

44TH DAY

Tuesday, March 20, 1973

The House of Representatives of the Seventh Legislature of the State of Hawaii, Regular Session of 1973, was called to order at 11:00 o'clock a.m.

The Speaker presided.

The Divine Blessing was invoked by The Reverend Brian J. Grieves of the Church of the Holy Nativity.

Roll call of the members of the House of Representatives showed that all members were present with the exception of Representatives Aki, Iha, Kawakami, Kihano, Kunimura, Lunasco, Medina, Morioka, Nakama and Yamada, who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Forty-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 Forty-Third Day was approved.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 35 to 38) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 35) transmitting Senate Concurrent Resolution No. 7, SD 1, requesting the President of the United States to require the Secretary of Labor to comply with provisions of P.L. 91-373, which was adopted by the Senate on March 19, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 36) transmitting Senate Concurrent Resolution No. 32 urging Hawaii's Congressional delegation to take action toward restoration of federal funds for emergency health services, which was adopted by the Senate on March 19, 1973, was placed on file.

By unanimous consent, action on S.C.R. Nos. 7 and 32 were deferred until later on the calendar.

A communication from the Senate

(Sen. Com. No. 37) transmitting Senate Bill No. 96 entitled: "A Bill for an Act relating to temporary disability insurance" which passed Third Reading in the Senate on March 19, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 38) transmitting Senate Bill No. 134 entitled: "A Bill for an Act relating to temporary disability insurance" which passed Third Reading in the Senate on March 19, 1973, was placed on file.

On motion by Representative Ushijima, seconded by Representative J. Garcia and carried, S.B. Nos. 96 and 134 passed First Reading by title and further action was deferred until later on the calendar.

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

Representative Wakatsuki introduced 100 sixth grade students from Gus Webling Elementary School and their teachers, Miss Geri Tanouye, Miss Margo Okoji, Mrs. Elsie Tanaka, Mr. Collins Lee and student teachers, Mr. Dennis Furtado and Mr. Mark Miyakawa.

Representative Uechi introduced 100 fifth grade students from Waimalu Elementary School and their teachers, Mrs. Hirokawa, Mrs. Takakawa and Mrs. Nakasone, and mothers, Mrs. Groves and Mrs. Rippon.

Representative R. Garcia introduced 43 students from Kalakaua Intermediate School and their teacher, Mrs. Sharon Nakashima.

ORDER OF THE DAY

COMMITTEE REFERRALS

The following bills (S.B. Nos. 96 and 134) were disposed of as follows:

S.B. No. 96 was referred to the Committee on Judiciary.

S.B. No. 134 was referred to the Committee on Judiciary.

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos.

368 to 373) and concurrent resolutions (H.C.R. No. 93 and S.C.R. Nos. 7 and 32) were disposed of as follows:

H.R. No. 368 was referred to the Committee on Judiciary.

H.R. No. 369 was referred to the Committee on Water, Land Use and Development and after consideration by it, the Committee was instructed to refer the resolution to the Committee on Finance.

H.R. No. 370 was referred to the Committee on Transportation and after consideration by it, the Committee was instructed to refer the resolution to the Committee on Finance.

H.R. No. 371 was referred to the Committee on Judiciary and after consideration by it, the Committee was instructed to refer the resolution to the Committee on Finance.

H.R. No. 372 was referred to the Committee on Water, Land Use and Development and after consideration by it, the Committee was instructed to refer the resolution to the Committee on Finance.

H.R. No. 373 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. 93 was referred to the Committee on Judiciary.

S.C.R. No. 7 was referred to the Committee on Finance.

S.C.R. No. 32 was referred to the Committee on Health and after consideration by it, the Committee was instructed to refer the concurrent resolution to the Committee on Finance.

COMMITTEE REASSIGNMENTS

H.B. No. 1757 which had been referred to the Committee on Health and to the Committee on Finance on March 7, 1973, was referred to the Committee on Environmental Protection and after consideration by it, the Committee was instructed to refer the bill to the Committee on Finance.

H.B. No. 1998 which had been referred to the Committee on Health and to the Committee on Finance on March 8, 1973, was referred to the Committee on Environmental Protection and after consideration by it, the Committee was instructed to refer the bill to the Committee on Finance.

STANDING COMMITTEE REPORTS

Representative Akizaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 212) informing the House that House Resolution Nos. 365 to 373, House Concurrent Resolution Nos. 92 and 93, and Standing Committee Report Nos. 213 to 237, have 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. 213) approving the intent and purpose of H.B. No. 161 and recommending its passage on Third Reading with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 213 on H.B. No. 161, as amended, was deferred until tomorrow, March 21, 1973.

The Chair directed the Clerk to note that printed copies of H.B. No. 161, HD 1, were made available to the members of the House at 11:07 o'clock a.m., in accordance with Article III, Section 16, of the Constitution of the State of Hawaii.

Representative Sakima, for the Committee on Education, presented a report (Stand. Com. Rep. No. 214) approving the intent and purpose of H.B. No. 498 and recommending its referral to the Committee on Finance with certain amendments.

On motion by Representative Sakima, seconded by Representative Young and carried, the report of the Committee was adopted and H.B. No. 498, as amended, was referred to the Committee on Finance.

Representative Sakima, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 215) approving the intent and purpose of H.B. No. 270 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative Sakima, seconded by Representative Young and carried, the report of the majority of the Committee was adopted and H.B. No. 270, as amended, entitled: "A Bill for an Act making an appropriation for the Hawaii Youth Symphony" passed Second Reading and was referred to the Committee on Finance.

Representative Sakima, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 216) approving the intent and purpose of H.B. No. 296 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Sakima, seconded by Representative Young and carried, the report of the majority of the Committee was adopted and H.B. No. 296 passed Second Reading and was referred to the Committee on Finance.

Representative Sakima, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 217) approving the intent and purpose of H.B. No. 346 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Sakima, seconded by Representative Young and carried, the report of the majority of the Committee was adopted and H.B. No. 346 passed Second Reading and was referred to the Committee on Finance.

Representative Sakima, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 218) approving the intent and purpose of H.B. No. 640 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Sakima, seconded by Representative Young and carried, the report of the majority of the Committee was adopted and H.B. No. 640 passed Second Reading and was

referred to the Committee on Finance.

Representative Kimura, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 219) approving the intent and purpose of H.B. No. 1151 and recommending its passage on Second Reading and 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.B. No. 1151 passed Second Reading and was referred to the Committee on Finance.

Representative Kimura, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 220) approving the intent and purpose of H.B. No. 1550 and recommending its passage on Second Reading and 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.B. No. 1550 passed Second Reading and was referred to the Committee on Finance.

Representative Kimura, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 221) approving the intent and purpose of H.B. No. 1743 and recommending its passage on Second Reading and 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.B. No. 1743 passed Second Reading and was referred to the Committee on Finance.

Representative Wong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 222) approving the intent and purpose of H.B. No. 308 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Wong, seconded by Representative Sakima and carried, the report of the Committee was adopted and H.B. No. 308 passed Second Reading and was referred to the Committee on Finance.

Representative Wong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 223) approving the intent and purpose of H.B. No. 991 and recommending its passage on Second Reading and its referral to the Committee on Judiciary.

On motion by Representative Wong, seconded by Representative Sakima and carried, the report of the Committee was adopted and H.B. No. 991 passed Second Reading and was referred to the Committee on Judiciary.

Representative Wong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 224) approving the intent and purpose of H.B. No. 547 and recommending its passage on Second Reading and its referral to the Committee on Judiciary.

On motion by Representative Wong, seconded by Representative Sakima and carried, the report of the Committee was adopted and H.B. No. 547 passed Second Reading and was referred to the Committee on Judiciary.

Representative Wong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 225) approving the intent and purpose of H.B. No. 153 and recommending its referral to the Committee on Judiciary with certain amendments.

On motion by Representative Wong, seconded by Representative Sakima and carried, the report of the Committee was adopted and H.B. No. 153, as amended, was referred to the Committee on Judiciary.

Representative Wong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 226) approving the intent and purpose of H.B. No. 312 and recommending its passage on Second Reading and its referral to the Committee on Judiciary.

On motion by Representative Wong, seconded by Representative Sakima and carried, the report of the Committee was adopted and H.B. No. 312 passed Second Reading and was referred to the Committee on Judiciary.

Representative Wong, for the Committee on Health, presented a report

(Stand. Com. Rep. No. 227) approving the intent and purpose of H.B. No. 306 and recommending its passage on Second Reading and its referral to the Committee on Judiciary.

On motion by Representative Wong, seconded by Representative Sakima and carried, the report of the Committee was adopted and H.B. No. 306 passed Second Reading and was referred to the Committee on Judiciary.

Representative Wong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 228) approving the intent and purpose of H.B. No. 167 and recommending its passage on Second Reading and its referral to the Committee on Judiciary with certain amendments.

On motion by Representative Wong, seconded by Representative Sakima and carried, the report of the Committee was adopted and H.B. No. 167, as amended, passed Second Reading and was referred to the Committee on Judiciary.

Representative Wong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 229) approving the intent and purpose of H.B. No. 192 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Wong, seconded by Representative Sakima and carried, the report of the Committee was adopted and H.B. No. 192 passed Second Reading and was referred to the Committee on Finance.

Representative Wong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 230) approving the intent and purpose of H.B. No. 198 and recommending its passage on Second Reading and its referral to the Committee on Judiciary.

On motion by Representative Wong, seconded by Representative Sakima and carried, the report of the Committee was adopted and H.B. No. 198 passed Second Reading and was referred to the Committee on Judiciary.

Representative Wong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 231) approving the intent and purpose of H.B. No. 196

and recommending its passage on Second Reading and its referral to the Committee on Judiciary.

On motion by Representative Wong, seconded by Representative Sakima and carried, the report of the Committee was adopted and H.B. No. 196 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. 232) approving the intent and purpose of H.B. No. 1833 and recommending its recommitment to the Committee on Finance 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. 1833, as amended, was recommitted to the Committee on Finance.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 233) approving the intent and purpose of H.B. No. 1836 and recommending its recommitment to the Committee on Finance 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. 1836, as amended, was recommitted to the Committee on Finance.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 234) approving the intent and purpose of H.B. No. 1161 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. 1161, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, March 21, 1973.

Representative Wong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 235) approving the intent and purpose of H.B. No. 157

and recommending its passage on Second Reading with certain amendments.

On motion by Representative Wong, seconded by Representative Sakima and carried, the report of the Committee was adopted and H.B. No. 157, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, March 21, 1973.

Representative Wong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 236) approving the intent and purpose of H.B. No. 309 and recommending its passage on Second Reading.

On motion by Representative Wong, seconded by Representative Sakima and carried, the report of the Committee was adopted and H.B. No. 309 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, March 21, 1973.

The Chair directed the Clerk to note that H.B. Nos. 1161, 157 and 309 had passed Second Reading not later than 11:12 o'clock a.m.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 237) approving the intent and purpose of H.B. No. 22 and recommending its passage on Third Reading with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 237 on H.B. No. 22, as amended, was deferred until tomorrow, March 21, 1973.

