Unemori voting no.

Consideration of Conf. Com. Rep. No. 5 on S. B. No. 13, as amended, which had been deferred to this day.

Representative Roehrig moved that the report of the Committee be adopted and S. B. No. 13, as amended, pass Final Reading, seconded by Representative Kondo.

Representative Wedemeyer then rose and stated that he is an officer with Heinie, Inc., a chemical company, and

asked the Chair for a ruling as to whether or not there was a conflict of interest.

The Chair ruled that there was no conflict of interest and Representative Wedemeyer was not excused from voting on this measure.

The motion was put by the Chair and carried, and the report of the Committee was adopted and S. B. No. 13, as amended, passed Final Reading by a vote of 51 ayes.

Consideration of Stand. Com. Rep. No. 549-72 on H. B. No. 2039-72, as amended, which had been deferred to this day.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, Stand. Com. Rep. No. 549-72 and H. B. No. 2039-72 were recommitted to the Committee on Judiciary.

Consideration of Conf. Com. Rep. No. 4 on S. B. No. 766, as amended, which had been deferred to this day.

By unanimous consent, consideration of Conf. Com. Rep. No. 4 on S. B. No. 766, as amended, was deferred until tomorrow, April 11, 1972.

Consideration of H. B. No. 1751-72 on Third Reading which had been deferred to this day.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, H. B. No. 1751-72 was recommitted to the Committee on Judiciary.

Consideration of H. B. No. 2514-72 on Third Reading which had been deferred to this day.

By unanimous consent, consideration of H. B. No. 2514-72 on Third Reading was deferred until the end of the calendar.

Consideration of S. B. No. 1720-72 on Third Reading which had been deferred to this day.

On motion by Representative Kunimura, seconded by Representative Kawakami, S. B. No. 1720-72, having been read throughout, passed Third

Reading by a vote of 51 ayes.

The Chair here directed the Clerk to note that S. B. Nos. 1368-72, 967 and 1720-72 had passed Third Reading and S. B. No. 13 had passed Final Reading not earlier than 12:05 o'clock p.m.

Consideration of Stand. Com. Rep. No. 595-72 on H. B. No. 2360-72, as amended, which had been deferred to this day.

By unanimous consent, consideration of Stand. Com. Rep. No. 595-72 on H. B. No. 2360-72, as amended, was deferred until tomorrow, April 11, 1972.

Consideration of Stand. Com. Rep. No. 558-72 on H. B. No. 2510-72, as amended, which had been deferred to this day.

By unanimous consent, consideration of Stand. Com. Rep. No. 558-72 on H. B. No. 2510-72, as amended, was deferred until the end of the calendar.

#### APPOINTMENT OF CONFERENCE COMMITTEE

In accordance with the disagreeing vote of the House to the amendments proposed by the Senate to H. B. No. 1441-72 and the request for a conference on the subject matter of said amendments, Representatives Sakima, Chairman, Kawakami, Kihano, Kondo, Aki and Saiki were appointed as Managers on the part of the House at such conference.

At 12:12 o'clock p.m., on motion by Representative Ushijima, seconded by Representative J. Garcia and carried, the House of Representatives stood in recess until 5:00 o'clock p.m. this afternoon.

#### AFTERNOON SESSION

The House of Representatives reconvened at 5:25 o'clock p.m.

#### SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 183 to 185) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 183) informing the House

that the Senate had agreed to the amendments proposed by the House to Senate Bill No. 1346-72 and that Senate Bill No. 1346-72, as amended, passed Final Reading in the Senate on April 10, 1972, was placed on file.

A communication from the Senate (Sen. Com. No. 184) returning House Bill No. 1804-72 which passed Third Reading in the Senate on April 10, 1972, was placed on file.

A communication from the Senate (Sen. Com. No. 185) returning House Bill No. 1895-72 which passed Third Reading in the Senate on April 10, 1972, was placed on file.

### STANDING COMMITTEE REPORTS

Representative O'Connor, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 612-72) approving the intent and purpose of S. B. No. 1035 and recommending its passage on Second Reading.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the majority of the Committee was adopted and S. B. No. 1035 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 11, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 613-72) approving the intent and purpose of S. B. No. 1424-72 and recommending its passage on Second Reading.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and S. B. No. 1424-72 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 11, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 614-72) approving the intent and purpose of S. B. No. 1560-72 and recommending its passage on Second Reading.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the

Committee was adopted and S. B. No. 1560-72 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 11, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 615-72) approving the intent and purpose of S. B. No. 1580-72 and recommending its passage on Second Reading.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and S. B. No. 1580-72 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 11, 1972.

The Chair here directed the Clerk to note that S. B. Nos. 1035, 1424-72, 1560-72 and 1580-72 had passed Second Reading not earlier than 5:30 o'clock p.m.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 616-72) approving the intent and purpose of S. B. No. 623 and recommending its passage on Third Reading with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 616-72 on S. B. No. 623, as amended, was deferred until tomorrow, April 11, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 617-72) approving the intent and purpose of S. B. No. 466 and recommending its passage on Third Reading with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 617-72 on S. B. No. 466, as amended, was deferred until tomorrow, April 11, 1972.

The Chair here directed the Clerk to note that printed copies of S. B. No. 623, SD 2, HD 1 and S. B. No. 466, HD 1, were made available to the members of the House at 5:30 o'clock p.m., in accordance with Article III, Section 16, of the Constitution of the State of Hawaii.

Representative Takamine, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 618-72) approving

the intent and purpose of S. B. No. 2014-72 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Takamine, seconded by Representative Wasai and carried, the report of the Committee was adopted and S. B. No. 2014-72 passed Second Reading and was referred to the Committee on Finance.

Representative Yap, for the Committee on Housing and Consumer Protection, presented a report (Stand. Com. Rep. No. 619-72) approving the intent and purpose of H. R. No. 348 and recommending its referral to the Committee on Finance.

On motion by Representative Yap, seconded by Representative R. Garcia and carried, the report of the Committee was adopted and H. R. No. 348 was referred to the Committee on Finance.

Representative Kimura, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 620-72) approving the intent and purpose of H. R. No. 236 and recommending its referral to the Committee on Finance.

On motion by Representative Kimura, seconded by Representative Kishinami and carried, the report of the Committee was adopted and H. R. No. 236 was referred to the Committee on Finance.

Representative R. Garcia, for the Committee on Public Health, Youth and General Welfare, presented a report (Stand. Com. Rep. No. 621-72) approving the intent and purpose of S. B. No. 1906-72 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative R. Garcia, seconded by Representative Uechi and carried, the report of the Committee was adopted and S. B. No. 1906-72 passed Second Reading and was referred to the Committee on Finance.

Representative R. Garcia, for the Committee on Public Health, Youth and General Welfare, presented a report (Stand. Com. Rep. No. 622-72) approving the intent and purpose of H. R. No. 312 and recommending its referral to the Committee on Finance.

On motion by Representative R. Garcia, seconded by Representative Uechi and carried, the report of the Committee was adopted and H. R. No. 312 was referred to the Committee on Finance.

Representative R. Garcia, for the Committee on Public Health, Youth and General Welfare, presented a report (Stand. Com. Rep. No. 623-72) approving the intent and purpose of H. R. No. 349 and recommending its referral to the Committee on Higher Education.

On motion by Representative R. Garcia, seconded by Representative Uechi and carried, the report of the Committee was adopted and H. R. No. 349 was referred to the Committee on Higher Education.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 624-72) approving the intent and purpose of S. B. No. 1367-72 and recommending its passage on Second Reading with certain amendments.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and S. B. No. 1367-72, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 11, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 625-72) approving the intent and purpose of S. B. No. 1612-72 and recommending its passage on Second Reading with certain amendments.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and S. B. No. 1612-72, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 11, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 626-72) approving the intent and purpose of S. B. No. 1719-72 and recommending its passage on Second Reading with certain amendments.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and S. B. No. 1719-72, as amended, entitled: "A Bill for an Act amending Chapter 286, Hawaii Revised Statutes, relating to forfeiture of vehicle or parts thereof," passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 11, 1972.

The Chair directed the Clerk to note that S. B. Nos. 1367-72, 1612-72 and 1719-72 had passed Second Reading not earlier than 5:30 o'clock p.m.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 627-72) approving the intent and purpose of S. B. No. 10 and recommending its passage on Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 627-72 on S. B. No. 10 was deferred until tomorrow, April 11, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 628-72) approving the intent and purpose of S. B. No. 11 and recommending its passage on Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 628-72 on S. B. No. 11 was deferred until tomorrow, April 11, 1972.

The Chair directed the Clerk to note that printed copies of S. B. No. 10, SD 1 and S. B. No. 11, SD 1, HD 1, were made available to the members of the House at 5:30 o'clock p.m., in accordance with Article III, Section 16, of the Constitution of the State of Hawaii.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 629-72) approving the intent and purpose of S. B. No. 241 and recommending its passage on Second Reading.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and S. B. No. 241 passed Second Reading and was placed on the Order of

the Day for Third Reading tomorrow, April 11, 1972.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 630-72) approving the intent and purpose of S. B. No. 770 and recommending its passage on Second Reading.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and S. B. No. 770 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 11, 1972.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 631-72) approving the intent and purpose of S. B. No. 881 and recommending its passage on Second Reading.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and S. B. No. 881 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 11, 1972.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 632-72) approving the intent and purpose of S. B. No. 1061 and recommending its passage on Second Reading.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and S. B. No. 1061 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 11, 1972.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 633-72) approving the intent and purpose of S. B. No. 1435-72 and recommending its passage on Second Reading with certain amendments.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and S. B. No. 1435-72, as amended, passed Second Reading and was placed on the Order of the Day for Third

Reading tomorrow, April 11, 1972.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 634-72) approving the intent and purpose of S. B. No. 1588-72 and recommending its passage on Second Reading with certain amendments.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and S. B. No. 1588-72, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 11, 1972.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 635-72) approving the intent and purpose of S. B. No. 1650-72 and recommending its passage on Second Reading.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and S. B. No. 1650-72 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 11, 1972.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 636-72) approving the intent and purpose of S. B. No. 1829-72 and recommending its passage on Second Reading.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and S. B. No. 1829-72 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 11, 1972.

The Chair directed the Clerk to note that S. B. Nos. 241, 770, 881, 1061, 1435-72, 1588-72, 1650-72 and 1829-72 had passed Second Reading not earlier than 5:30 o'clock p.m.

Representative R. Garcia, for the Committee on Public Health, Youth and General Welfare, presented a report (Stand. Com. Rep. No. 637-72) approving the intent and purpose of S. B. No. 1649-72 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain

amendments.