The Chair directed the Clerk to note that printed copies of H.B. No. 22, HD 2, 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.

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

Upon reconvening at 11:57 o'clock a.m., the Chair directed the Clerk to note the presence of Representatives Aki, Iha, Kawakami, Kihano, Kunimura, Lunasco, Medina, Morioka, Nakama and Yamada.

INTRODUCTION OF RESOLUTIONS

A concurrent resolution (H.C.R. No. 94) wishing a joyous New Year to the Baha'is of Hawaii was jointly offered by Representatives R. Garcia, Akizaki, Iha, Kimura, Lee, Medina, Suwa, Takamine, Wasai, Wong and Yim and was read by the Clerk.

On motion by Representative R. Garcia, seconded by Representative Yim and carried, H.C.R. No. 94 was adopted.

By unanimous consent, the following resolution (H.R. No. 374) was referred to the Committee on Legislative Management and further action was deferred until tomorrow, March 21, 1973:

A resolution (H.R. No. 374) requesting the Department of Accounting and General Services to take measures to improve the interior of the State Capitol Building was jointly offered by Representatives Roehrig, Akizaki, Kawakami, Kihano, King, Kishinami, Kondo, Medina, Sakima, Wong, Yim, Young and Yuen.

At 11:58 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

At 12:01 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 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. 273.

Representative O'Connor moved that H.B. No. 273, having been read throughout, pass Third Reading, seconded by Representative Kimura.

Representative Lee rose and spoke

against the passage of House Bill 273.

Representative Sakima then spoke in favor of the bill stating that the U.S. Surgeon General has reported that there is now substantial evidence that tobacco smoke is indeed hazardous to the health of the non-smoker. He further stated that House Bill 273 enables the government and private industry to voluntarily protect the rights of the non-smokers if they so wish and that it is not compulsory or mandatory.

Representative Wasai then inquired whether Representative Sakima would yield to a question to which Representative Sakima replied in the affirmative.

Representative Wasai inquired why no penalty item was included in the bill.

Representative Sakima replied that since House Bill 273 enables the government and private industry to voluntarily protect the rights of non-smokers, no enforcement of penalty is included in the bill.

Representative O'Connor rose to speak in favor of the bill, stating that House Bill 273 simply codifies what is present practice. It puts into law the ability for a State agency or State organization or a private person to make smoking on the premises controlled by that person or agency. He further stated that the sanction would be that once the prohibition is violated, the person who is smoking would become a trespasser and the State agency or proprietor could then seek to have the person removed as a trespasser.

The motion was put by the Chair and roll call having been requested, H.B. No. 273 passed Third Reading by a vote of 38 ayes to 13 noes, with Representatives Cobb, Fong, Iha, Kawakami, Lee, Lunasco, Medina, Nakama, Saiki, Wasai, Wong, Yamada and Yap voting no.

Third Reading of H.B. No. 357.

On motion by Representative O'Connor, seconded by Representative Kimura, H.B. No. 357 passed Third Reading by a vote of 50 ayes to 1 no, with Representative Medeiros voting no.

Third Reading of H.B. No. 493.

Representative O'Connor moved that H.B. No. 493, having been read throughout, pass Third Reading, seconded by Representative Kimura.

Representative Leopold then offered the following amendment to House Bill 493:

"SECTION 1. House Bill No. 493, H.D. 1, is amended by adding subsection (c) to read as follows:

'(c) Any person who violates this section shall be guilty of a misdemeanor.'"

Representative Leopold moved that the amendment be adopted, seconded by Representative Soares.

At 12:07 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

At 12:50 o'clock p.m., the House of Representatives reconvened.

Representative Leopold spoke in favor of the amendment, as follows:

"The purpose of this amendment is to add a subsection to the bill to give it a backbone by making it a misdemeanor to violate the registration requirements of the bill.

The expressed purpose of the bill as stated in Section 1 is to preserve and maintain the integrity of the legislative process. This fine statement of purpose is somewhat diluted by the provisions of the bill itself. Without an enforcement mechanism, the bill is bamboo legislation—hard and attractive on the outside but hollow in the inside."

Representative O'Connor then spoke against the amendment, as follows:

"The amendment would make a crime out of an activity which is political in nature and which is part of our political process. The very nature of lobbying is one which is imprecise and vague at best.

The bill, unamended, seeks to nail down exactly what type of lobbying it addresses itself to. To make it a crime, Mr. Speaker, or a violation of this action would be to make a crime of something which in essence is rather vague in its activity and in its manner of address.

I would suggest rather that this is a type of activity which is best monitored and sanctioned in this Body and in the Senate, and that is exactly what this bill seeks to do; namely, have the lobbyists register in the Body and have the Body itself, by its activities, control the lobbyists once registered.

I urge that this amendment be defeated and that this particular activity not be made a crime."

Representative J. Garcia then rose and spoke in favor of the amendment.

The motion to adopt the amendment was put by the Chair and roll call having been requested, the amendment failed to carry by a vote of 30 noes to 21 ayes, with Representatives Aduja, Ajifu, Aki, Amaral, Carroll, W. Chong, Cobb, Fong, J. Garcia, R. Garcia, Hapai, Lee, Leopold, Medeiros, Oda, Poepoe, Saiki, Soares, Uechi, Yamada and Yim voting aye.

Representative Cobb then rose and inquired whether the Chairman of the Judiciary Committee would yield to a question to which Representative O'Connor replied in the affirmative.

Representative Cobb then inquired whether or not House Bill 493 includes the salaries and moneys spent by the lobbyists.

Representative O'Connor answered that it does not.

Representative Cobb then inquired whether or not money spent lobbying has any relation to the passing or defeat of a bill.

Representative O'Connor replied that such salaries did not affect the general activities of the lobbyists for the passage of bills.

Representative Cobb then inquired whether or not money received by a lobbyist for the purpose of influencing the passage of legislation has any relationship with the bill to which Representative O'Connor replied that he had no way of knowing.

Representative Cobb offered the following amendment to House Bill No. 493:

SECTION 1. House Bill 493, H.D. 1, is amended by redesignating subsection (b) of section 2 to subsection (c) of section 2 and by inserting a new subsection (b) to read as follows:

‘(b) Every person registering under this section shall file with the clerk of each house of the legislature by the fifteenth day of January and fifteen days after adjournment, a statement containing the following information:

(1) The source and amount of all income, compensation, or remuneration received; and

(2) The total amount spent in supporting, opposing, or otherwise influencing proposed legislation.’ ”

Representative moved that the amendment be adopted, seconded by Representative R. Garcia.

Representative Cobb then spoke for the adoption of the amendment, as follows:

“Mr. Speaker, this amendment will close one of the major loopholes in this bill; namely, the pay received by lobbyists and the money they spend to influence the passage or defeat of legislation. Without such information, we, in the legislature and the public, will not have all of the necessary information relative to the activity of lobbyists. In fact, Mr. Speaker, Paragraph 2 of the Committee Report on this bill states clearly that the purpose of this bill is to require the registration of lobbyists in order to make available to the legislature and the public information relative to the activities of persons who seek to influence the content, introduction, passage or defeat of legislation. Surely, such information must include the moneys received and spent by those who seek to influence legislation. If it does not, then the purpose of this bill and the intent of the Committee Report will not have been fulfilled.

This is not to imply that the lobbyists are in any way dishonest. They serve a valuable function in presenting various viewpoints, expertise and recommendations on legislation. But if we have truth in lending in business and full disclosures in campaigns, we certainly need both truth and disclosure in our

legislative process.

For these reasons, Mr. Speaker, I urge the members of this Honorable Body to adopt this amendment.”

Representative O'Connor then spoke against the amendment, as follows:

“Mr. Speaker, the matter contained in this amendment was thoroughly thrashed out in the Judiciary Committee.

Because of the nature of our legislature, the fact that we meet for about 60 days each year, lobbyists generally are employed in some other capacity than full-time lobbyists in the organization that they lobby for. Where a person is receiving a regular salary from a business and lobbys during the time that this Body is in session, that income is really irrelevant to the nature and matter before us.

Further, Mr. Speaker, when a lobbyist does expend money, it is often difficult to tell when his activities regarding a piece of legislation begin and his activities regarding some other piece of legislation end or begin. Because of the imprecise nature of the subject matter, the Judiciary Committee decided not to include it in the bill and, for that reason, I speak against the amendment.”

The motion to adopt the amendment was put by the Chair and roll call having been requested, the amendment failed to carry by a vote of 32 noes to 19 ayes, with Representatives Aduja, Ajifu, Aki, Carroll, W. Chong, Cobb, Fong, J. Garcia, R. Garcia, Hapai, Kato, Leopold, Oda, Poepoe, Soares, Wasai, Wong, Yamada and Yim voting aye.

The motion was put by the Chair and H.B. No. 493 passed Third Reading by a vote of 51 ayes.

Third Reading of H.B. No. 973.

On motion by Representative O'Connor, seconded by Representative Kimura, H.B. No. 973 passed Third Reading by a vote of 49 ayes to 2 noes, with Representatives Amaral and Yamada voting no.

Third Reading of H.B. No. 183.

On motion by Representative

O'Connor, seconded by Representative Kimura, H.B. No. 183 passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 273, 357, 493, 973 and 183 had passed Third Reading not earlier than 1:03 o'clock p.m.

UNFINISHED BUSINESS

Consideration of Stand. Com. Rep. No. 106 on H.B. No. 470, as amended, which had been deferred to this day.

On motion by Representative

O'Connor, seconded by Representative Kimura and carried, H.B. No. 470, as amended, having been read throughout passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 470 had passed Third Reading at 1:08 o'clock p.m.

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, March 21, 1973.

45TH DAY

Wednesday, March 21, 1973

The House of Representatives of the Seventh Legislature of the State of Hawaii, Regular Session of 1973, was called to order at 11:00 o'clock a.m.

The Speaker presided.

The Divine Blessing was invoked by Mrs. Irene Chung, a member of the Koolaupoko Baha'i Community.

Roll call of the members of the House showed that all members were present.

The Clerk proceeded to read the Journal of the House of Representatives of the Forty-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 Forty-Fourth Day was approved.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 39 to 45) were read by the Clerk and disposed of as follows:

A communication from the Senate (Sen. Com. No. 39) returning House Concurrent Resolution No. 92 which was adopted in the Senate on March 20, 1973 was placed on file.

A communication from the Senate (Sen. Con. No. 40) returning House Bill No. 145 which passed Third Reading in the Senate on March 20, 1973 in an amended form was placed on file.

By unanimous consent, H.B. No. 145, as amended, was placed on the Clerk's desk.

A communication from the Senate (Sen. Com. No. 41) transmitting Senate Concurrent Resolution No. 3, SD 1 which was adopted by the Senate on March 20, 1973 was placed on file.