On motion by Representative R. Garcia, seconded by Representative Uechi and carried, the report of the Committee was adopted and S. B. No. 1649-72, as amended, passed Second Reading and was referred to the Committee on Finance.

At 5:32 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

At 7:24 o'clock p.m., the House of Representatives reconvened.

### DEFERRED RESOLUTIONS

The following resolutions (H. R. Nos. 377 to 380) and concurrent resolutions (H.C.R. Nos. 53 to 55) were disposed of as follows:

H. R. No. 377 was referred to the Committee on Higher Education and after consideration by it, the Committee was instructed to refer the resolution to the Committee on Finance.

H. R. No. 378 was referred to the Committee on Higher Education and after consideration by it, the Committee was instructed to refer the resolution to the Committee on Finance.

H. R. No. 379 was referred to the Committee on Higher Education and after consideration by it, the Committee was instructed to refer the resolution to the Committee on Finance.

H. R. No. 380 was referred to the Committee on Housing and Consumer Protection and after consideration by it, the Committee was instructed to refer the resolution to the Committee on Finance.

H.C.R. No. 53 was referred to the Committee on Higher Education and after consideration by it, the Committee was instructed to refer the concurrent resolution to the Committee on Finance.

H.C.R. No. 54 was referred to the Committee on Higher Education and after consideration by it, the Committee was instructed to refer the concurrent resolution to the Committee on Finance.

H.C.R. No. 55 was referred to the Committee on Higher Education and after consideration by it, the Committee

was instructed to refer the concurrent resolution to the Committee on Finance.

#### STANDING COMMITTEE REPORTS

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 638-72) approving the intent and purpose of S. B. No. 1919-72 and recommending its passage on Second Reading.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and S. B. No. 1919-72 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 11, 1972.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 639-72) approving the intent and purpose of S. B. No. 1742-72 and recommending its passage on Second Reading.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and S. B. No. 1742-72 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 11, 1972.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 640-72) approving the intent and purpose of S. B. No. 1837-72 and recommending its passage on Second Reading.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and S. B. No. 1837-72 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 11, 1972.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 641-72) approving the intent and purpose of S. B. No. 1491-72 and recommending its passage on Second Reading with certain amendments.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and S. B. No. 1491-72, as

amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 11, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 642-72) approving the intent and purpose of S. B. No. 1878-72 and recommending its passage on Second Reading with certain amendments.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and S. B. No. 1878-72, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 11, 1972.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 643-72) approving the intent and purpose of S. B. No. 1905-72 and recommending its passage on Second Reading.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and S. B. No. 1905-72 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 11, 1972.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 644-72) approving the intent and purpose of S. B. No. 1947-72 and recommending its passage on Second Reading.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and S. B. No. 1947-72 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 11, 1972.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 645-72) approving the intent and purpose of S. B. No. 1949-72 and recommending its passage on Second Reading.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and S. B. No. 1949-72 passed



Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 11, 1972.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 646-72) approving the intent and purpose of S. B. No. 1970-72 and recommending its passage on Second Reading.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and S. B. No. 1970-72 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 11, 1972.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 647-72) approving the intent and purpose of S. B. No. 1862-72 and recommending its passage on Second Reading and its recommittal to the Committee on Finance.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and S. B. No. 1862-72 passed Second Reading and was recommitted to the Committee on Finance.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 648-72) approving the intent and purpose of S. B. Nos. 1436-72 and 1575-72 and recommending their passage on Second Reading and their recommittal to the Committee on Finance.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and S. B. Nos. 1436-72 and 1575-72 passed Second Reading and were recommitted to the Committee on Finance.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 649-72) approving the intent and purpose of S. B. Nos. 707, 866, 1206, 1381-72, 1384-72, 1471-72, 1819-72, 1941-72, 1965-72 and 1988-72 and recommending their passage on Second Reading and their recommittal to the Committee on Finance.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and S. B. Nos. 707, 866, 1206, 1381-72, 1384-72, 1471-72, 1819-72, 1941-72, 1965-72 and 1988-72 passed Second Reading and were recommitted to the Committee on Finance.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 650-72) approving the intent and purpose of S.B. No. 124 and recommending its passage on Second Reading with certain amendments.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and S.B. No. 124, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 11, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 651-72) approving the intent and purpose of S. B. No. 1729-72 and recommending its passage on Second Reading with certain amendments.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and S. B. No. 1729-72, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 11, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 652-72) approving the intent and purpose of S. B. No. 1823-72 and recommending its passage on Second Reading with certain amendments.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and S. B. No. 1823-72, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 11, 1972.

Representative O'Connor, for the

Committee on Judiciary, presented a report (Stand. Com. Rep. No. 653-72) approving the intent and purpose of S. B. No. 1844-72 and recommending its passage on Second Reading with certain amendments.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and S. B. No. 1844-72, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 11, 1972.

The Chair here directed the Clerk to note that S. B. Nos. 1919-72, 1742-72, 1837-42, 1491-72, 1878-72, 1905-72, 1947-72, 1949-72, 1970-72, 124, 1729-72, 1823-72 and 1844-72 had passed Second Reading not earlier than 7:25 o'clock p.m.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 654-72) approving the intent and purpose of H.C.R. No. 28 and recommending its adoption with certain amendments.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and H.C.R. No. 28, as amended, entitled: "House Concurrent Resolution requesting the Department of Land and Natural Resources to incorporate into its State-wide outdoor recreation and park program the designation of suitable land areas and establishment of recreational facilities for off-road motorcycling activities," was adopted.

Representative Kawakami, for the Committee on Lands, presented a report (Stand. Com. Rep. No. 655-72) approving the intent and purpose of S.C.R. No. 38 and recommending its adoption with certain amendments.

On motion by Representative Kawakami, seconded by Representative Kaneshiro and carried, the report of the Committee was adopted and S.C.R. No. 38, as amended, was adopted.

Representative O'Connor, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 656-72) approving the intent and purpose of S. B. No. 1096 and recommending its

passage on Third Reading with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 656-72 on S. B. No. 1096, as amended, was deferred until tomorrow, April 11, 1972.

The Chair directed the Clerk to note that printed copies of S. B. No. 1096, HD 1, were made available to the members of the House at 7:25 o'clock p.m., in accordance with Article III, Section 16, of the Constitution of the State of Hawaii.

Representative R. Garcia, for the Committee on Public Health, Youth and General Welfare, presented a report (Stand. Com. Rep. No. 657-72) approving the intent and purpose of S. B. No. 1024 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative R. Garcia, seconded by Representative Uechi and carried, the report of the Committee was adopted and S.B. No. 1024, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Roehrig, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 658-72) approving the intent and purpose of S.B. No. 1577-72 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Roehrig, seconded by Representative Unemori and carried, the report of the Committee was adopted and S.B. No. 1577-72 passed Second Reading and was referred to the Committee on Finance.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 659-72) approving the intent and purpose of S.B. No. 1502-72 and recommending its passage on Second Reading with certain amendments.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and S.B. No. 1502-72, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow,

April 11, 1972.

The Chair directed the Clerk to note that S. B. No. 1502-72 had passed Second Reading at 7:25 o'clock p.m.

Representative Kunimura, for the joint Select Committees of Kauai Representatives, Maui Representatives, Oahu Representatives and Hawaii Representatives, presented a report (Stand. Com. Rep. No. 660-72) approving the intent and purpose of S. B. No. 1972-72 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Kunimura, seconded by Representative Kawakami and carried, the report of the Committee was adopted and S. B. No. 1972-72 passed Second Reading and was referred to the Committee on Finance.

Representative Kunimura, for the majority of the joint Select Committees of Kauai Representatives, Maui Representatives, Oahu Representatives and Hawaii Representatives, presented a report (Stand. Com. Rep. No. 661-72) approving the intent and purpose of S. B. No. 2060-72 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative Kunimura, seconded by Representative Kawakami and carried, the report of the majority of the Committee was adopted and S. B. No. 2060-72, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Kunimura, for the majority of the joint Select Committees of Kauai Representatives, Maui Representatives, Oahu Representatives and Hawaii Representatives, presented a report (Stand. Com. Rep. No. 662-72) approving the intent and purpose of S. B. No. 1437-72 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative Kunimura, seconded by Representative Kawakami and carried, the report of the majority of the Committee was adopted and S. B. No. 1437-72, as amended, passed Second Reading and was referred

to the Committee on Finance.

At 7:30 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

At 8:18 o'clock p.m., the House of Representatives reconvened and resumed the order of Standing Committee Reports.

Representative Kunimura, for the joint Select Committees of Kauai Representatives, Maui Representatives, Oahu Representatives and Hawaii Representatives, presented a report (Stand. Com. Rep. No. 663-72) approving the intent and purpose of S. B. No. 1983-72 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Kunimura, seconded by Representative Kawakami and carried, the report of the Committee was adopted and S. B. No. 1983-72 passed Second Reading and was referred to the Committee on Finance.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 664-72) approving the intent and purpose of S. B. No. 43 and recommending its passage on Second Reading with certain amendments.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and S. B. No. 43, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 11, 1972.

The Chair directed the Clerk to note that S. B. No. 43, as amended, had passed Second Reading at 8:20 o'clock p.m.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 665-72) approving the intent and purpose of S. B. No. 44 and recommending its passage on Third Reading with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 665-72 on S. B. No. 44, as amended, was deferred until tomorrow, April 11, 1972.

The Chair directed the Clerk to note

that printed copies of S. B. No. 44, SD 1, HD 2, were made available to the members of the House at 8:20 o'clock p.m., in accordance with Article III, Section 16, of the Constitution of the State of Hawaii.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 666-72) approving the intent and purpose of S. B. No. 1415-72 and recommending its passage on Second Reading with certain amendments.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and S. B. No. 1415-72, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 11, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 667-72) approving the intent and purpose of S. B. No. 1340-72 and recommending its passage on Second Reading with certain amendments.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and S. B. No. 1340-72, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 11, 1972.

The Chair directed the Clerk to note that S. B. Nos. 1415-72 and 1340-72 had passed Second Reading not earlier than 8:20 o'clock p.m.

At 8:21 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

At 8:55 o'clock p.m., the House of Representatives reconvened.

#### COMMITTEE REASSIGNMENT

S. B. No. 1382-72 which had been referred to the Committee on Judiciary and to the Committee on Finance on April 7, 1972, was referred solely to the Committee on Judiciary.