A communication from the Senate (Sen. Com. No. 42) transmitting Senate Bill No. 463, SD1, entitled: "A Bill for an Act relating to qualifications for registration as engineers, surveyors, architects and landscape architects"

which passed Third Reading in the Senate on March 20, 1973 was placed on file.

A communication from the Senate (Sen. Com. No. 43) transmitting Senate Bill No. 622, SD 1, entitled: "A Bill for an Act relating to the regulation of controlled substances" which passed Third Reading in the Senate on March 20, 1973 was placed on file.

A communication from the Senate (Sen. Com. No. 44) transmitting Senate Bill No. 702, SD 1, entitled: "A Bill for an Act relating to the defense of insanity in a criminal case" which passed Third Reading in the Senate on March 20, 1973 was placed on file.

On motion by Representative Ushijima, seconded by Representative J. Garcia and unanimously carried, S.B. Nos. 463, 622 and 702 passed First Reading by title and further action was deferred until later on the calendar.

A communication from the Senate (Sen. Com. No. 45) returning House Concurrent Resolution No. 94 which was adopted in the Senate on March 20, 1973, was placed on file.

MISCELLANEOUS COMMUNICATIONS

The following communications (Misc. Com. Nos. 34 and 35) were read by the Clerk and were disposed of as follows:

A communication from R. S. Rettie, National Research Council of Canada (Misc. Com. No. 34) acknowledging receipt of H.R. No. 293 which was adopted during the Regular Session of 1973, was placed on file.

A communication from Mrs. George Yamaguchi (Misc. Com. No. 35) acknowledging receipt of H.R. No. 293 which was adopted during the Regular Session of 1973, was placed on file.

ORDER OF THE DAY

COMMITTEE REFERRALS

The following bills (S.B. Nos. 463, 622 and 702) were disposed of as follows:

S.B. No. 463 was referred to the Committee on Judiciary.

S.B. No. 622 was referred to the

Committee on Judiciary.

S.B. No. 702 was referred to the Committee on Judiciary.

DEFERRED RESOLUTIONS

The following resolution (H.R. No. 374) and concurrent resolution (S.C.R. No. 3) were disposed of as follows:

H.R. No. 374 was referred to the Committee on Finance.

S.C.R. No. 3 was referred to the Committee on Judiciary.

COMMITTEE REASSIGNMENTS

H.B. No. 706, which had been referred to the Committee on Consumer Protection and to the Committee on Judiciary on February 8, 1973, was referred solely to the Committee on Judiciary.

H.B. No. 1505, which had been referred to the Committee on Consumer Protection and to the Committee on Judiciary on March 6, 1973, 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. 238) informing the House that House Resolution No. 374, House Concurrent Resolution No. 94 and Standing Committee Report Nos. 239 to 317 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 majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 239) approving the intent and purpose of H.B. No. 53 and recommending its passage on Second Reading and its referral to the Committee on Water, Land Use and Development.

On motion by Representative Sakima, seconded by Representative Young and carried, the report of the majority of the Committee was adopted and H.B. No. 53 passed Second Reading and was referred

to the Committee on Water, Land Use and Development.

Representative Sakima, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 240) approving the intent and purpose of H.B. No. 1239 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Sakima, seconded by Representative Young and carried, the report of the majority of the Committee was adopted and H.B. No. 1239 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. 241) approving the intent and purpose of H.B. No. 1319 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Sakima, seconded by Representative Young and carried, the report of the Committee was adopted and H.B. No. 1319 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. 242) approving the intent and purpose of H.B. No. 1350 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Sakima, seconded by Representative Young and carried, the report of the Committee was adopted and H.B. No. 1350 passed Second Reading and was referred to the Committee on Finance.

Representative Kondo, for the Select Committee of Maui Representatives, presented a report (Stand. Com. Rep. No. 243) approving the intent and purpose of H.B. No. 494 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Kondo, seconded by Representative Medina and carried, the report of the Committee was adopted and H.B. No. 494 passed Second Reading and was referred to the Committee on Finance.

Representative Kondo, for the Select Committee of Maui Representatives, presented a report (Stand. Com. Rep. No. 244) approving the intent and purpose of H.B. No. 957 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Kondo, seconded by Representative Medina and carried, the report of the Committee was adopted and H.B. No. 957 passed Second Reading and was referred to the Committee on Finance.

Representative Kondo, for the Select Committee of Maui Representatives, presented a report (Stand. Com. Rep. No. 245) approving the intent and purpose of H.B. No. 958 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Kondo, seconded by Representative Medina and carried, the report of the Committee was adopted and H.B. No. 958 passed Second Reading and was referred to the Committee on Finance.

Representative Kondo, for the Select Committee of Maui Representatives, presented a report (Stand. Com. Rep. No. 246) approving the intent and purpose of H.B. No. 1299 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Kondo, seconded by Representative Medina and carried, the report of the Committee was adopted and H.B. No. 1299 passed Second Reading and was referred to the Committee on Finance.

Representative Wong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 247) approving the intent and purpose of S.B. No. 316 and recommending its referral to the Committee on Judiciary.

On motion by Representative Wong, seconded by Representative Sakima and carried, the report of the Committee was adopted and S.B. No. 316 was referred to the Committee on Judiciary.

Representative Wong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 248) approving the intent and purpose of S.B. No. 155,

SD 1 and recommending its referral to the Committee on Judiciary.

On motion by Representative Wong, seconded by Representative Sakima and carried, the report of the Committee was adopted and S.B. No. 155 was referred to the Committee on Judiciary.

Representative Wong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 249) approving the intent and purpose of S.B. No. 157 and recommending its referral to the Committee on Finance.

On motion by Representative Wong, seconded by Representative Sakima and carried, the report of the Committee was adopted and S.B. No. 157 was referred to the Committee on Finance.

Representative Wong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 250) approving the intent and purpose of H.B. No. 50 and recommending its passage on Second Reading and its referral to the Committee on Judiciary with certain amendments.

On motion by Representative Wong, seconded by Representative Sakima and carried, the report of the Committee was adopted and H.B. No. 50, as amended, passed Second Reading and was referred to the Committee on Judiciary.

Representative Wong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 251) approving the intent and purpose of H.B. No. 156 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Wong, seconded by Representative Sakima and carried, the report of the Committee was adopted and H.B. No. 156 passed Second Reading and was referred to the Committee on Finance.

Representative Kihano, for the Select Committee of Oahu Representatives, presented a report (Stand. Com. Rep. No. 252) approving the intent and purpose of H.B. No. 1840 and recommending its passage on Second Reading and its referral to the Committee on Judiciary with certain amendments.

On motion by Representative Kihano,

seconded by Representative Yap and carried, the report of the Committee was adopted and H.B. No. 1840, as amended, passed Second Reading and was referred to the Committee on Judiciary.

Representative Wong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 253) approving the intent and purpose of S.B. No. 76, SD 1 and recommending its passage on Second Reading.

On motion by Representative Wong, seconded by Representative Sakima and carried, the report of the Committee was adopted and S.B. No. 76 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, March 22, 1973.

Representative Wong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 254) approving the intent and purpose of S.B. No. 89, SD 1 and recommending its passage on Second Reading.

On motion by Representative Wong, seconded by Representative Sakima and carried, the report of the Committee was adopted and S.B. No. 89 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, March 22, 1973.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 255) approving the intent and purpose of H.B. No. 1163 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. 1163, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, March 22, 1973.

Representative Yap, for the Committee on Consumer Protection, presented a report (Stand. Com. Rep. No. 256) approving the intent and purpose of H.B. No. 719 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Yap,

seconded by Representative Medina and carried, the report of the Committee was adopted and H.B. No. 719 passed Second Reading and was referred to the Committee on Finance.

Representative Yap, for the Committee on Consumer Protection, presented a report (Stand. Com. Rep. No. 257) approving the intent and purpose of H.B. No. 971 and recommending its passage on Second Reading and its referral to the Committee on Judiciary.

On motion by Representative Yap, seconded by Representative Medina and carried, the report of the Committee was adopted and H.B. No. 971 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. 258) approving the intent and purpose of H.R. No. 268 and recommending its referral to the Committee on Finance with certain amendments.

On motion by Representative Kimura, seconded by Representative Kishinami, consideration of Stand. Com. Rep. No. 258 on H.R. No. 268 was deferred until the end of the calendar.

Representative Kimura, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 259) approving the intent and purpose of H.R. No. 187 and recommending its referral to the Committee on Finance with certain amendments.

On motion by Representative Kimura, seconded by Representative Kishinami and carried, the report of the Committee was adopted and H.R. No. 187, as amended, was referred to the Committee on Finance.

Representative Kimura, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 260) approving the intent and purpose of H.B. No. 705 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Kimura, seconded by Representative Kishinami, the report of the Committee was adopted and H.B. No. 705 passed Second Reading

and was referred to the Committee on Finance.

Representative Kimura, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 261) approving the intent and purpose of H.B. No. 1286 and recommending its passage on Second Reading and 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.B. No. 1286 passed Second Reading and was referred to the Committee on Finance.

Representative Kimura, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 262) approving the intent and purpose of H.B. No. 1780 and recommending its passage on Second Reading and 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.B. No. 1780 passed Second Reading and was referred to the Committee on Finance.

Representative Kondo, for the Select Committee of Maui Representatives, presented a report (Stand. Com. Rep. No. 263) approving the intent and purpose of H.B. No. 1494 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative Kondo, seconded by Representative Medina and carried, the report of the Committee was adopted and H.B. No. 1494, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 264) approving the intent and purpose of H.B. No. 721 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative Kawakami, seconded by Representative Iha and carried, the report of the Committee was adopted and H.B. No.

721, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 265) approving the intent and purpose of H.B. No. 1194 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative Kawakami, seconded by Representative Iha and carried, the report of the Committee was adopted and H.B. No. 1194, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 266) approving the intent and purpose of H.B. No. 1746 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative Kawakami, seconded by Representative Iha and carried, the report of the Committee was adopted and H.B. No. 1746, as amended, entitled: "A Bill for an Act relating to lands" passed Second Reading and was referred to the Committee on Finance.

Representative King, for the Committee on Environmental Protection, presented a report (Stand. Com. Rep. No. 267) approving the intent and purpose of H.B. No. 112 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative King, seconded by Representative Roehrig and carried, the report of the Committee was adopted and H.B. No. 112, as amended, passed Second Reading and was referred to the Committee on Finance.

Representatives Kihano, for the Select Committee of Oahu Representatives, presented a report (Stand. Com. Rep. No. 268) approving the intent and purpose of H.B. Nos. 1036, 1214, 1215, 1216, 1217, 1714, 1715, 1716, 1717, 1718, 1719, 1720, 1721, 1722, 1735, 1737, 1814,

1815, 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823, 1824, 1825, 1826, 1827, 1828, 1829, 1830 and 1841 and recommending their passage on Second Reading and their referral to the Committee on Finance.

On motion by Representative Kihano, seconded by Representative Yap and carried, the report of the Committee was adopted and H.B. Nos. 1036, 1214, 1215, 1216, 1217, 1714, 1715, 1716, 1717, 1718, 1719, 1720, 1721, 1722, 1735, 1737, 1814, 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823, 1824, 1825, 1826, 1827, 1828, 1829, 1830 and 1841 passed Second Reading and were referred to the Committee on Finance.

Representative Kihano, for the Select Committee of Oahu Representatives, presented a report (Stand. Com. Rep. No. 269) approving the intent and purpose of H.B. Nos. 1067, 1257, 1258, 1259, 1260 and 1972 and recommending their passage on Second Reading and their referral to the Committee on Finance.

On motion by Representative Kihano, seconded by Representative Yap and carried, the report of the Committee was adopted and H.B. Nos. 1067, 1257, 1258, 1259, 1260 and 1972 passed Second Reading and were referred to the Committee on Finance.

Representative Kihano, for the Select Committee of Oahu Representatives, presented a report (Stand. Com. Rep. No. 270) approving the intent and purpose of H.B. Nos. 709, 710, 1180, 1183, 1247, 1261, 1292, 1293, 1294 and 1295 and recommending their passage on Second Reading and their referral to the Committee on Finance.

On motion by Representative Kihano, seconded by Representative Yap and carried, the report of the Committee was adopted and H.B. Nos. 709, 710, 1180, 1183, 1247, 1261, 1292, 1293, 1294 and 1295 passed Second Reading and were referred to the Committee on Finance.

Representative Kihano, for the Select Committee of Oahu Representatives, presented a report (Stand. Com. Rep. No. 271) approving the intent and purpose of H.B. Nos. 1228, 1525 and 1527 and recommending their passage on Second Reading and their referral to the Committee on Finance.

On motion by Representative Kihano, seconded by Representative Yap and carried, the report of the Committee was adopted and H.B. Nos. 1228, 1525 and 1527 passed Second Reading and were referred to the Committee on Finance.

Representative Kihano, for the Select Committee of Oahu Representatives, presented a report (Stand. Com. Rep. No. 272) approving the intent and purpose of H.B. Nos. 1022, 1224 and 1225 and recommending their passage on Second Reading and their referral to the Committee on Finance.

On motion by Representative Kihano, seconded by Representative Yap and carried, the report of the Committee was adopted and H.B. Nos. 1022, 1224 and 1225 passed Second Reading and were referred to the Committee on Finance.

Representative Kihano, for the Select Committee of Oahu Representatives, presented a report (Stand. Com. Rep. No. 273) approving the intent and purpose of H.B. Nos. 1905, 1907 and 1908 and recommending their passage on Second Reading and their referral to the Committee on Finance.

On motion by Representative Kihano, seconded by Representative Yap and carried, the report of the Committee was adopted and H.B. Nos. 1905, 1907 and 1908 passed Second Reading and were referred to the Committee on Finance.

Representative Kihano, for the Select Committee of Oahu Representatives, presented a report (Stand. Com. Rep. No. 274) approving the intent and purpose of H.B. Nos. 753, 1809 and 1900 and recommending their passage on Second Reading and their referral to the Committee on Finance.

On motion by Representative Kihano, seconded by Representative Yap and carried, the report of the Committee was adopted and H.B. Nos. 753, 1809 and 1900 passed Second Reading and were referred to the Committee on Finance.

Representative Kihano, for the Select Committee of Oahu Representatives, presented a report (Stand. Com. Rep. No. 275) approving the intent and purpose of H.B. Nos. 820 and 1683 and recommending their passage on Second Reading and their referral to the

Committee on Finance.

On motion by Representative Kihano, seconded by Representative Yap and carried, the report of the Committee was adopted and H.B. Nos. 820 and 1683 passed Second Reading and were referred to the Committee on Finance.

Representative Kihano, for the Select Committee of Oahu Representatives, presented a report (Stand. Com. Rep. No. 276) approving the intent and purpose of H.B. Nos. 904, 905, 906, 907, 908, 909, 1006, 1007, 1008, 1009, 1132, 1133, 1560, 1561 and 1733 and recommending their passage on Second Reading and their referral to the Committee on Finance.

On motion by Representative Kihano, seconded by Representative Yap and carried, the report of the Committee was adopted and H.B. Nos. 904, 905, 906, 907, 908, 909, 1006, 1007, 1008, 1009, 1132, 1133, 1560, 1561 and 1733 passed Second Reading and were referred to the Committee on Finance.

Representative Kihano, for the Select Committee of Oahu Representatives, presented a report (Stand. Com. Rep. No. 277) approving the intent and purpose of H.B. Nos. 205, 206, 207, 208, 209, 210, 211, 301, 343, 450, 451, 473, 602, 634, 763, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 885, 1061, 1278, 1279, 1283, 1284, 1285, 1371, 1627, 1632, 1645, 1646, 1686, 1687, 1689, 1694, 1739, 1741, 1763, 1764, 1773 and 1774 and recommending their passage on Second Reading and their referral to the Committee on Finance.

On motion by Representative Kihano, seconded by Representative Yap and carried, the report of the Committee was adopted and H.B. Nos. 205, 206, 207, 208, 209, 210, 211, 301, 343, 450, 451, 473, 602, 634, 763, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 885, 1061, 1278, 1279, 1283, 1284, 1285, 1371, 1627, 1632, 1645, 1646, 1686, 1687, 1689, 1694, 1739, 1741, 1763, 1764, 1773 and 1774 passed Second Reading and were referred to the

Committee on Finance.

Representative Kihano, for the Select Committee of Oahu Representatives, presented a report (Stand. Com. Rep. No. 278) approving the intent and purpose of H.B. Nos. 279, 283, 285, 286, 289, 290, 291, 514, 981, 1034, 1037, 1038, 1039, 1078, 1079, 1080, 1081, 1082, 1083, 1186, 1187, 1188, 1264, 1670, 1671, 1673, 1674, 1675 and 1681 and recommending their passage on Second Reading and their referral to the Committee on Finance.

On motion by Representative Kihano, seconded by Representative Yap and carried, the report of the Committee was adopted and H.B. Nos. 279, 283, 285, 286, 289, 290, 291, 514, 981, 1034, 1037, 1038, 1039, 1078, 1079, 1080, 1081, 1082, 1083, 1186, 1187, 1188, 1264, 1670, 1671, 1673, 1674, 1675 and 1681 passed Second Reading and were referred to the Committee on Finance.

Representative Kihano, for the Select Committee of Oahu Representatives, presented a report (Stand. Com. Rep. No. 279) approving the intent and purpose of H.B. Nos. 485, 486, 487, 488, 489, 490, 739, 1058, 1059, 1269, 1271, 1471, 1472 and 1473 and recommending their passage on Second Reading and their referral to the Committee on Finance.

On motion by Representative Kihano, seconded by Representative Yap and carried, the report of the Committee was adopted and H.B. Nos. 485, 486, 487, 488, 489, 490, 739, 1058, 1059, 1269, 1271, 1471, 1472 and 1473 passed Second Reading and were referred to the Committee on Finance.

Representative Kihano, for the Select Committee of Oahu Representatives, presented a report (Stand. Com. Rep. No. 280) approving the intent and purpose of H.B. Nos. 202, 564, 654, 655, 980 and 1355 and recommending their passage on Second Reading and their referral to the Committee on Finance.

On motion by Representative Kihano, seconded by Representative Yap and carried, the report of the Committee was adopted and H.B. Nos. 202, 564, 654, 655, 980 and 1355 passed Second Reading and were referred to the Committee on Finance.

Representative Kawakami, for the majority of the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 281) approving the intent and purpose of H.B. No. 1017 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative Kawakami, seconded by Representative Iha and carried, the report of the majority of the Committee was adopted and H.B. No. 1017, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the Committee on Public Employment, presented a report (Stand. Com. Rep. No. 282) approving the intent and purpose of H.B. No. 441 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative Lee, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 441, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the Committee on Public Employment, presented a report (Stand. Com. Rep. No. 283) approving the intent and purpose of H.B. No. 442 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Lee, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 442 passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the majority of the Committee on Public Employment, presented a report (Stand. Com. Rep. No. 284) approving the intent and purpose of H.B. No. 443 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative Lee, seconded by Representative A. Chong and carried, the report of the majority of the Committee was adopted and H.B. No. 443, as amended, passed Second Reading

and was referred to the Committee on Finance.

Representative Lee, for the Committee on Public Employment, presented a report (Stand. Com. Rep. No. 285) approving the intent and purpose of H.B. No. 1144 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative Lee, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 1144, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the Committee on Public Employment, presented a report, (Stand. Com. Rep. No. 286) approving the intent and purpose of H.B. No. 874 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Lee, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 874 passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the Committee on Public Employment, presented a report (Stand. Com. Rep. No. 287) approving the intent and purpose of H.B. No. 497 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Lee, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 497 passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the Committee on Public Employment, presented a report (Stand. Com. Rep. No. 288) approving the intent and purpose of H.B. No. 373 and recommending its passage on Second Reading and its referral to the Committee on Judiciary.

On motion by Representative Lee, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 373 passed Second Reading and was referred to the Committee on Judiciary.

Representative Lee, for the Committee on Public Employment, presented a report (Stand. Com. Rep. No. 289) approving the intent and purpose of H.B. No. 870 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative Lee, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 870, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the Committee on Public Employment, presented a report (Stand. Com. Rep. No. 290) approving the intent and purpose of H.B. No. 681 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative Lee, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 681, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the Committee on Public Employment, presented a report (Stand. Com. Rep. No. 291) approving the intent and purpose of H.B. No. 563 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Lee, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 563 passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the Committee on Public Employment, presented a report (Stand. Com. Rep. No. 292) approving the intent and purpose of H.B. No. 445 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Lee, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 445 passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the Committee on Public Employment, presented a report (Stand. Com. Rep. No. 293) approving the intent and purpose of H.B. No. 444 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Lee, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 444 passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the Committee on Public Employment, presented a report (Stand. Com. Rep. No. 294) approving the intent and purpose of H.B. No. 1515 and recommending its passage on Second Reading and its referral to the Committee on Judiciary with certain amendments.

On motion by Representative Lee, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 1515, as amended, passed Second Reading and was referred to the Committee on Judiciary.