#### STANDING COMMITTEE REPORTS

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 668-72) approving the intent and purpose of S. B. No. 1805-72 and recommending its passage on Second Reading with certain amendments.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and S. B. No. 1805-72, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 11, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 669-72) approving the intent and purpose of S. B. No. 1382-72 and recommending its passage on Second Reading with certain amendments.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and S. B. No. 1382-72, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 11, 1972.

The Chair directed the Clerk to note that S. B. Nos. 1805-72 and 1382-72 had passed Second Reading not earlier than 9:00 o'clock p.m.

#### DEFERRED MATTERS

Consideration of H. B. No. 2514-72 on Third Reading which had been deferred to this time.

By unanimous consent, consideration of H. B. No. 2514-72 on Third Reading was deferred until tomorrow, April 11, 1972.

Consideration of Stand. Com. Rep. No. 558-72 on H. B. No. 2510-72, as amended, which had been deferred to this time.

Representative O'Connor moved that Stand. Com. Rep. No. 558-72 and H. B. No. 2510-72, as amended, be recommitted to the Committee on Judiciary, seconded by Representative

Kimura.

Representative Kato, on a point of information, inquired why the bill was being recommitted.

Representative O'Connor stated that due to some technical difficulties, the Committee on Judiciary wanted to review the bill again.

Representative Kato then rose and spoke against the motion to recommit H. B. No. 2510-72.

The motion was put by the Chair and carried and Stand. Com. Rep. No. 558-72 and H. B. No. 2510-72, as amended, were recommitted to the Committee on Judiciary.

At 9:05 o'clock p.m., on motion by Representative Ushijima, seconded by Representative J. Garcia and carried, the House of Representatives adjourned to 11:00 o'clock a.m. tomorrow, April 11, 1972.

## 57TH DAY

**Tuesday, April 11, 1972**

The House of Representatives of the Sixth Legislature of the State of Hawaii, Regular Session of 1972, was called to order at 11:00 o'clock a.m.

The Speaker presided.

The Divine Blessing was invoked by Reverend John Mulholland of the United Church of Christ.

Roll call of the members of the House of Representatives showed that all members were present with the exception of Representatives Inaba, Kato, Kishinami, O'Connor and Wakatsuki, who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Fifty-Sixth Day.

On motion by Representative Ushijima, seconded by Representative J. Garcia and carried, reading of the Journal was dispensed with and the Journal of the Fifty-Sixth Day was approved.

### GOVERNOR'S MESSAGE

A message from the Governor (Gov. Mess. No. 83) informing the House that he had signed House Bill No. 20 as Act 9 on April 7, 1972 was read by the Clerk and was placed on file.

### SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 186 and 187) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 186) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 1441, as amended, and the request for a conference on the subject matter of said amendments, Senators Hara, Chairman, Taira, Ching and Anderson had been appointed as Managers on the part of the Senate at such conference was placed on file.

A communication from the Senate (Sen. Com. No. 187) transmitting Senate Concurrent Resolution No. 50 requesting a study on the financial assistance

required to enable the Bernice P. Bishop Museum to maintain, improve and expand its services to the general public which was adopted by the Senate on April 10, 1972, was placed on file.

By unanimous consent, further action on S. C. R. No. 50 was deferred until later in the calendar.

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

Representative Sakima introduced 40 students from the fourth grade at Kaewai School, with their teachers, Mrs. Wong and Mrs. Abe.

Representative Morioka introduced 60 students from the fourth grade at Palolo Elementary School, with their teachers, Mrs. Choy and Mrs. Letson.

Representative Wasai introduced 10 members from the Kaneohe Congregational Church, who were in the audience.

Representative Wedemeyer introduced 51 students from Our Redeemer Lutheran School, with their teachers, Mr. Katt and Mr. Kottwitz.

The Chair here directed the Clerk to note the presence of Representatives Inaba, Kato, Kishinami, O'Connor and Wakatsuki.

### ORDER OF THE DAY

#### DEFERRED RESOLUTION

The following concurrent resolution (S. C. R. No. 50) was disposed of as follows:

S. C. R. No. 50 was referred to the Committee on Finance.

#### STANDING COMMITTEE REPORTS

Representative Akizaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 670-72) informing the House that House Resolution Nos. 376 to 380, House Concurrent Resolution Nos. 53 to 55, Standing Committee Report Nos. 612-72 to 669-72 and Standing Committee Report Nos. 671-72 to 677-72 had been printed and distributed.

On motion by Representative Akizaki, seconded by Representative Kishinami and carried, the report of the Committee was adopted.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 671-72) approving the intent and purpose of S. B. No. 288 and recommending its passage on Second Reading, with certain amendments.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and S. B. No. 288, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 12, 1972.

The Chair here directed the Clerk to note that S. B. No. 288, as amended, had passed Second Reading at 11:07 o'clock a.m.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 672-72) approving the intent and purpose of H. C. R. No. 34 and recommending its adoption.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and H. C. R. No. 34 was adopted.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 673-72) approving the intent and purpose of H. C. R. No. 35 and recommending its adoption.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and H. C. R. No. 35 was adopted.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 674-72) approving the intent and purpose of H. R. No. 268 and recommending its adoption.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and H. R. No. 268 was adopted.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 675-72) approving the intent and purpose of H. R. No. 269 and recommending its adoption.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and H. R. No. 269 was adopted.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 676-72) approving the intent and purpose of H. C. R. No. 33 and recommending its adoption.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and H. C. R. No. 33 was adopted.

Representative Kawakami, for the Committee on Lands, presented a report (Stand. Com. Rep. No. 677-72) approving the intent and purpose of H. R. No. 47 and recommending its adoption, with certain amendments.

On motion by Representative Kawakami, seconded by Representative Kaneshiro and carried, the report of the Committee was adopted and H. R. No. 47, as amended, entitled, "House Resolution requesting operation F.R.E.S.H. (Facilities Requirements Evaluation State of Hawaii) to submit a current report of its findings to the Speaker of the House," was adopted.

#### INTRODUCTION OF RESOLUTIONS

The following resolutions (H. R. Nos. 381 to 387) were read by the Clerk and were disposed of as follows:

A resolution (H. R. No. 381) extending congratulations to the winners of the Fifteenth Annual Hawaii Science and Engineering Fair was jointly offered by Representatives Kimura, Aduja, Ajifu, Aki, Akizaki, Carroll, Chong, de la Cruz, Devereux, Duponte, Fong, J. Garcia, R. Garcia, Hansen, Iha, Inaba, Judd, Kaneshiro, Kato, Kawakami, Kihano, Kishinami, Kondo, Kunimura, Lee, Leopold, Lunasco, Medeiros, Morioka, Nakama, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Unemori, Ushijima,



Wakatsuki, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim, Young and Beppu.

On motion by Representative Kimura, seconded by Representative Sakima and carried, H. R. No. 381 was adopted.

Representative Kimura introduced to the members of the House Miss Gail Uyemura and Miss Theresa Young, winners of the Fifteenth Annual Hawaii Science and Engineering Fair; their parents, Mr. and Mrs. George Uyemura and Mr. and Mrs. Stephen Y. C. Young, respectively; Dr. Nicholas E. Palumbo, Associate Professor of Comparative Medicine, project director for Miss Young; Mr. Alvin J. K. Won, project director for Miss Uyemura; and Dr. Terence Rogers, President, Hawaiian Academy of Science, sponsors of the Fair.

A resolution (H. R. No. 382) congratulating Mrs. Rose L. Sturdyvin, National Service Officer, for her many years of faithful service to the Disabled American Veterans, Department of Hawaii, was jointly offered by Representatives Beppu, Aduja, Ajifu, Aki, Akizaki, Chong, de la Cruz, Devereux, Duponte, Fong, J. Garcia, R. Garcia, Hansen, Iha, Inaba, Judd, Kaneshiro, Kawakami, Kihano, Kimura, Kishinami, Kondo, Kunimura, Lee, Leopold, Lunasco, Medeiros, Morioka, Nakama, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Unemori, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yamada, Yap and Yim.

On motion by Representative Kunimura, seconded by Representative Ushijima and carried, H. R. No. 382 was adopted.

A resolution (H. R. No. 383) congratulating the 1972 Senior Class of Kahuku High School on their graduation was jointly offered by Representatives Wasai, Akizaki, de la Cruz, Duponte, R. Garcia, Iha, Inaba, Kaneshiro, Kato, Kawakami, Kihano, Kimura, Kishinami, Kondo, Lunasco, Nakama, O'Connor, Roehrig, Sakima, Suwa, Takamine, Uechi, Unemori, Ushijima, Wakatsuki, Wedemeyer, Wong, Yap, Yim, Young and Beppu.

On motion by Representative Wasai, seconded by Representative Young and

carried, H. R. No. 383 was adopted.

A resolution (H. R. No. 384) congratulating the 1972 Senior Class of Castle High School on their graduation was jointly offered by Representatives Wasai, Akizaki, de la Cruz, Duponte, R. Garcia, Iha, Inaba, Kaneshiro, Kato, Kawakami, Kihano, Kimura, Kishinami, Kondo, Lunasco, Nakama, O'Connor, Roehrig, Sakima, Suwa, Takamine, Uechi, Unemori, Ushijima, Wakatsuki, Wedemeyer, Wong, Yap, Yim, Young and Beppu.

On motion by Representative Wasai, seconded by Representative Iha and carried, H. R. No. 384 was adopted.

A resolution (H. R. No. 385) congratulating the Sheridan-Jolly Roger Baseball Team upon winning the 37th Annual AJA State Championship was jointly offered by Representatives Kaneshiro, Aduja, Ajifu, Aki, Akizaki, Chong, de la Cruz, Devereux, Duponte, J. Garcia, R. Garcia, Hansen, Iha, Inaba, Judd, Kato, Kihano, Kimura, Kishinami, Kondo, Lee, Leopold, Lunasco, Medeiros, Morioka, Nakama, O'Connor, Oda, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Unemori, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yap, Yim, Young and Beppu.

On motion by Representative Kaneshiro, seconded by Representative Akizaki and carried, H. R. No. 385 was adopted.

A resolution (H. R. No. 386) congratulating Charles Katayama on being selected to receive the Kona Jaycees Distinguished Service Award for 1971 was jointly offered by Representatives Inaba, Aduja, Ajifu, Aki, Akizaki, Carroll, Chong, de la Cruz, Devereux, Duponte, Fong, J. Garcia, R. Garcia, Hansen, Judd, Kaneshiro, Kato, Kawakami, Kihano, Kimura, Kishinami, Kondo, Kunimura, Lee, Leopold, Lunasco, Medeiros, Morioka, Nakama, O'Connor, Oda, Poepoe, Roehrig, Saiki, Suwa, Takamine, Uechi, Unemori, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim, Young and Beppu.