Representative Lee, for the Committee on Public Employment, presented a report (Stand. Com. Rep. No. 295) approving the intent and purpose of H.B. No. 1246 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative Lee, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 1246, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the Committee on Public Employment, presented a report (Stand. Com. Rep. No. 296) approving the intent and purpose of H.B. No. 1291 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Lee, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 1291 passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the Committee on Public Employment, presented a report (Stand. Com. Rep. No. 297) approving the intent and purpose of H.B. No. 819 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Lee, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 819 passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the Committee on Public Employment, presented a report (Stand. Com. Rep. No. 298) approving the intent and purpose of H.B. No. 745 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Lee, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 745 passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the Committee on Public Employment, presented a report (Stand. Com. Rep. No. 299) approving the intent and purpose of H.B. No. 865 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Lee, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 865 passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the Committee on Public Employment, presented a report (Stand. Com. Rep. No. 300) approving the intent and purpose of H.B. No. 867 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative Lee, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 867, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the Committee

on Public Employment, presented a report (Stand. Com. Rep. No. 301) approving the intent and purpose of H.B. No. 1498 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Lee, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 1498 passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the Committee on Public Employment, presented a report (Stand. Com. Rep. No. 302) approving the intent and purpose of H.B. No. 1834 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative Lee, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 1834, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the Committee on Public Employment, presented a report (Stand. Com. Rep. No. 303) approving the intent and purpose of H.B. No. 127 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Lee, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 127 passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the Committee on Public Employment, presented a report (Stand. Com. Rep. No. 304) approving the intent and purpose of H.B. No. 438 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative Lee, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 438, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the Committee

on Public Employment, presented a report (Stand. Com. Rep. No. 305) approving the intent and purpose of H.B. No. 341 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Lee, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 341 passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the Committee on Public Employment, presented a report (Stand. Com. Rep. No. 306) approving the intent and purpose of H.B. No. 320 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Lee, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 320 passed Second reading and was referred to the Committee on Finance.

Representative Lee, for the Committee on Public Employment, presented a report (Stand. Com. Rep. No. 307) approving the intent and purpose of H.B. No. 352 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative Lee, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 352, as amended, passed Second Reading and was referred to the Committee on Finance.

The Chair at this time directed the Clerk to note that S.B. Nos. 76 and 89 and H.B. No. 1163 had passed Second Reading not later than 11:17 o'clock a.m.

At 11:18 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

At 11:25 o'clock a.m., the House of Representatives reconvened.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 308) approving the intent and purpose of H.B. No. 968 and

recommending its passage on Third Reading.

By unanimous consent, consideration of H.B. No. 968 on Third Reading was deferred until tomorrow, March 22, 1973.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 309) approving the intent and purpose of H.B. No. 1003 and recommending its passage on Third Reading with certain amendments.

By unanimous consent, consideration of H.B. No. 1003, as amended, on Third Reading was deferred until tomorrow, March 22, 1973.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 310) approving the intent and purpose of H.B. No. 160 and recommending its passage on Third Reading.

By unanimous consent, consideration of H.B. No. 160 on Third Reading was deferred until tomorrow, March 22, 1973.

The Chair directed the Clerk to note that printed copies of H.B. No. 968, H.B. No. 1003, HD 2, and H.B. No. 160 were made available to the members of the House at 11:31 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. 311) approving the intent and purpose of H.B. No. 1519 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. 1519 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, March 22, 1973.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 312) approving the intent and purpose of H.B. No. 326 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. 326, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, March 22, 1973.

Representative Wong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 313) approving the intent and purpose of H.B. No. 44 and recommending its passage on Second Reading with certain amendments.

On motion by Representative Wong, seconded by Representative Sakima and carried, the report of the Committee was adopted and H.B. No. 44, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, March 22, 1973.

Representative Lee, for the Committee on Public Employment, presented a report (Stand. Com. Rep. No. 314) approving the intent and purpose of H.B. No. 87 and recommending its passage on Second Reading.

On motion by Representative Lee, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 87 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, March 22, 1973.

Representative Yap, for the Committee on Consumer Protection, presented a report (Stand. Com. Rep. No. 315) approving the intent and purpose of H.B. No. 336 and recommending its passage on Second Reading.

On motion by Representative Yap, seconded by Representative Medina and carried, the report of the Committee was adopted and H.B. No. 336 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, March 22, 1973.

Representative Yap, for the Committee on Consumer Protection, presented a report (Stand. Com. Rep. No. 316) approving the intent and purpose of H.B. No. 1562 and

recommending its passage on Second Reading.

On motion by Representative Yap, seconded by Representative Medina and carried, the report of the Committee was adopted and H.B. No. 1562 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, March 22, 1973.

Representative Wong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 317) approving the intent and purpose of H.B. No. 105 and recommending its passage on Second Reading with certain amendments.

On motion by Representative Wong, seconded by Representative Sakima and carried, the report of the Committee was adopted and H.B. No. 105, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, March 22, 1973.

The Chair directed the Clerk to note that H.B. Nos. 1519, 326, 44, 87, 336, 1562 and 105 had passed Second Reading not later than 11:31 o'clock a.m.

DEFERRED MATTER

Consideration of Stand. Com. Rep. No. 258 on H.R. No. 268, HD 1, which had been deferred to this time.

Representative Suwa moved to waive referral of H.R. No. 268 to the Committee on Finance, seconded by Representative Akizaki and carried.

Representative Kimura then moved that the report of the Committee be adopted, and notwithstanding the recommendation of the Committee that H.R. No. 268 be referred to the Committee on Finance, that H.R. No. 268 be adopted, seconded by Representative Kishinami.

At this time, Representative Saiki rose and spoke in favor of the adoption of the resolution as follows:

“This measure was introduced on behalf of the registered nurses in our community who are graduates of diploma schools of nursing. These nurses presently comprise about 80 percent of the working nurses now in our hospitals, clinics and doctors’ offices throughout

the State. We are all aware of the changing trends in our health delivery system, and the role of those in the nursing profession must be in step with the new approaches. The registered nurses recognize the need to upgrade themselves by continuing their education and training. Our University of Hawaii School of Nursing is the only institution in this State which can provide educational opportunities to these nurses who seek baccalaureate degrees. Frustration and discouragement are what they have received. Encouragement and recognition of their years of training and service should be extended to them. Neither the quality of nursing education nor the accreditation of the schools need be sacrificed by broadening the policies of admissions or by increasing the flexibility of programming.

This resolution, Mr. Speaker, calling for a review of the admissions policy for the School of Nursing is only the first step in opening the door to these nurses who seek to upgrade themselves professionally. I urge everyone to support this resolution."

The motion was put by the Chair and carried and the report of the Committee was adopted and, notwithstanding the recommendation of the Committee that H.R. No. 268 be referred to the Committee on Finance, H.R. No. 268 was adopted.

INTRODUCTION OF RESOLUTIONS

The following resolution (H.R. No. 375) was read by the Clerk and disposed of as follows:

A resolution (H.R. No. 375) requesting the management of shopping centers and large retail outlets to increase protection for their customers was jointly offered by Representatives Saiki, Aduja, Ajifu, Aki, Akizaki, Carroll, A. Chong, Cobb, de la Cruz, Fong, J. Garcia, R. Garcia, Kato, Kondo, Leopold, Medeiros, Nakama, Oda, Poepoe, Soares, Suwa, Wedemeyer, Yim and Beppu.

Representative Saiki moved that the resolution be adopted, seconded by Representative Poepoe.

Representative Saiki rose and spoke in favor of the resolution as follows:

"Mr. Speaker, it is with anger and outrage that I view the rash of brutal and sadistic assaults on the women in our community. It is a sad state indeed when women cannot go with their children to do their shopping in broad daylight and early evening hours without the fear of being attacked, abducted, raped or murdered. It isn't enough, Mr. Speaker, to ask our women to protect themselves by the use of the buddy system, or mace, or by simply screaming. We must act rapidly and decisively to curb the spread of violence and fear in our city, or it will become no better than major mainland cities where women stay home behind heavily locked doors and are afraid to go out unescorted.

This resolution requests the owners and operators of shopping centers and major retail outlets to increase the size of their security patrol and to deploy roving guards to their parking lots and secluded areas. It also calls for increased lighting in areas adjoining their establishments. The women need protection, Mr. Speaker, and I urge all the members of this Body to vote in favor of the resolution."

The motion was put by the Chair and carried and H.R. No. 275 was adopted.

By unanimous consent, the following resolutions (H.R. Nos. 376 and 377) and concurrent resolution (H.C.R. No. 95) were referred to the Committee on Legislative Management and further action was deferred until tomorrow, March 22, 1973:

A resolution (H.R. No. 376) calling for an investigation of unfair practices of purchasers of business establishments who refuse to recognize collective bargaining agreements which the former owners had with labor unions was jointly offered by Representatives Lunasco, de la Cruz, R. Garcia, Lee, Takamine, Wasai, Wong and Yim.

A resolution (H.R. No. 377) requesting the foreign airlines to consider use of the common fare method of travel to and from Hawaii was jointly offered by Representatives Kondo, Ajifu, Akizaki, Amaral, A. Chong, Cobb, de la Cruz, J. Garcia, R. Garcia, Hapai, Iha, Kato, Kawakami, Kihano, Kimura, King, Kishinami, Kunimura, Lee, Leopold, Lunasco, Medina, Morioka, O'Connor,

Roehrig, Saiki, Sakima, Suwa, Takamine, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yap, Yim, Young, Yuen and Beppu.

A concurrent resolution (H.C.R. No. 95) requesting the foreign airlines to consider use of the common fare method of travel to and from Hawaii was jointly offered by Representatives Kondo, Ajifu, Akizaki, Amaral, A. Chong, W. Chong, Cobb, de la Cruz, J. Garcia, R. Garcia, Hapai, Iha, Kato, Kawakami, Kihano, Kimura, King, Kishinami, Kunimura, Lee, Leopold, Lunasco, Medina, Morioka, O'Connor, Roehrig, Saiki, Sakima, Suwa, Takamine, Uechi, Ushijima, Wasai, Wedemeyer, Wong, Yap, Yim, Young, Yuen and Beppu.

SUSPENSION OF RULES

On motion by Representative Ushijima, seconded by Representative J. Garcia and carried, 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. 1161.

On motion by Representative O'Connor, seconded by Representative Kimura, H.B. No. 1161 passed Third Reading by a vote of 51 ayes.

Third Reading of H.B. No. 157.

On motion by Representative Wong, seconded by Representative Sakima, H.B. No. 157 passed Third Reading by a vote of 51 ayes.

Third Reading of H.B. No. 309.

On motion by Representative Wong, seconded by Representative Sakima, H.B. No. 309 passed Third Reading by a vote of 50 ayes to 1 no, with Representative Ajifu voting no.

The Chair here directed the Clerk to note that H.B. Nos. 1161, 157 and 309 had passed Third Reading not earlier than 11:47 o'clock a.m.

UNFINISHED BUSINESS

Consideration of Stand. Com. Rep. No. 213 on H.B. No. 161, as amended, which had been deferred to this day.

On motion by Representative Sakima, seconded by Representative Young and carried, the report of the Committee was adopted and H.B. No. 161, as amended, having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 161 had passed Third Reading at 11:48 o'clock a.m.

Consideration of Stand. Com. Rep. No. 237 on H.B. No. 22, as amended, which had been deferred to this day.

By unanimous consent, consideration of Stand. Com. Rep. No. 237 on H.B. No. 22, as amended, was deferred until the end of the calendar.

At 1:50 o'clock p.m., on motion by Representative Ushijima, seconded by Representative J. Garcia and carried, the House of Representatives stood in recess until 5:30 o'clock p.m. this evening.

EVENING SESSION

The House of Representatives reconvened at 6:15 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Takamine, for the Select Committee of Hawaii Representatives, presented a report (Stand. Com. Rep. No. 318) approving the intent and purpose of H.B. No. 1334 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative Takamine, seconded by Representative Suwa and carried, the report of the Committee was adopted and H.B. No. 1334, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Kihano, for the Select Committee of Oahu Representatives, presented a report (Stand. Com. Rep. No. 319) approving the intent and purpose of H.B. Nos. 237, 239, 258, 259, 260, 261, 510, 516, 550, 551, 552, 553, 554, 595,

724, 725, 726, 914, 1107 and 1248 and recommending their passage on Second Reading and their referral to the Committee on Finance.

On motion by Representative Kihano, seconded by Representative Yap and carried, the report of the Committee was adopted and H.B. Nos. 237, 239, 258, 259, 260, 261, 510, 516, 550, 551, 552, 553, 554, 595, 724, 725, 726, 914, 1107 and 1248 passed Second Reading and were referred to the Committee on Finance.

Representative Kihano, for the Select Committee of Oahu Representatives, presented a report (Stand. Com. Rep. No. 320) approving the intent and purpose of H.B. Nos. 433, 549, 701, 836, 838, 1244, 1245, 1312, 1996 and 1997 and recommending their passage on Second Reading and their referral to the Committee on Finance.

On motion by Representative Kihano, seconded by Representative Yap and carried, the report of the Committee was adopted and H.B. Nos. 433, 549, 701, 836, 838, 1244, 1245, 1312, 1996 and 1997 passed Second Reading and were referred to the Committee on Finance.

Representative Kihano, for the Select Committee of Oahu Representatives, presented a report (Stand. Com. Rep. No. 321) approving the intent and purpose of H.B. Nos. 755, 756, 757, 758, 759, 760, 761, 934, 935, 936, 937, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1220, 1221, 1222, 1546, 1553, 1554, 1555, 1556, 1557, 1558, 1559, 1570, 1571, 1572, 1573, 1574, 1799, 1801, 2016 and 938 and recommending their passage on Second Reading and their referral to the Committee on Finance.

On motion by Representative Kihano, seconded by Representative Yap and carried, the report of the Committee was adopted and H.B. Nos. 755, 756, 757, 758, 759, 760, 761, 934, 935, 936, 937, 1118, 1119, 1121, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1220, 1221, 1222, 1546, 1553, 1554, 1555, 1556, 1557, 1558, 1559, 1570, 1571, 1572, 1573, 1574, 1799, 1801, 2016 and 938 passed Second Reading and were referred to the Committee on Finance.

Representative Kihano, for the Select

Committee of Oahu Representatives, presented a report (Stand. Com. Rep. No. 322) approving the intent and purpose of H.B. Nos. 926, 927, 928, 929, 1108, 1109 and 1666 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Kihano, seconded by Representative Yap and carried, the report of the Committee was adopted and H.B. Nos. 926, 927, 928, 929, 1108, 1109 and 1666 passed Second Reading and were referred to the Committee on Finance.

Representative Kato, for the Committee on Public Welfare and Assistance, presented a report (Stand. Com. Rep. No. 323) approving the intent and purpose of H.B. No. 1638 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Kato, seconded by Representative Kunimura and carried, the report of the Committee was adopted and H.B. No. 1638 passed Second Reading and was referred to the Committee on Finance.

Representative Kato, for the Committee on Public Welfare and Assistance, presented a report (Stand. Com. Rep. No. 324) approving the intent and purpose of H.B. No. 1347 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Kato, seconded by Representative Kunimura and carried, the report of the Committee was adopted and H.B. No. 1347 passed Second Reading and was referred to the Committee on Finance.

Representative Sakima, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 325) approving the intent and purpose of H.B. No. 1155 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Sakima, seconded by Representative Young and carried, the report of the majority of the Committee was adopted and H.B. No. 1155 passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the Committee on Public Employment, presented a report (Stand. Com. Rep. No. 326) approving the intent and purpose of H.B. No. 124 and recommending its passage on Second Reading with certain amendments.

On motion by Representative Lee, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 124, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, March 22, 1973.s,

Representative Lee, for the Committee on Public Employment, presented a report (Stand. Com. Rep. No. 327) approving the intent and purpose of H.B. No. 84 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative Lee, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 84, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the Committee on Public Employment, presented a report (Stand. Com. Rep. No. 328) approving the intent and purpose of H.B. No. 440 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Lee, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 440 passed Second Reading and was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 329) approving the intent and purpose of H.B. No. 1129 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 1129, as amended, passed Second Reading and was referred to the

Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 330) approving the intent and purpose of H.B. No. 1062 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 1062, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 331) approving the intent and purpose of H.B. No. 1747 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 1747 passed Second Reading and was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 332) approving the intent and purpose of H.B. No. 1868 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 1868, as amended, entitled: "A Bill for an Act making an appropriation for an architectural program and operating plan, as well as an appraisal and search of title to determine the feasibility of acquiring the Royal Brewery property in Honolulu for a State heritage house, or history center" passed Second Reading and was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 333) approving the intent

and purpose of H.B. No. 1470 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 1470, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 334) approving the intent and purpose of H.B. No. 1322 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 1322 passed Second Reading and was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 335) approving the intent and purpose of H.B. No. 1156 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 1156, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 336) approving the intent and purpose of H.B. No. 1152 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 1152 passed Second Reading and was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 337) approving the intent and purpose of H.B. No. 1153 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 1153 passed Second Reading and was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 338) approving the intent and purpose of H.B. No. 299 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 299 passed Second Reading and was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 339) approving the intent and purpose of H.B. No. 389 and recommending its passage on Second Reading and its referral to the Committee on Judiciary.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 389 passed Second Reading and was referred to the Committee on Judiciary.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 340) approving the intent and purpose of H.B. No. 847 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No.

847, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 341) approving the intent and purpose of H.B. No. 1193 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 1193 passed Second Reading and was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 342) approving the intent and purpose of H.B. No. 1332 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 1332, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 343) approving the intent and purpose of H.B. No. 1142 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 1142 passed Second Reading and was referred to the Committee on Finance.

Representative Kawakami, for the majority of the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 344) approving the intent and purpose of H.B. No. 1331 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the majority of the Committee was adopted and H.B. No. 1331 passed Second Reading and was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 345) approving the intent and purpose of H.B. No. 1050 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 1050 passed Second Reading and was referred to the Committee on Finance.

DEFERRED MATTER

Consideration of Stand. Com. Rep. No. 237 on H.B. No. 22, HD 2 which had been deferred to this time.

Representative O'Connor moved that H.B. No. 22, HD 2 pass Third Reading, seconded by Representative Kimura.

Representative O'Connor then offered an amendment to H.B. No. 22, HD 2 as follows:

"Sec. 11-192 Campaign spending commission. There is established a campaign spending commission, consisting of five members appointed by the governor as under Sec. 26-34 as follows:

The judicial council shall select a panel of ten persons, five persons each from two political parties which polled the largest vote in the last preceding general election. From this panel the governor shall appoint two members from each such political party and a chairman. Notwithstanding Sec. 26-34, the governor's appointment shall not be subject to senatorial confirmation. The term of such members should be four years, except that this term of members first appointed shall be two years for two members, three years for two other members, and four years for the chairman.

The members of the commission shall serve without compensation but they shall be reimbursed for reasonable expenses, including travel expenses, incurred in the discharge of their duties. For administrative purposes the commission shall be in the office of the lieutenant governor.

Sec. 11-207 (a)(1)(9A) '(A) for the office of governor - 50 cents;' Sec. 11-207 (a)(2)(A) '(A) for the office of governor - 50 cents;'

Sec. 11-207 (b)(1)(A) '(A) for the office of governor - 25 cents;'

Sec. 11-207 (b)(2)(A) '(A) for the office of governor - 25 cents;'

Sec. 11-202 is amended by deleting the last sentence thereof."

Representative O'Connor moved that the amendment be adopted, seconded by Representative Kimura.

Representative O'Connor rose and explained the proposed amendment as follows:

"Mr. Speaker, the amendment before this Body to House Bill 22, HD 2, is an amendment which is being proposed by the Judiciary Committee. The Committee, in meeting this afternoon and considering several parts of House Bill 22, HD 2, which have raised some controversy, decided that certain amendments were necessary insofar as the campaign spending commission is concerned and these amendments are more carefully detailed in the document which is before each member of the House this afternoon.

In addition, the spending limitations for the office of governor were discussed, and these matters were modified as indicated on the amendment. In addition, there is a technical change proposed by the amendment to Section 11-202."

At this time, Representative Leopold moved to amend Representative O'Connor's amendment, seconded by Representative J. Garcia.

Representative O'Connor rose on a point of order and stated:

"Mr. Speaker, Representative

Leopold's amendment is an amendment to H.B. No. 22, HD 2. As I understand the amendment, it is an amendment of the second rank, which is an amendment to an amendment, but the amendment itself is not delineated as such, Mr. Speaker. Therefore, I rise on a point of order as to whether or not this matter can be considered at this time since there is an amendment of the first rank on the floor."

Representative Ajifu rose on a point of order and stated:

"Mr. Speaker, the previous speaker has already made his amendment, which is a primary amendment to H.B. No. 22."

Representative J. Garcia rose on a point of order and stated:

"There is an amendment on the floor of this body as of this moment."

The Chair ruled that Representative Leopold's amendment was out of order.

Representative Ajifu then rose on a point of parliamentary inquiry and asked for a clarification of the point of order, whereupon Representative O'Connor rose and said:

"I will clarify the point of order, Mr. Speaker. The point of order is that the amendment, as a proposed, is an amendment of the second rank and an amendment to an amendment. The amendment to an amendment must modify and relate directly to the amendment and not to the main motion, otherwise it is out of order."

The motion to adopt Representative O'Connor's amendment was put to a vote and was carried by a roll call vote of 27 ayes, with Representatives Aduja, Ajifu, Aki, Amaral, Carroll, W. Chong, Cobb, Fong, J. Garcia, R. Garcia, Hapai, Kato, Leopold, Lunasco, Medeiros, Oda, Poepoe, Saiki, Soares, Uechi, Wasai, Wong, Yamada and Yim being excused.

The Chair directed the Clerk to note that printed copies of H.B. No. 22, HD 3, were made available to the members of the House at 6:50 o'clock p.m., in accordance with Article III, Section 16, of the Constitution of the State of Hawaii.

Representative Yim offered an amendment to H.B. No. 22, HD 2, as amended, as follows:

“Section 1. House Bill 22, HD 2, as amended, is amended by adding a new section to Section 1 to read as follows:

‘Sec. 11-214 Contributions by government contractors prohibited. No person who, within two years prior to the date of the election at which a candidate seeks office of a party or committee seeks to install a candidate in office, has entered into a contract, pursuant to bidding procedures or otherwise, with the State or the county, or any agencies or departments thereof, under the terms of which contract such person is to receive remuneration for the furnishing of goods or the rendering of services, may make a contribution to a candidate, party, or community as defined herein; and any provision of law to the contrary notwithstanding, no such person who has made a contribution to a candidate, party or committee may enter into such a contract within two years or after the making of that contribution. This prohibition shall not apply, however, to any nominated, appointed, or elected officer or employee, whether in a civil service or in an exempt position, of the federal, state, or county government, or any agencies or departments thereof.’ ”

Representative Yim rose and spoke in favor of the amendment as follows:

“Mr. Speaker, our goal today should be to limit the influence of money over public politics. This amendment attempts to regulate the campaign contributions of persons having contracts with either the county or State government. This is achieved through a dual approach.