On motion by Representative Inaba, seconded by Representative Takamine and carried, H. R. No. 386 was adopted.

A resolution (H. R. No. 387) commending the United Japanese Society for the publication of a History of the Japanese in Hawaii was jointly offered by Representatives Kishinami, Aduja, Ajifu, Aki, Akizaki, Carroll, Chong, de la Cruz, Devereux, Duponte, Fong, J. Garcia, R. Garcia, Hansen, Iha, Inaba, Judd, Kaneshiro, Kato, Kawakami, Kihano, Kimura, Kondo, Kunimura, Lee, Leopold, Lunasco, Medeiros, Morioka, Nakama, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Unemori, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim, Young and Beppu.

On motion by Representative Kishinami, seconded by Representative Young and carried, H. R. No. 387 was adopted.

By unanimous consent, the following resolutions (H. R. Nos. 388 to 392) and concurrent resolution (H. C. R. No. 56) were referred to the Committee on Legislative Management and further action was deferred until later in the calendar:

A resolution (H. R. No. 388) requesting the Department of Transportation to stay enforcement of regulations requiring marine sanitation devices on vessels used as domiciles pending enactment of Coast Guard regulations was jointly offered by Representatives Ushijima, Aduja, Ajifu, Aki, Akizaki, Carroll, Chong, de la Cruz, Devereux, Duponte, Fong, J. Garcia, R. Garcia, Hansen, Inaba, Judd, Kaneshiro, Kato, Kawakami, Kihano, Kishinami, Kondo, Kunimura, Lee, Leopold, Lunasco, Medeiros, Nakama, Oda, Roehrig, Saiki, Soares, Suwa, Takamine, Uechi, Unemori, Wakatsuki, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim, Young and Beppu.

A resolution (H. R. No. 389) requesting all heads of State and county agencies to evaluate and attach priorities to legislative resolutions requesting studies of or related to their respective agencies and to report the same to the appropriate Standing Legislative Committee for consideration was jointly offered by Representatives Suwa, Ajifu, Akizaki, Fong, Inaba, Kishinami, Kondo, Kunimura, Morioka, Oda, Poepoe, Wong, Yim and Young.

A resolution (H. R. No. 390) relating to increased public use of Diamond Head was jointly offered by Representatives Iha, Aduja, Akizaki, Carroll, Duponte, R. Garcia, Inaba, Kaneshiro, Kawakami, Kihano, Kimura, Kishinami, Kondo, Kunimura, Lee, Lunasco, Morioka, Nakama, Suwa, Takamine, Unemori, Wakatsuki, Wasai, Wedemeyer, Yap, Yim and Young.

A resolution (H. R. No. 391) requesting the State Board of Medical Examiners to propose a plan for the training of mobile intensive care paramedics was jointly offered by Representatives Young, Akizaki, Chong, de la Cruz, Duponte, Iha, Judd, Kato, Kawakami, Kihano, Kondo, Kunimura, Lee, Leopold, Lunasco, Nakama, Oda, Poepoe, Sakima, Suwa, Takamine, Uechi, Unemori, Ushijima, Wasai, Wedemeyer, Yap and Yim.

A resolution (H. R. No. 392) supporting observance of Soil Stewardship Week, May 7-14, 1972 was jointly offered by Representatives Ajifu, Aduja, Aki, Akizaki, Carroll, Chong, de la Cruz, Devereux, Duponte, Fong, J. Garcia, R. Garcia, Hansen, Iha, Inaba, Judd, Kaneshiro, Kato, Kawakami, Kihano, Kimura, Kishinami, Kondo, Kunimura, Lee, Leopold, Lunasco, Medeiros, Morioka, Nakama, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Unemori, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim, Young and Beppu.

A concurrent resolution (H. C. R. No. 56) requesting the State Board of Medical Examiners to propose a plan for the training of mobile intensive care paramedics was jointly offered by Representatives Young, Akizaki, Chong, de la Cruz, Duponte, Iha, Judd, Kato, Kawakami, Kihano, Kunimura, Lee, Leopold, Lunasco, Nakama, Oda, Poepoe, Sakima, Suwa, Takamine, Uechi, Unemori, Ushijima, Wasai, Wedemeyer, Yap and Yim.

The Chair declared a recess at 11:19 o'clock a.m., subject to the call of the Chair.

The House of Representatives reconvened at 11:40 o'clock a.m., and the Vice-Speaker assumed the rostrum.

Representative Carroll then introduced to the members of the House Mr. Soichi Yonemori who was the recipient of House Resolution No. 373, adopted during the Regular Session of 1972, and Mrs. Yonemori. They were presented with leis by Representatives Ajifu and Hansen.

The Chair declared a recess at 11:45 o'clock a.m., subject to the call of the Chair.

At 12:40 o'clock p.m., the House of Representatives reconvened and the Speaker resumed the rostrum.

### UNFINISHED BUSINESS

Consideration of Conf. Com. Rep. No. 4 on S. B. No. 766, as amended, which had been deferred to this day.

By unanimous consent, consideration of Conf. Com. Rep. No. 4 on S. B. No. 766, as amended, was deferred to the end of the calendar.

Consideration of H. B. No. 2514-72 on Third Reading, which had been deferred to this day.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, H. B. No. 2514-72 was recommitted to the Committee on Finance.

Consideration of Stand. Com. Rep. No. 595-72 on H. B. No. 2360-72, as amended, which had been deferred to this day.

On motion by Representative Kunimura, seconded by Representative Kawakami and carried, consideration of Stand. Com. Rep. No. 595-72 on H. B. No. 2360-72, as amended, was deferred until tomorrow, April 12, 1972.

### SENATE COMMUNICATION

A communication from the Senate (Sen. Com. No. 188) returning House Bill No. 2400-72 which passed Third Reading in the Senate on April 11, 1972 in an amended form was read by the Clerk and was placed on file.

By unanimous consent, H. B. No. 2400-72, as amended by the Senate, was placed on the Clerk's desk.

The Chair directed the Clerk to note that printed copies of H. B. No. 2400-72, HD1, SD1, were made available to the members of the House at 12:45 o'clock p.m., in accordance with Article III, Section 16, of the Constitution of the State of Hawaii.

On motion by Representative Yap, seconded by Representative Kunimura and carried, the House disagreed to the amendments proposed by the Senate to H. B. No. 2400-72, and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives Yap, Chairman, Kunimura, O'Connor, Sakima, Suwa, Aki, Medeiros and Saiki, were appointed as Managers on the part of the House for the consideration of said amendments.

At 12:48 o'clock p.m., on motion by Representative Ushijima, seconded by Representative J. Garcia and carried, the House of Representatives stood in recess until 8:00 o'clock p.m., this evening.

### EVENING SESSION

The House of Representatives reconvened at 8:27 o'clock p.m.

### SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 189 to 202) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 189) informing the House that the Senate had agreed to the amendments proposed by the House to Senate Concurrent Resolution No. 38 and that Senate Concurrent Resolution No. 38, as amended, was finally adopted by the Senate on April 11, 1972 and was placed on file.

A communication from the Senate (Sen. Com. No. 190) returning House Concurrent Resolution No. 26, which was adopted by the Senate on April 11, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 191) returning House Bill No. 620, which passed Third Reading in the Senate on April 11, 1972 was placed on file.

By unanimous consent, H. B. No. 620 was placed on the Clerk's desk.

A communication from the Senate (Sen. Com. No. 192) transmitting Senate Concurrent Resolution No. 47, SD1, requesting the United States Secretary of Defense to study and evaluate current military practices in the treatment of freight and handling charges on food products purchased on the mainland and shipped to Hawaii and to correct any and all inequities that may exist, which was adopted by the Senate on April 11, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 193) transmitting Senate Concurrent Resolution No. 53, requesting the State Board of Medical Examiners to propose a plan for the training of mobile intensive care paramedics, which was adopted by the Senate on April 11, 1972 was placed on file.

By unanimous consent, further action on S. C. R. Nos. 47 and 53 was deferred until later in the calendar.

A communication from the Senate (Sen. Com. No. 194) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 2400-72, and the request for a conference on the subject matter of said amendments, Senators Ushijima, Chairman, Kawasaki, Kuroda, Takahashi, Takitani, Wong, Yamasaki, Forbes, Lum and Mills had been appointed as Managers on the part of the Senate at such conference was placed on file.

A communication from the Senate (Sen. Com. No. 195) returning House Bill No. 1636-72, which passed Third Reading in the Senate in an amended form by not less than two-thirds vote of all the members to which the Senate is entitled on April 11, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 196) returning House Bill No. 1638-72, which passed Third Reading in the Senate in an amended form by not less than two-thirds vote of all the members to which the Senate is entitled on April 11, 1972 was placed on file.

By unanimous consent, H. B. Nos. 1636-72 and 1638-72, as amended by the Senate, were placed on the Clerk's desk.

The Chair directed the Clerk to note that printed copies of H. B. No. 1636-72, HD1, SD1, and H. B. No. 1638-72, HD1, SD1, were made available to the members of the House at 4:56 o'clock p.m., in accordance with Article III, Section 16 of the Constitution of the State of Hawaii.

A communication from the Senate (Sen. Com. No. 197) informing the House that the Senate had agreed to the amendments proposed by the House to Senate Bill No. 1720-72 and that Senate Bill No. 1720-72, as amended, passed Final Reading in the Senate on April 11, 1972, was placed on file.

A communication from the Senate (Sen. Com. No. 198) informing the House that the Senate had agreed to the amendments proposed by the House to Senate Bill No. 967 and that Senate Bill No. 967, as amended, passed Final Reading in the Senate on April 11, 1972, in accordance with Article III, Section 16 of the Constitution of the State of Hawaii, was placed on file.

A communication from the Senate (Sen. Com. No. 199) returning House Bill No. 290, which passed Third Reading in the Senate in an amended form on April 11, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 200) returning House Bill No. 397, which passed Third Reading in the Senate in an amended form on April 11, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 201) returning House Bill No. 1991-72, which passed Third Reading in the Senate in an amended form on April 11, 1972 was placed on file.

A communication from the Senate (Sen. Com. No. 202) returning House Bill No. 2375-72, which passed Third Reading in the Senate in an amended form on April 11, 1972 was placed on file.

By unanimous consent, H. B. Nos. 290, 397, 1991-72 and 2375-72, as amended by the Senate, were placed on the Clerk's desk.