First, this amendment would prohibit current government contractors from making any campaign contribution to a political candidate unless it is at least two years prior to a given election.

Second, this amendment prohibits anyone who has made a campaign contribution within the past two years from contracting with the county or State government under either bid or negotiation procedures. However, this amendment does not attempt to regulate the campaign contributions of county or State personnel who are either elected,

appointed, civil service or exempt positions. If adopted, this amendment would effectively insure three things:

It would, first of all, establish an elected process in which any of our citizens may seek political office without making too many personal financial sacrifices or becoming too obligated to large campaign contributors. Political decisions affect the lives of all of our citizens in so many ways and for our form of participatory democracy to truly work at its best, our system should provide a way for the most qualified citizens to seek political office. In this respect, the rich and those indebted to large campaign contributions are not necessarily the most qualified for office.

Mr. Speaker, a second effect of this amendment is that it will protect government contractors from being pressured into contributing to the campaign funds of those already sitting in power. We are all aware that most of the large contributors to the campaign funds are business and professional people who regularly do business with government.

And the third effect is to prevent the exertion of undue influence of money in the political arena. We have to realize that large campaign contributions are generally given in exchange for future influence and puts a price tag on public office. As long as we continue to permit those doing business with government to make substantial political payoffs, the potential for corruption in government is great.

All of us here today are honorable people, but it is getting increasingly difficult for many to survive an election without acquiring major financial support and with the continuous rise of campaign spending, it is becoming increasingly easy to buy influence, to buy votes and buy elected officials.

In closing, Mr. Speaker, I urge the adoption of this amendment to House Bill No. 22, HD 2, as amended, to stop the moral erosion before it destroys the vitality and integrity of our entire State.”

Representative Wong rose to speak in favor of the amendment and quoted a recent series of articles in the Star Bulletin, entitled: “The High Price of Politics”:

'Developers and other building boom businessmen are the biggest financial force in Hawaii's high priced politics. They are people who need something from either the State or the city government, such as land rezoning, building permits or government contracts. They include developers, architects, engineers, contractors and people in such related growth fields such as tourism and real estate.'

The governor of our State, in his first campaign, spent a thousand dollars. In his most recent campaign, he spent a million. The mayor of the City and County of Honolulu, in his first campaign, spent \$3,000. In his most recent campaign, he spent \$300,000. The governor has remained silent on the source of his funds. The mayor has also remained silent on the source of his funds. The mayor has said, quite candidly, that much of his money comes from the people who do business with the city. We know this. This is the inside political secret that the public understands all too well.

An architect doing State business was quoted in the Star-Bulletin as saying: 'Contribution is not the right word; it is an investment. It helps me make contracts and it helps me get business. Let's not kid ourselves.'

If we look a bit further, Mr. Speaker, to the school construction audit done by our own Legislative Auditor which, so far, has been ignored, we will find that a top State fund raiser has exclusive control of school design and there is evidence that the school design is shoddy. Under the present fund raising, too much of the public business is done, not on merit, but on who gives what. We can put an end to this by passing this amendment."

The motion to adopt the amendment was put by the Chair and failed to carry by a roll call vote of 27 noes to 24 ayes, with Representatives Aduja, Ajifu, Aki, Amaral, Carroll, W. Chong, Cobb, Fong, J. Garcia, R. Garcia, Hapai, Kato, Leopold, Lunasco, Medeiros, Oda, Poepoe, Saiki, Soares, Uechi, Wasai, Wong, Yamada and Yim voting aye.

By unanimous consent, consideration of Stand. Com. Rep. No. 237 on H.B. No. 22, as amended, was deferred until tomorrow, March 22, 1973.

At 7:46 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, March 22, 1973.

46TH DAY

Thursday, March 22, 1973

The House of Representatives of the Seventh Legislature of the State of Hawaii, Regular Session of 1973, was called to order at 11:00 o'clock a.m.

The Speaker presided.

The Divine Blessing was invoked by The Reverend Ed Reynolds of the First Christian Church.

Roll call of the members of the House of Representatives showed that all members were present with the exception of Representatives Kunimura, O'Connor and Suwa, who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Forty-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 Forty-Fifth Day was approved.

GOVERNOR'S MESSAGE

A message from the Governor (Gov. Mess. No. 55) informing the House that he has signed House Bill No. 122 as Act 3 on March 15, 1973, was placed on file.

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

Representative Sakima introduced 125 students from Kapalama School with their teachers, Mrs. Chang, Mrs. Hara, Mrs. Akinaka, Miss Yoshioka and Mrs. Urabe, educational assistant.

Representative Uechi introduced 140 fifth grade students from Moanalua Elementary School with their teachers, Mrs. Kaya, Mrs. Acoba, Mrs. Miller, Miss Higashi, Miss Okamura and Mr. Hashimoto and room mothers, Mrs. Nakasone, Mrs. Slapkunas and Mrs. Pinkosh.

The Chair then directed the Clerk to note the presence of Representatives Kunimura, O'Connor and Suwa.

ORDER OF THE DAY

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 376 and 377) and concurrent resolution (H.C.R. No. 95) were disposed of as follows:

H.R. No. 376 was referred to the Committee on Labor and Employment.

H.R. No. 377 was referred to the Committee on Judiciary.

H.C.R. No. 95 was referred to the Committee on Judiciary.

COMMITTEE REASSIGNMENT

H.B. No. 1105 which had been referred to the Committee on Water, Land Use and Development and to the Committee on Judiciary on February 27, 1973, 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. 346) informing the House that House Resolution Nos. 375 to 377, House Concurrent Resolution No. 95, Standing Committee Report Nos. 318 to 345, and Standing Committee Report Nos. 347 to 420, have 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. 347) approving the intent and purpose of H.B. No. 674 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. 674 passed Second Reading and was referred to the Committee on Finance.

Representative Kihano, for the Select Committee of Oahu Representatives, presented a report (Stand. Com. Rep. No. 348) approving the intent and purpose of H.B. No. 1272 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative Kihano, seconded by Representative Yap and carried, the report of the Committee was adopted and H.B. No. 1272, as amended, 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. 349) approving the intent and purpose of S.C.R. No. 10 and recommending its referral to the Committee on Finance.

On motion by Representative Sakima, seconded by Representative Young and carried, the report of the Committee was adopted and S.C.R. No. 10 was referred to the Committee on Finance.

Representative Yap, for the Committee on Consumer Protection, presented a report (Stand. Com. Rep. No. 350) approving the intent and purpose of H.B. No. 131 and recommending its passage on Second Reading and its referral to the Committee on Judiciary.

On motion by Representative Yap, seconded by Representative Medina and carried, the report of the Committee was adopted and H.B. No. 131 passed Second Reading and was referred to the Committee on Judiciary.

Representative Lee, for the Committee on Public Employment, presented a report (Stand. Com. Rep. No. 351) approving the intent and purpose of H.B. No. 1835 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 351 on H.B. No. 1835, as amended, was deferred until the end of the calendar.

Representative Iha, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 352) approving the intent and purpose of H.B. No. 1807

and recommending its referral to the Committee on Judiciary with certain amendments.

On motion by Representative Iha, seconded by Representative Nakama and carried, the report of the Committee was adopted and H.B. No. 1807, as amended, was referred to the Committee on Judiciary.

Representative Iha, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 353) approving the intent and purpose of H.B. No. 749 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative Iha, seconded by Representative Nakama and carried, the report of the Committee was adopted and H.B. No. 749, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Iha, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 354) approving the intent and purpose of H.B. No. 1517 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative Iha, seconded by Representative Nakama and carried, the report of the Committee was adopted and H.B. No. 1517, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Iha, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 355) approving the intent and purpose of H.B. No. 1518 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative Iha, seconded by Representative Nakama and carried, the report of the Committee was adopted and H.B. No. 1518, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Iha, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 356) approving the intent and purpose of H.B. No. 1869 and recommending its passage on Second Reading and its referral to the Committee

on Finance with certain amendments.

On motion by Representative Iha, seconded by Representative Nakama and carried, the report of the Committee was adopted and H.B. No. 1869, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Kihano, for the joint Select Committees of Oahu Representatives, Hawaii Representatives, Maui Representatives and Kauai Representatives, presented a report (Stand. Com. Rep. No. 357) approving the intent and purpose of H.B. No. 1831 and recommending its passage on Second Reading and its referral to the Committee on Judiciary.

On motion by Representative Kihano, seconded by Representative Takamine and carried, the report of the Committee was adopted and H.B. No. 1831 passed Second Reading and was referred to the Committee on Judiciary.

Representative Wong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 358) approving the intent and purpose of H.B. No. 297 and recommending its passage on Second Reading and its referral to the Committee on Judiciary with certain amendments.

On motion by Representative Wong, seconded by Representative Sakima and carried, the report of the Committee was adopted and H.B. No. 297, as amended, passed Second Reading and was referred to the Committee on Judiciary.

Representative Wong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 359) approving the intent and purpose of H.B. No. 45 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative Wong, seconded by Representative Sakima and carried, the report of the Committee was adopted and H.B. No. 45, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Wong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 360) approving the intent and purpose of H.B. No. 1508 and recommending its passage on Second

Reading and its referral to the Committee on Judiciary.

On motion by Representative Wong, seconded by Representative Sakima and carried, the report of the Committee was adopted and H.B. No. 1508 passed Second Reading and was referred to the Committee on Judiciary.

Representative Wong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 361) approving the intent and purpose of H.B. No. 1087 and recommending its passage on Second Reading and its referral to the Committee on Judiciary.

On motion by Representative Wong, seconded by Representative Sakima and carried, the report of the Committee was adopted and H.B. No. 1087 passed Second Reading and was referred to the Committee on Judiciary.

Representative Wong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 362) approving the intent and purpose of H.B. No. 1769 and recommending its passage on Second Reading and its referral to the Committee on Judiciary.

On motion by Representative Wong, seconded by Representative Sakima and carried, the report of the Committee was adopted and H.B. No. 1769 passed Second Reading and was referred to the Committee on Judiciary.

Representative Wong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 363) approving the intent and purpose of H.B. No. 1326 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative Wong, seconded by Representative Sakima and carried, the report of the Committee was adopted and H.B. No. 1326, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Wong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 364) approving the intent and purpose of H.B. No. 645 and recommending its passage on Second Reading and its referral to the Committee on Judiciary.

On motion by Representative Wong, seconded by Representative Sakima and carried, the report of the Committee was adopted and H.B. No. 645 passed Second Reading and was referred to the Committee on Judiciary.