The Chair here directed the Clerk to note that printed copies of H. B. No. 290, HD1, SD1; H. B. No. 397, SD2; H. B. No. 1991-72, HD1, SD1; and 2375-72, HD1, SD1, were made available to the members

of the House at 6:37 o'clock p.m., in accordance with Article III, Section 16 of the Constitution of the State of Hawaii.

#### DEFERRED RESOLUTIONS

The following resolutions (H. R. Nos. 388 to 392) and concurrent resolutions (H. C. R. No. 56 and S. C. R. Nos. 47 and 53) were disposed of as follows:

H. R. No. 388 was referred to the Committee on Transportation.

H. R. No. 389 was referred to the Committee on Finance.

H. R. No. 390 was referred to the Committee on Lands and after consideration by it, the Committee was instructed to refer the resolution to the Committee on Finance.

H. R. No. 391 was referred to the Committee on Public Health, Youth and General Welfare and after consideration by it, the Committee was instructed to refer the resolution to the Committee on Finance.

H. R. No. 392 was referred to the Committee on Lands.

H. C. R. No. 56 was referred to the Committee on Public Health, Youth and General Welfare and after consideration by it, the Committee was instructed to refer the concurrent resolution to the Committee on Finance.

S. C. R. No. 47 was referred to the Committee on Agriculture.

S. C. R. No. 53 was referred to the Committee on Public Health, Youth and General Welfare and after consideration by it, the Committee was instructed to refer the concurrent resolution to the Committee on Finance.

#### DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

By unanimous consent, H. B. No. 1636-72, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the House disagreed to the amendments proposed by the Senate to H. B. No. 1636-72, and requested a

conference on the subject matter of said amendments.

In accordance therewith, Representatives Suwa, Chairman, Akizaki, Inaba, Kaneshiro, Kishinami, Kondo, Kunimura, Morioka, Wong, Young, Yim, Ajifu, Chong, Fong, Oda and Poepoe were appointed as Managers on the part of the House for the consideration of said amendments.

By unanimous consent, H. B. No. 1638-72, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the House disagreed to the amendments proposed by the Senate to H. B. No. 1638-72, and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives Suwa, Chairman, Akizaki, Inaba, Kaneshiro, Kishinami, Kondo, Kunimura, Morioka, Wong, Young, Yim, Ajifu, Chong, Fong, Oda and Poepoe were appointed as Managers on the part of the House for the consideration of said amendments.

#### SUSPENSION OF RULES

On motion by Representative Ushijima, seconded by Representative J. Garcia and carried unanimously, the rules were suspended for the purpose of taking up bills on Third and Final Readings on the basis of a modified consent calendar.

#### THIRD READING

The following bills, which were on the calendar for Third Reading, were read throughout and the following actions taken:

Third Reading of S. B. No. 1035.

On motion by Representative O'Connor, seconded by Representative Kimura, S. B. No. 1035 passed Third Reading by a vote of 48 ayes to 2 noes, with Representatives Roehrig and Wong voting no, and Representative Iha being excused.

Third Reading of S. B. No. 1424-72.

On motion by Representative

O'Connor, seconded by Representative Kimura, S. B. No. 1424-72 passed Third Reading by a vote of 50 ayes, with Representative Iha being excused.

Third Reading of S. B. No. 1560-72.

On motion by Representative O'Connor, seconded by Representative Kimura, S. B. No. 1560-72 passed Third Reading by a vote of 50 ayes, with Representative Iha being excused.

Third Reading of S. B. No. 1580-72.

By unanimous consent, consideration of S. B. No. 1580-72 on Third Reading was deferred to the end of the calendar.

Third Reading of S. B. No. 1367-72.

On motion by Representative O'Connor, seconded by Representative Kimura, S. B. No. 1367-72 passed Third Reading by a vote of 50 ayes, with Representative Iha being excused.

Third Reading of S. B. No. 1612-72.

By unanimous consent, consideration of S. B. No. 1612-72 on Third Reading was deferred to the end of the calendar.

Third Reading of S. B. No. 1719-72.

On motion by Representative O'Connor, seconded by Representative Kimura, S. B. No. 1719-72 passed Third Reading by a vote of 50 ayes, with Representative Iha being excused.

Third Reading of S. B. No. 241.

On motion by Representative Suwa, seconded by Representative Akizaki, S. B. No. 241 passed Third Reading by a vote of 50 ayes, with Representative Iha being excused.

Third Reading of S. B. No. 770.

On motion by Representative Suwa, seconded by Representative Akizaki, S. B. No. 770 passed Third Reading by a vote of 50 ayes, with Representative Iha being excused.

Third Reading of S. B. No. 881.

On motion by Representative Suwa, seconded by Representative Akizaki, S. B. No. 881 passed Third Reading by a

vote of 50 ayes, with Representative Iha being excused.

The Chair directed the Clerk to note that S. B. Nos. 1035, 1424-72, 1560-72, 1367-72, 1719-72, 241, 770 and 881 had passed Third Reading not earlier than 8:32 o'clock p.m.

The Chair declared a recess at 8:35 o'clock p.m., subject to the call of the Chair.

At 8:38 o'clock p.m., the House of Representatives reconvened and resumed the Order of Third Reading of bills.

Third Reading of S. B. No. 1061.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, consideration of S. B. No. 1061 was deferred until tomorrow, April 12, 1972.

Third Reading of S. B. No. 1435-72.

On motion by Representative Suwa, seconded by Representative Akizaki, S. B. No. 1435-72 passed Third Reading by a vote of 50 ayes, with Representative Iha being excused.

Third Reading of S. B. No. 1588-72.

On motion by Representative Suwa, seconded by Representative Akizaki, S. B. No. 1588-72 passed Third Reading by a vote of 50 ayes, with Representative Iha being excused.

Third Reading of S. B. No. 1650-72.

On motion by Representative Suwa, seconded by Representative Akizaki, S. B. No. 1650-72 passed Third Reading by a vote of 50 ayes, with Representative Iha being excused.

Third Reading of S. B. No. 1829-72.

On motion by Representative Suwa, seconded by Representative Akizaki, consideration of S. B. No. 1829-72 was deferred until tomorrow, April 12, 1972.

Third Reading of S. B. No. 1919-72.

On motion by Representative Suwa, seconded by Representative Akizaki, S. B. No. 1919-72 passed Third Reading by a vote of 50 ayes, with Representative Iha

being excused.

Third Reading of S. B. No. 1742-72.

On motion by Representative Suwa, seconded by Representative Akizaki, consideration of S. B. No. 1742-72 was deferred until tomorrow, April 12, 1972.

Third Reading of S. B. No. 1837-72.

On motion by Representative Suwa, seconded by Representative Akizaki, S. B. No. 1837-72 passed Third Reading by a vote of 50 ayes, with Representative Iha being excused.

Third Reading of S. B. No. 1491-72.

On motion by Representative Suwa, seconded by Representative Akizaki, S. B. No. 1491-72 passed Third Reading by a vote of 50 ayes, with Representative Iha being excused.

Third Reading of S. B. No. 1878-72.

On motion by Representative O'Connor, seconded by Representative Kimura, S. B. No. 1878-72 passed Third Reading by a vote of 50 ayes, with Representative Iha being excused.

Third Reading of S. B. No. 1905-72.

On motion by Representative Suwa, seconded by Representative Akizaki, S. B. No. 1905-72 passed Third Reading by a vote of 50 ayes, with Representative Iha being excused.

The Chair here directed the Clerk to note that S. B. Nos. 1435-72, 1588-72, 1650-72, 1919-72, 1837-72, 1491-72, 1878-72 and 1905-72 had passed Third Reading not earlier than 8:40 o'clock p.m.

The Chair declared a recess at 8:42 o'clock p.m., subject to the call of the Chair.

At 8:47 o'clock p.m., the House of Representatives reconvened.

Third Reading of S. B. No. 1947-72.

On motion by Representative Suwa, seconded by Representative Akizaki, S. B. No. 1947-72 passed Third Reading by a vote of 50 ayes, which is not less than two-thirds of the vote of the members to

which the House is entitled, with Representative Iha being excused.

Third Reading of S. B. No. 1949-72.

On motion by Representative Suwa, seconded by Representative Akizaki, S. B. No. 1949-72 passed Third Reading by a vote of 50 ayes, with Representative Iha being excused.

Third Reading of S. B. No. 1970-72.

On motion by Representative Suwa, seconded by Representative Akizaki, S. B. No. 1970-72 passed Third Reading by a vote of 50 ayes, with Representative Iha being excused.

Third Reading of S. B. No. 124.

On motion by Representative O'Connor, seconded by Representative Kimura, S. B. No. 124 passed Third Reading by a vote of 50 ayes, with Representative Iha being excused.

Third Reading of S. B. No. 1729-72.

On motion by Representative O'Connor, seconded by Representative Kimura, consideration of S. B. No. 1729-72 was deferred until the end of the calendar.

Third Reading of S. B. No. 1823-72.

Representative O'Connor moved that S. B. No. 1823-72, having been read throughout, pass Third Reading, seconded by Representative Kimura.

Representative Inaba then requested a ruling of the Chair regarding a possible conflict of interest in that he is employed by an industrial loan company.

The Chair ruled that there was no conflict of interest and Representative Inaba was not excused from voting.

The motion was put by the Chair and carried, and S. B. No. 1823-72 passed Third Reading by a vote of 49 ayes to 1 no, with Representative Aduja voting no, and Representative Iha being excused.

Third Reading of S. B. No. 1844-72.

On motion by Representative O'Connor, seconded by Representative Kimura, S. B. No. 1844-72 passed Third



Reading by a vote of 50 ayes, with Representative Iha being excused.

Third Reading of S. B. No. 1502-72.

On motion by Representative O'Connor, seconded by Representative Kimura, consideration of S. B. No. 1502-72 was deferred until the end of the calendar.

Third Reading of S. B. No. 43.

On motion by Representative O'Connor, seconded by Representative Kimura, consideration of S. B. No. 43 was deferred until the end of the calendar.

Third Reading of S. B. No. 1415-72.

On motion by Representative O'Connor, seconded by Representative Kimura, S. B. No. 1415-72 passed Third Reading by a vote of 48 ayes to 2 noes, with Representatives Ajifu and Hansen voting no and Representative Iha being excused.

Third Reading of S. B. No. 1340-72.

On motion by Representative O'Connor, seconded by Representative Kimura, S. B. No. 1340-72 passed Third Reading by a vote of 50 ayes, with Representative Iha being excused.

The Chair directed the Clerk to note that S. B. Nos. 1947-72, 1949-72, 1970-72, 124, 1823-72, 1844-72, 1415-72 and 1340-72 had passed Third Reading not earlier than 8:48 o'clock p.m.

#### UNFINISHED BUSINESS

Consideration of Stand. Com. Rep. No. 616-72 on S. B. No. 623, as amended, which had been deferred to this day.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and S. B. No. 623, as amended, having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Iha being excused.

Consideration of Stand. Com. Rep. No. 617-72 on S. B. No. 466, as

amended, which had been deferred to this day.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, Stand. Com. Rep. No. 617-72 and S. B. No. 466, as amended, were recommitted to the Committee on Judiciary.

Consideration of Stand. Com. Rep. No. 627-72 on S. B. No. 10, which had been deferred to this day.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and S. B. No. 10, having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Iha being excused.

Consideration of Stand. Com. Rep. No. 628-72 on S. B. No. 11, which had been deferred to this day.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and S. B. No. 11, having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Iha being excused.

Consideration of Stand. Com. Rep. No. 656-72 on S. B. No. 1096, as amended, which had been deferred to this day.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the majority of the Committee was adopted and S. B. No. 1096, as amended, having been read throughout, passed Third Reading by a vote of 47 ayes to 3 noes, with Representatives Duponte, Lee and Yap voting no, and Representative Iha being excused.

Consideration of Stand. Com. Rep. No. 665-72 on S. B. No. 44, as amended, which had been deferred to this day.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and S. B. No. 44, as amended, having been read throughout, passed Third Reading by a vote of 50 ayes to 1 no, with Representative Uechi voting no.

The Chair here directed the Clerk to note that S. B. Nos. 623, 10, 11, 1096 and 44 had passed Third Reading not earlier than 8:55 o'clock p.m.

The Chair declared a recess at 8:57 o'clock p.m., subject to the call of the Chair.

At 10:00 o'clock p.m., the House of Representatives reconvened.

### THIRD READING

The following bills, which were on the calendar for Third Reading, were read throughout and the following actions taken:

Third Reading of S. B. No. 1805-72.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, S. B. No. 1805-72 was recommitted to the Committee on Judiciary.

Third Reading of S. B. No. 1382-72.

Representative O'Connor moved that S. B. No. 1382-72, having been read throughout, pass Third Reading, seconded by Representative Kimura.

Representative O'Connor then offered the following amendment to S. B. No. 1382-72:

“SECTION 1. Senate Bill No. 1382-72, SD1, HD1, is amended by amending Section 22 to read as follows:

‘Sec. -22 Powers & duties, specific. In addition to any other power or duty prescribed by law in this part, the director shall prevent, control, and abate air pollution in the State. In the discharge of this duty, the director may:

- ( 1) Establish by rule or regulation specific areas for control of air pollution, thereby allowing for varying local conditions;
- ( 2) require private persons or agencies or governmental agencies engaged or desiring to engage in operations which result or may result in air pollution to secure a permit prior to installation or operation or continued operation. The director shall refuse to issue the permit

unless it appears that the operations would be in compliance with the rules and regulations of the department and the state ambient air quality standards. The director may also require the persons or agencies to submit plans and the filing of reports by the persons or agencies containing the information relating to location, size of outlet, height of outlet, rate incurred at emission and composition of discharge and such other matters relative to air pollution as the department shall prescribe to be filed.

- ( 3) require the owner or operator of any emission source to (a) establish and maintain such records; (b) make such reports; (c) install, use and maintain such monitoring equipment or methods; (d) sample such emission; and (e) provide such other information as the department may require.
- ( 4) conduct and supervise research programs for the purpose of determining the causes, effects, hazards or means to monitor or abate sources of air pollution.
- ( 5) conduct and supervise state-wide educational and training programs on air pollution prevention, control, and abatement, including the preparation and distribution of information relating to air pollution.
- ( 6) appoint a master or masters to conduct investigations and hearings.
- ( 7) receive or initiate complaints on air pollution, hold hearings in connection with air pollution, and institute legal proceedings in the name of the state for the prevention, control, or abatement of air pollution.
- ( 8) with the approval of the governor, cooperate with, and receive money from, the federal government, or any political subdivision of the state or from private sources for the study and control of air pollution.
- ( 9) establish ambient air quality standards for the state as a whole or for any part thereof.

- (10) require the installation, use, and proper maintenance of air pollution control equipment for motor vehicles.
- (11) establish and carry out a program of inspection and testing of all modes of transportation except aircraft, to enforce compliance with applicable emission limitations when necessary and practicable and to control or limit the operation of motor vehicular and other modes of transportation when the director finds pursuant to standards established by rules and regulations such modes of transportation are producing or pose an immediate danger of producing unacceptable levels of air pollutants or when such control is necessary to meet applicable ambient air quality standards.'

SECTION 2. Senate Bill No. 1382-72, SD1, HD1, is amended by amending Section 31 to read as follows:

'Sec. -31 Definitions. As used in this part, unless the context otherwise requires:

- ( 1) "Coastal waters" means all waters surrounding the islands of the State from the coast of any island to a point three miles seaward from the coast, and, in the case of streams, rivers, and drainage ditches, to a point three miles seaward from their point of discharge into the sea and includes those brackish waters, fresh waters and salt waters that are subject to the ebb and flow of the tide.
- ( 2) "Drainage ditch" means that facility used to carry storm run-off only.
- ( 3) "Effluent" means the discharge of any substance into state water, including, but not limited to, sewage, waste, garbage, feculent matter, offal, filth, refuse, any animal, mineral, or vegetable matter or substance, and any liquid, gaseous, or solid substances.
- ( 4) "Effluent sources" include, but are not limited to, sewage outfalls, refuse systems and plants, water systems and plants, and industrial plants.
- ( 5) "Sewerage system" means pipelines or conduits, pumping stations, and force mains, and all other structures, devices, appurtenances, and facilities used for collecting or conducting wastes to an ultimate point for treatment or disposal.
- ( 6) "State waters" means all [public] waters, fresh, brackish, or salt around and within the State, including, but not limited to, coastal waters, streams, rivers, drainage ditches, ponds, reservoirs, canals, and lakes; provided that drainage ditches, ponds, and reservoirs required as a part of a pollution control system are excluded.
- ( 7) "Water pollution" means: (1) Such contamination or other alteration of the physical, chemical or biological properties of any state waters, including change in temperature, taste, color, turbidity, or odor of the waters, or (2) Such discharge of any liquid, gaseous, solid, radioactive, or other substances into any state waters, as will or is likely to create a nuisance or render such waters unreasonably harmful, detrimental or injurious to public health, safety or welfare, including harm, detriment, or injury to public water supplies, fish and aquatic life and wildlife, recreational purposes and agricultural, industrial, research and scientific uses of such waters.'

SECTION 3. Senate Bill No. 1382-72, SD1, HD1, is amended by amending Section 8 to read as follows:

'Sec. -8 Cease and desist orders.

(a) If the director determines that any person is: (1) violating this chapter; or (2) violating any rule or regulation promulgated under this chapter; [or (3) discharging waste which does or will probably cause a condition of pollution or nuisance;] he may cause written notice to be served upon the alleged violator or violators. The notice shall specify the alleged violation and may contain an order specifying a reasonable time during which the person shall be required to take such measures as may be necessary to

correct the violation and to give periodic progress reports. Any such order shall become final unless no later than 20 days after the date of notice and order are served, the person or persons named therein request in writing a hearing before the director. Upon such request, the director [may] shall require that the alleged violator or violators appear before him for a hearing at a time and place specified in the notice and answer the charges complained of [, or the director may initiate action pursuant to subsection C”].

In lieu of an order, the director may require that the alleged violator or violators appear before him for a hearing at a time and place specified in the notice and answer the charges complained of [, or the director may initiate action pursuant to subsection C].

(b) If after a hearing held pursuant to subsection (a) of this section, the director finds that a violation or violations have occurred, he shall affirm or modify his order previously issued or issue an appropriate order or orders for the prevention, abatement or control of the violation or discharges involved, or for the taking of such other corrective action as may be appropriate. If, after hearing on an order contained in a notice, the director finds that no violation has occurred or is occurring, he shall rescind the order. Any order issued as part of a notice or after hearing may prescribe the date or dates by which the violation or violations shall cease and may prescribe timetables for necessary action in preventing, abating, or controlling the violation or discharges.

(c) Any violation of [the] an order issued by the director [as part of a notice prior to a hearing or an order issued after hearing] may at the discretion of the director subject the violator or violators to the penalties specified in section -11 and the injunction remedies specified in section -12.

The director is authorized to impose the penalty specified in section -11 and may institute a civil action in the name of the State to recover the civil penalty which shall be a government realization.

In any proceeding to recover the civil penalty imposed, the director need only show that notice was given, a hearing was

held or the time granted for requesting a hearing has run without such a request, the civil penalty was imposed, and that the penalty remains unpaid.

(d) Nothing in this section shall prevent the director from making efforts to obtain voluntary compliance by warning, conference, or any other appropriate means.

(e) In connection with any hearing held pursuant to this section, the director shall have the power to subpoena the attendance of witnesses and the production of evidence on behalf of all.’ ”

Representative O’Connor moved that the amendment be adopted, seconded by Representative Kimura.

Representative O’Connor then explained the amendment as follows:

“Mr. Speaker, Section -22 will add three sentences which were inadvertently and typographically left out of the bill when it was typed out last night. These sentences are indicated by the underlined sections on the first page of the amendment.

Section -31. ‘Definitions’ is amended to change the definition of ‘coastal waters’ to mean all waters surrounding the islands rather than simply the public waters. This conforms to other amendments of ‘coastal waters’ and brings the bill in line with other bills including Federal legislation.

Section 3 amends Section -8 of the bill. The third part of paragraph 8 (a) is eliminated as being simply a duplication of Parts (1) and (2). In the first paragraph under Section -8, the requirement for a hearing is made by changing the word ‘may’ to ‘shall’ and further amending that sentence to make it clearer. That same change is repeated throughout the balance of the paragraph.

Those, Mr. Speaker, are the essential elements of the amendment proposed this evening to this bill.

Thank you, Mr. Speaker.”

The motion was put by the Chair and carried and the amendment was adopted.

By unanimous consent, further consideration of S. B. No. 1382-72, as amended, was deferred until tomorrow, April 12, 1972.

The Chair here directed the Clerk to note that printed copies of S. B. No. 1382-72, SD1, HD2, were made available to the members of the House at 10:05 o'clock p.m., in accordance with Article III, Section 16, of the Constitution of the State of Hawaii.

#### STANDING COMMITTEE REPORTS

Representative Nakama, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 678-72) approving the intent and purpose of H. R. No. 271 and recommending its referral to the Committee on Finance.

On motion by Representative Nakama, seconded by Representative Kihano and carried, the report of the Committee was adopted and H. R. No. 271 was referred to the Committee on Finance.

Representative Wedemeyer, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 679-72) approving the intent and purpose of H. R. No. 321 and recommending its referral to the Committee on Finance.

On motion by Representative Wedemeyer, seconded by Representative Kato and carried, the report of the Committee was adopted and H. R. No. 321 was referred to the Committee on Finance.

Representative Wedemeyer, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 680-72) approving the intent and purpose of H. C. R. No. 36 and recommending its referral to the Committee on Finance.

On motion by Representative Wedemeyer, seconded by Representative Kato and carried, the report of the Committee was adopted and H. C. R. No. 36 was referred to the Committee on Finance.

Representative R. Garcia, for the Committee on Public Health, Youth and General Welfare, presented a report (Stand. Com. Rep. No. 681-72) approving the intent and purpose of H. B. No. 1984-72 and recommending its passage

on Second Reading and its referral to the Committee on Finance.

On motion by Representative R. Garcia, seconded by Representative Uechi and carried, the report of the Committee was adopted and H. B. No. 1984-72 passed Second Reading and was referred to the Committee on Finance.

Representative R. Garcia, for the Committee on Public Health, Youth and General Welfare, presented a report (Stand. Com. Rep. No. 682-72) approving the intent and purpose of H. B. No. 2457-72 and recommending its passage on Second Reading and its referral to the Committee on Finance, with certain amendments.

On motion by Representative R. Garcia, seconded by Representative Uechi and carried, the report of the Committee was adopted and H. B. No. 2457-72, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 683-72) approving the intent and purpose of S. B. No. 866 and recommending its passage on Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 683-72 on S. B. No. 866 was deferred until tomorrow, April 12, 1972.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 684-72) approving the intent and purpose of S. B. No. 1436-72 and recommending its passage on Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 684-72 on S. B. No. 1436-72 was deferred until tomorrow, April 12, 1972.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 685-72) approving the intent and purpose of S. B. No. 1471-72 and recommending its passage on Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 685-72 on S. B. No. 1471-72 was deferred until tomorrow, April 12, 1972.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 686-72) approving the intent and purpose of S. B. No. 1577-72 and recommending its passage on Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 686-72 on S. B. No. 1577-72 was deferred until tomorrow, April 12, 1972.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 687-72) approving the intent and purpose of S. B. No. 1737-72 and recommending its passage on Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 687-72 on S. B. No. 1737-72 was deferred until tomorrow, April 12, 1972.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 688-72) approving the intent and purpose of S. B. No. 1972-72 and recommending its passage on Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 688-72 on S. B. No. 1972-72 was deferred until tomorrow, April 12, 1972.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 689-72) approving the intent and purpose of S. B. No. 1988-72 and recommending its passage on Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 689-72 on S. B. No. 1988-72 was deferred until tomorrow, April 12, 1972.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 690-72) approving the intent and purpose of S. B. No. 2014-72 and recommending its passage on Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 690-72 on S. B. No. 2014-72 was deferred until tomorrow, April 12, 1972.

The Chair here directed the Clerk to note that printed copies of S. B. No. 866, SD1; S. B. No. 1436-72; S. B. No. 1471-72; S. B. No. 1577-72; S. B. No. 1737-72; S. B. No. 1972-72, SD1; S. B.

No. 1988-72, SD1; and S. B. No. 2014-72, SD1, were made available to the members of the House at 2:50 o'clock p.m., in accordance with Article III, Section 16, of the Constitution of the State of Hawaii.

Representative Kawakami, for the Committee on Lands, presented a report (Stand. Com. Rep. No. 691-72) approving the intent and purpose of S. B. No. 1694-72 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative Kaneshiro and carried, the report of the Committee was adopted and S. B. No. 1694-72 passed Second Reading and was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Lands, presented a report (Stand. Com. Rep. No. 692-72) approving the intent and purpose of S. B. No. 1806-72 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative Kaneshiro and carried, the report of the Committee was adopted and S. B. No. 1806-72 passed Second Reading and was referred to the Committee on Finance.

Representative Kawakami, for the majority of the Committee on Lands, presented a report (Stand. Com. Rep. No. 693-72) approving the intent and purpose of S. B. No. 2013-72 and recommending its passage on Second Reading and its referral to the Committee on Judiciary.

On motion by Representative Kawakami, seconded by Representative Kaneshiro and carried, the report of the majority of the Committee was adopted and S. B. No. 2013-72 passed Second Reading and was referred to the Committee on Judiciary.

Representative Yap, for the Committee on Housing and Consumer Protection, presented a report (Stand. Com. Rep. No. 694-72) approving the intent and purpose of S. B. No. 858 and recommending its passage on Second Reading and its referral to the Committee on Judiciary.

On motion by Representative Yap, seconded by Representative R. Garcia

and carried, the report of the Committee was adopted and S. B. No. 858 passed Second Reading and was referred to the Committee on Judiciary.

Representative Kimura, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 695-72) approving the intent and purpose of H. R. No. 284 and recommending its referral to the Committee on Finance.

On motion by Representative Kimura, seconded by Representative Kishinami and carried, the report of the Committee was adopted and H. R. No. 284 was referred to the Committee on Finance.

Representative Kimura, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 696-72) approving the intent and purpose of H. R. No. 362 and recommending its referral to the Committee on Finance.

On motion by Representative Kimura, seconded by Representative Kishinami and carried, the report of the Committee was adopted and H. R. No. 362 was referred to the Committee on Finance.

Representative Kimura, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 697-72) approving the intent and purpose of H. R. No. 338 and recommending its referral to the Committee on Finance.

On motion by Representative Kimura, seconded by Representative Kishinami and carried, the report of the Committee was adopted and H. R. No. 338 was referred to the Committee on Finance.

Representative Kimura, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 698-72) approving the intent and purpose of H. R. No. 379 and recommending its referral to the Committee on Finance.

On motion by Representative Kimura, seconded by Representative Kishinami and carried, the report of the Committee was adopted and H. R. No. 379 was referred to the Committee on Finance.

Representative Kimura, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 699-72) approving the intent and purpose of H. R. No. 378 and recommending its referral to the Committee on Finance.

On motion by Representative Kimura,

seconded by Representative Kishinami and carried, the report of the Committee was adopted and H. R. No. 378 was referred to the Committee on Finance.

Representative Kimura, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 700-72) approving the intent and purpose of H. R. No. 377 and recommending its referral to the Committee on Finance.

On motion by Representative Kimura, seconded by Representative Kishinami and carried, the report of the Committee was adopted and H. R. No. 377 was referred to the Committee on Finance.

Representative Yap, for the Committee on Housing and Consumer Protection, presented a report (Stand. Com. Rep. No. 701-72) approving the intent and purpose of H. R. No. 359 and recommending its referral to the Committee on Finance, with certain amendments.

On motion by Representative Yap, seconded by Representative R. Garcia and carried, the report of the Committee was adopted and H. R. No. 359, as amended, was referred to the Committee on Finance.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 702-72) approving the intent and purpose of S. B. No. 1472-72 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and S. B. No. 1472-72 passed Second Reading and was referred to the Committee on Finance.

Representative Suwa, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 703-72) approving the intent and purpose of S. B. No. 1649-72 and recommending its passage on Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 703-72 on S. B. No. 1649-72 was deferred until tomorrow, April 12, 1972.

The Chair here directed the Clerk to note that printed copies of S. B. No. 1649-72, SD1, HD1, were made available to the members of the House at 4:00



o'clock p.m., in accordance with Article III, Section 16, of the Constitution of the State of Hawaii.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 704-72) approving the intent and purpose of S. B. No. 1177 and recommending its passage on Second Reading.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and S. B. No. 1177 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 12, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 705-72) approving the intent and purpose of S. B. No. 2008-72 and recommending its passage on Second Reading, with certain amendments.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and S. B. No. 2008-72, as amended, entitled, "A Bill for an Act relating to the licensing of electricians and plumbers," passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 12, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 706-72) approving the intent and purpose of S. B. No. 802 and recommending its passage on Second Reading.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and S. B. No. 802 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 12, 1972.

The Chair here directed the Clerk to note that S. B. Nos. 1177, 2008-72 and 802 had passed Second Reading not earlier than 10:10 o'clock p.m.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 707-72) approving the intent and purpose of S. B. No. 1547-72 and recommending its passage on Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 707-72 on S. B. No. 1547-72 was deferred until tomorrow, April 12, 1972.

The Chair directed the Clerk to note that printed copies of S. B. No. 1547-72, SD1; S. B. No. 1177, SD1; S. B. No. 2008-72, HD1; and S. B. No. 802 were made available to the members of the House at 4:00 o'clock p.m., in accordance with Article III, Section 16 of the Constitution of the State of Hawaii.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 708-72) approving the intent and purpose of S. B. No. 1611-72 and recommending its passage on Second Reading.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and S. B. No. 1611-72 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 12, 1972.

The Chair directed the Clerk to note that printed copies of S. B. No. 1611-72, were made available to the members of the House at 4:00 o'clock p.m., in accordance with Article III, Section 16 of the Constitution of the State of Hawaii.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 709-72) approving the intent and purpose of S. B. No. 1345-72 and recommending its passage on Second Reading.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and S. B. No. 1345-72 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 12, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 710-72) approving the intent and purpose of S. B. No. 1433-72 and recommending its passage on Second Reading.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and S. B. No. 1433-72 passed Second Reading and was placed on the Order of the Day for Third

Reading tomorrow, April 12, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 711-72) approving the intent and purpose of S. B. No. 1411-72 and recommending its passage on Second Reading.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and S. B. No. 1411-72 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 12, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 712-72) approving the intent and purpose of S. B. No. 1343-72 and recommending its passage on Second Reading.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and S. B. No. 1343-72 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 12, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 713-72) approving the intent and purpose of S. B. No. 1716-72 and recommending its passage on Second Reading.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and S. B. No. 1716-72 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 12, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 714-72) approving the intent and purpose of S. B. No. 1341-72 and recommending its passage on Second Reading.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and S. B. No. 1341-72 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 12, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 715-72) approving the intent and purpose of S. B. No. 1518-72 and recommending its passage on Second Reading.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and S. B. No. 1518-72 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 12, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 716-72) approving the intent and purpose of S. B. No. 1344-72 and recommending its passage on Second Reading.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and S. B. No. 1344-72 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 12, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 717-72) approving the intent and purpose of S. B. No. 1365-72 and recommending its passage on Second Reading.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and S. B. No. 1365-72 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 12, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 718-72) approving the intent and purpose of S. B. No. 1342-72 and recommending its passage on Second Reading.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and S. B. No. 1342-72 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 12, 1972.

Representative O'Connor, for the

Committee on Judiciary, presented a report (Stand. Com. Rep. No. 719-72) approving the intent and purpose of S. B. No. 1593-72 and recommending its passage on Second Reading.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and S. B. No. 1593-72 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 12, 1972.

The Chair here directed the Clerk to note that S. B. Nos. 1611-72, 1345-72, 1433-72, 1411-72, 1343-72, 1716-72, 1341-72, 1518-72, 1344-72, 1365-72, 1342-72 and 1593-72 had passed Second Reading not earlier than 10:12 o'clock p.m.

The Chair here directed the Clerk to note that printed copies of S. B. No. 1611-72; S. B. No. 1345-72; S. B. No. 1433-72; S. B. No. 1411-72; S. B. No. 1343-72, SD1; S. B. No. 1716-72; S. B. No. 1341-72; S. B. No. 1518-72, SD2; S. B. No. 1344-72; S. B. No. 1365-72, SD2; S. B. No. 1342-72, SD1; and S. B. No. 1593-72 were made available to the members of the House at 5:30 o'clock p.m., in accordance with Article III, Section 16, of the Constitution of the State of Hawaii.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 720-72) approving the intent and purpose of S. B. No. 1819-72 and recommending its passage on Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 720-72 on S. B. No. 1819-72 was deferred until tomorrow, April 12, 1972.

The Chair here directed the Clerk to note that printed copies of S. B. No. 1819-72, SD1, were made available to the members of the House at 5:30 o'clock p.m., in accordance with Article III, Section 16, of the Constitution of the State of Hawaii.

The Chair declared a recess at 10:14 o'clock p.m., subject to the call of the Chair.

The House of Representatives reconvened at 10:19 o'clock p.m., and

the House resumed the order of Standing Committee Reports.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 721-72) approving the intent and purpose of S. B. No. 46 and recommending its passage on Third Reading, with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 721-72 on S. B. No. 46, as amended, was deferred until tomorrow, April 12, 1972.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 722-72) approving the intent and purpose of S. B. No. 1862-72 and recommending its passage on Third Reading, with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 722-72 on S. B. No. 1862-72, as amended, was deferred until tomorrow, April 12, 1972.

The Chair directed the Clerk to note that printed copies of S. B. No. 46, SD2, HD1 and S. B. No. 1862-72, SD2, HD1 were made available to the members of the House at 7:30 o'clock p.m., in accordance with Article III, Section 16, of the Constitution of the State of Hawaii.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 723-72) approving the intent and purpose of S. B. No. 53 and recommending its passage on Second Reading, with certain amendments.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and S. B. No. 53, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 12, 1972.

Representative O'Connor, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 724-72) approving the intent and purpose of S. B. No. 1822-72 and recommending its passage on Second Reading.

On motion by Representative O'Connor, seconded by Representative

Kimura and carried, the report of the majority of the Committee was adopted and S. B. No. 1822-72 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 12, 1972.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 725-72) approving the intent and purpose of S. B. No. 1749-72 and recommending its passage on Second Reading, with certain amendments.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and S. B. No. 1749-72, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 12, 1972.

The Chair directed the Clerk to note that S. B. Nos. 53, 1822-72 and 1749-72 had passed Second Reading not earlier than 10:20 o'clock p.m.

The Chair directed the Clerk to note that printed copies of S. B. No. 53, SD1, HD1 were made available to the members at 7:30 o'clock p.m. and S. B. Nos. 1822-72, SD1 and S. B. No. 1749-72, SD1, HD1, were made available to the members at 9:00 o'clock p.m., in accordance with Article III, Section 16, of the Constitution of the State of Hawaii.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 726-72) approving the intent and purpose of S. B. No. 576 and recommending its passage on Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 726-72 on S. B. No. 576 was deferred until tomorrow, April 12, 1972.

The Chair here directed the Clerk to note that printed copies of S. B. No. 576, SD1, HD1, were made available to the members of the House at 9:00 o'clock p.m., in accordance with Article III, Section 16 of the Constitution of the State of Hawaii.

Representative O'Connor, for the Committee on Judiciary, presented a

report (Stand. Com. Rep. No. 727-72) approving the intent and purpose of H. B. No. 2039-72 and recommending its passage on Second Reading, with certain amendments.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H. B. No. 2039-72, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 12, 1972.

The Chair directed the Clerk to note that H. B. No. 2039-72 had passed Second Reading at 10:23 o'clock p.m.

The Chair directed the Clerk to note that printed copies of H. B. No. 2039-72, HD1, were made available to the members of the House at 9:00 o'clock p.m., in accordance with Article III, Section 16, of the Constitution of the State of Hawaii.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 728-72) approving the intent and purpose of S. B. No. 1805-72 and recommending its passage on Third Reading, with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 728-72 on S. B. No. 1805-72, as amended, was deferred until tomorrow, April 12, 1972.

The Chair directed the Clerk to note that printed copies of S. B. No. 1805-72, SD1, HD2, were made available to the members of the House at 9:00 o'clock p.m., in accordance with Article III, Section 16, of the Constitution of the State of Hawaii.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 729-72) approving the intent and purpose of S. B. No. 95 and recommending its passage on Second Reading, with certain amendments.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and S. B. No. 95, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading

tomorrow, April 12, 1972 .

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 730-72) approving the intent and purpose of S. B. No. 96 and recommending its passage on Second Reading, with certain amendments.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and S. B. No. 96, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 12, 1972.

The Chair directed the Clerk to note that S. B. Nos. 95 and 96 had passed Second Reading not earlier than 10:24 o'clock p.m.

The Chair then directed the Clerk to note that printed copies of S. B. No. 95, HD1 and S. B. No. 96, HD1, were made available to the members of the House at 9:35 o'clock p.m., in accordance with Article III, Section 16, of the Constitution of the State of Hawaii.

#### DEFERRED MATTERS

Consideration of Conf. Com. Rep. No. 4 on S. B. No. 766, as amended, which had been deferred to this time.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, consideration of Conf. Com. Rep. No. 4 on S. B. No. 766, as amended, was deferred to the end of the calendar.

Consideration of S. B. No. 1580-72 on Third Reading, which had been deferred to this time.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, consideration of S. B. No. 1580-72 on Third Reading was deferred until tomorrow, April 12, 1972.

Consideration of S. B. No. 1612-72 on Third Reading, which had been deferred to this time.

On motion by Representative O'Connor, seconded by Representative Kimura, S. B. No. 1612-72, having been read throughout, passed Third Reading

by a vote of 50 ayes to 1 no, with Representative Duponte voting no.

The Chair directed the Clerk to note that S. B. No. 1612-72 had passed Third Reading at 10:25 o'clock p.m.

Consideration of S. B. No. 1729-72 on Third Reading, which had been deferred to this time.

Representative O'Connor moved that S. B. No. 1729-72, having been read throughout, pass Third Reading, seconded by Representative Kimura.

Representative O'Connor then offered the following amendment to S. B. No. 1729-72:

“SECTION 1. Senate Bill No. 1729-72, SD1, HD1, is amended by amending Sec. 705(c)(4) to read as follows:

‘[Sec. 705C-4 Financial inquiry, statement. Upon a request for the appointment of counsel, the judge shall, according to standards of eligibility established by the supreme court, proceed to make appropriate inquiry into the financial circumstances of the applicant, who shall submit, unless waived by the court, a financial statement under oath or affirmation setting forth his assets and liabilities, source or sources of income. The court shall furnish appropriate forms for such financial statements. A person may waive his right to counsel by refusing to furnish such financial statements.]

Sec. 705C-4 Determination of indigency. Unless otherwise ordered by the court, the determination of indigency shall be made by a public defender, subject to review by the court. Such determination shall be based upon an appropriate inquiry into the financial circumstances of the person seeking legal representation and an affidavit or a certificate signed by such person demonstrating his financial inability to obtain legal counsel. The defender council shall adopt rules and regulations pursuant to chapter 91 establishing standards of eligibility according to which the public defender shall make his determination of indigency.”

Representative O'Connor moved that the amendment be adopted, seconded by

Representative Kimura.

Representative O'Connor then explained the amendment as follows:

“Mr. Speaker, very briefly this amendment places in the office of the Public Defender, the responsibility for determining indigency in situations where the Public Defender's office comes into play. The present bill calls for the court to determine that matter. This bill would make the responsibility that of the Public Defender's office subject to review by the court.”

The motion was put by the Chair and carried, and the amendment was adopted.

By unanimous consent, further consideration of S. B. No. 1729-72, as amended, was deferred until tomorrow, April 12, 1972.

The Chair here directed the Clerk to note that printed copies of S. B. No. 1729-72, SD1, HD2, were made available to the members of the House at 10:29 o'clock p.m., in accordance with Article III, Section 16, of the Constitution of the State of Hawaii.

Consideration of S. B. No. 1502-72 on Third Reading, which had been deferred to this time.

On motion by Representative O'Connor, seconded by Representative Kimura, S. B. No. 1502-72, having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S. B. No. 1502-72 had passed Third Reading at 10:30 o'clock p.m.

Consideration of S. B. No. 43 on Third Reading, which had been deferred to this time.

Representative O'Connor moved that S. B. No. 43, having been read throughout, pass Third Reading, seconded by Representative Kimura.

Representative then rose and spoke in favor of the measure.

The motion was put by the Chair and carried and S. B. No. 43, having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S. B. No. 43 had passed Third Reading at 10:32 o'clock p.m.

The Chair declared a recess at 10:32 o'clock p.m., subject to the call of the Chair.

At 10:39 o'clock p.m., the House of Representatives reconvened.

Consideration of Conf. Com. Rep. No. 4 on S. B. No. 766, as amended, which had been deferred to this time.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, consideration of Conf. Com. Rep. No. 4 on S. B. No. 766, as amended, was deferred until tomorrow, April 12, 1972.

#### **DISPOSITION OF MATTER PLACED ON THE CLERK'S DESK**

By unanimous consent, H. B. No. 620 was taken from the Clerk's desk.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, H. B. No. 620 passed Final Reading by a vote of 51 ayes, in accordance with Article III, Section 16, of the Constitution of the State of Hawaii.

The Chair directed the Clerk to note that H. B. No. 620 had passed Final Reading at 10:40 o'clock p.m.

At 10:45 o'clock p.m., on motion by Representative Ushijima, seconded by Representative J. Garcia and carried, the House of Representatives adjourned to 11:00 o'clock a.m., tomorrow, April 12, 1972.