Representative Wong, for the majority of the Committee on Health, presented a report (Stand. Com. Rep. No. 365) approving the intent and purpose of H.B. No. 544 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Wong, seconded by Representative Sakima and carried, the report of the majority of the Committee was adopted and H.B. No. 544 passed Second Reading and was referred to the Committee on Finance.

Representative Kimura, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 366) approving the intent and purpose of H.B. No. 1346 and recommending its passage on Second Reading and 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.B. No. 1346 passed Second Reading and was referred to the Committee on Finance.

Representative Kimura, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 367) approving the intent and purpose of H.B. No. 1547 and recommending its passage on Second Reading and 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.B. No. 1547 passed Second Reading and was referred to the Committee on Finance.

Representative Kimura, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 368) approving the intent and purpose of H.B. No. 1516 and recommending its passage on Second Reading and 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.B. No. 1516 passed Second Reading and was referred to the Committee on Finance.

Representative Kimura, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 369) approving the intent and purpose of H.B. No. 1341 and recommending its passage on Second Reading and 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.B. No. 1341 passed Second Reading and was referred to the Committee on Finance.

Representative Wasai, for the Committee on Parks, Fish and Game Management, presented a report (Stand. Com. Rep. No. 370) approving the intent and purpose of H.B. No. 1189 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative Wasai, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.B. No. 1189, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Wasai, for the Committee on Parks, Fish and Game Management, presented a report (Stand. Com. Rep. No. 371) approving the intent and purpose of H.B. No. 1635 and recommending its passage on Second Reading and its referral to the Committee on Water, Land Use and Development.

On motion by Representative Wasai, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.B. No. 1635 passed Second Reading and was referred to the Committee on Water, Land Use and Development.

Representative Wasai, for the Committee on Parks, Fish and Game Management, presented a report (Stand. Com. Rep. No. 372) approving the intent and purpose of H.B. No. 1915 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative Wasai, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.B. No. 1915, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Wasai, for the Committee on Parks, Fish and Game Management, presented a report (Stand. Com. Rep. No. 373) approving the intent and purpose of H.B. No. 103 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 Kawakami and carried, the report of the Committee was adopted and H.B. No. 103, as amended, passed Second Reading and was referred to the Committee on Judiciary.

Representative Wasai, for the Committee on Parks, Fish and Game Management, presented a report (Stand. Com. Rep. No. 374) approving the intent and purpose of H.B. No. 636 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 Kawakami and carried, the report of the Committee was adopted and H.B. No. 636 passed Second Reading and was referred to the Committee on Judiciary.

Representative Lunasco, for the majority of the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 375) approving the intent and purpose of H.B. No. 577 and recommending its passage on Second Reading and its referral to the Committee on Judiciary.

On motion by Representative Lunasco, seconded by Representative Takamine and carried, the report of the majority of the Committee was adopted and H.B. No. 577 passed Second Reading and was referred to the Committee on Judiciary.

Representative Lunasco, for the majority of the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 376) approving the intent and purpose of H.B. No. 656 and recommending its passage on Second

Reading and its referral to the Committee on Judiciary with certain amendments.

On motion by Representative Lunasco, seconded by Representative Takamine and carried, the report of the majority of the Committee was adopted and H.B. No. 656, as amended, passed Second Reading and was referred to the Committee on Judiciary.

Representative Lunasco, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 377) approving the intent and purpose of H.B. No. 218 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative Lunasco, seconded by Representative Takamine and carried, the report of the Committee was adopted and H.B. No. 218, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Lunasco, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 378) approving the intent and purpose of H.B. No. 230 and recommending its passage on Second Reading and its referral to the Committee on Judiciary with certain amendments.

On motion by Representative Lunasco, seconded by Representative Takamine and carried, the report of the Committee was adopted and H.B. No. 230, as amended, passed Second Reading and was referred to the Committee on Judiciary.

Representative Lunasco, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 379) approving the intent and purpose of H.B. No. 1668 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative Lunasco, seconded by Representative Takamine and carried, the report of the Committee was adopted and H.B. No. 1668, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Lunasco, for the

Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 380) approving the intent and purpose of H.B. No. 2026 and recommending its passage on Second Reading and its referral to the Committee on Judiciary.

On motion by Representative Lunasco, seconded by Representative Takamine and carried, the report of the Committee was adopted and H.B. No. 2026 passed Second Reading and was referred to the Committee on Judiciary.

Representative Lunasco, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 381) approving the intent and purpose of H.B. No. 1002 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative Lunasco, seconded by Representative Takamine and carried, the report of the Committee was adopted and H.B. No. 1002, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Lunasco, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 382) approving the intent and purpose of H.B. No. 861 and recommending its passage on Second Reading and its referral to the Committee on Agriculture with certain amendments.

On motion by Representative Lunasco, seconded by Representative Takamine and carried, the report of the Committee was adopted and H.B. No. 861, as amended, passed Second Reading and was referred to the Committee on Agriculture.

Representative Lunasco, for the majority of the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 383) approving the intent and purpose of H.B. No. 575 and recommending its passage on Second Reading and its referral to the Committee on Agriculture with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 383 on H.B. No. 575, as amended, was deferred until the end of the calendar.

Representative Lunasco, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 384) approving the intent and purpose of H.B. No. 478 and recommending its passage on Second Reading and its referral to the Committee on Judiciary with certain amendments.

On motion by Representative Lunasco, seconded by Representative Takamine and carried, the report of the Committee was adopted and H.B. No. 478, as amended, passed Second Reading and was referred to the Committee on Judiciary.

Representative Sakima, for the Committee on Education, presented a report (Stand. Com. Rep. No. 385) approving the intent and purpose of H.B. No. 1343 and recommending its referral to the Committee on Finance.

On motion by Representative Sakima, seconded by Representative Young and carried, the report of the Committee was adopted and H.B. No. 1343 was referred to the Committee on Finance.

Representative Sakima, for the Committee on Education, presented a report (Stand. Com. Rep. No. 386) approving the intent and purpose of H.B. No. 1348 and recommending its referral to the Committee on Finance.

On motion by Representative Sakima, seconded by Representative Young and carried, the report of the Committee was adopted and H.B. No. 1348 was referred to the Committee on Finance.

Representative Sakima, for the Committee on Education, presented a report (Stand. Com. Rep. No. 387) approving the intent and purpose of H.B. No. 1154 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Sakima, seconded by Representative Young and carried, the report of the Committee was adopted and H.B. No. 1154 passed Second Reading and was referred to the Committee on Finance.

Representative Kunimura, for the Select Committee of Kauai Representatives, presented a report

(Stand. Com. Rep. No. 388) approving the intent and purpose of H.B. No. 526 and recommending 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 H.B. No. 526 was referred to the Committee on Finance.

Representative Kunimura, for the Select Committee of Kauai Representatives, presented a report (Stand. Com. Rep. No. 389) approving the intent and purpose of H.B. No. 523 and recommending 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 H.B. No. 523 was referred to the Committee on Finance.

Representative Kunimura, for the Select Committee of Kauai Representatives, presented a report (Stand. Com. Rep. No. 390) approving the intent and purpose of H.B. No. 675 and recommending 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 H.B. No. 675 was referred to the Committee on Finance.

Representative Kato, for the Committee on Public Welfare and Assistance, presented a report (Stand. Com. Rep. No. 391) approving the intent and purpose of H.B. No. 2004 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Kato, seconded by Representative Kunimura and carried, the report of the Committee was adopted and H.B. No. 2004 passed Second Reading and was referred to the Committee on Finance.

Representative Kato, for the Committee on Public Welfare and Assistance, presented a report (Stand. Com. Rep. No. 392) approving the intent and purpose of H.B. No. 1669 and

recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Kato, seconded by Representative Kunimura and carried, the report of the Committee was adopted and H.B. No. 1669 passed Second Reading and was referred to the Committee on Finance.

Representative Kato, for the Committee on Public Welfare and Assistance, presented a report (Stand. Com. Rep. No. 393) approving the intent and purpose of H.B. No. 1893 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Kato, seconded by Representative Kunimura and carried, the report of the Committee was adopted and H.B. No. 1893 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. 394) approving the intent and purpose of H.B. No. 1770 and recommending its passage on Second Reading and its referral to the Committee on Judiciary with certain amendments.

On motion by Representative Roehrig, seconded by Representative Medina and carried, the report of the Committee was adopted and H.B. No. 1770, as amended, passed Second Reading and was referred to the Committee on Judiciary.

Representative Iha, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 395) approving the intent and purpose of H.B. No. 1813 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Iha, seconded by Representative Nakama and carried, the report of the Committee was adopted and H.B. No. 1813 passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the Committee on Public Employment, presented a report (Stand. Com. Rep. No. 396) approving the intent and purpose of H.B.

No. 525 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Lee, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 525 passed Second Reading and was referred to the Committee on Finance.

Representative Wong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 397) approving the intent and purpose of H.B. No. 619 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative Wong, seconded by Representative Sakima and carried, the report of the Committee was adopted and H.B. No. 619, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Wong, for the majority of the Committee on Health, presented a report (Stand. Com. Rep. No. 398) approving the intent and purpose of H.B. No. 1890 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative Wong, seconded by Representative Sakima and carried, the report of the majority of the Committee was adopted and H.B. No. 1890, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Wong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 399) approving the intent and purpose of H.B. No. 1898 and recommending its passage on Second Reading and its referral to the Committee on Judiciary with certain amendments.

On motion by Representative Wong, seconded by Representative Sakima and carried, the report of the Committee was adopted and H.B. No. 1898, as amended, passed Second Reading and was referred to the Committee on Judiciary.

Representative Wong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 400) approving

the intent and purpose of S.B. No. 121 and recommending its passage on Second Reading and its referral to the Committee on Judiciary.

On motion by Representative Wong, seconded by Representative Sakima and carried, the report of the Committee was adopted and S.B. No. 121 passed Second Reading and was referred to the Committee on Judiciary.

Representative Wong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 401) approving the intent and purpose of S.B. No. 5 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Wong, seconded by Representative Sakima and carried, the report of the Committee was adopted and S.B. No. 5 passed Second Reading and was referred to the Committee on Finance.

Representative Takamine, for the Select Committee of Hawaii Representatives, presented a report (Stand. Com. Rep. No. 402) approving the intent and purpose of H.B. Nos. 536, 802, 803, 804, 805, 895, 896, 897, 898, 942, 943, 985, 986, 987, 988, 1014, 1040, 1041, 1044, 1231, 1232, 1233, 1265, 1491, 1644, 1662, 1665, 1676, 1775, 1862, 1863, 1864, 1865, 1866, 1867, 1879 and 2043 and recommending their passage on Second Reading and their referral to the Committee on Finance.

On motion by Representative Takamine, seconded by Representative Suwa and carried, the report of the Committee was adopted and H.B. Nos. 536, 802, 803, 804, 805, 895, 896, 897, 898, 942, 943, 985, 986, 987, 988, 1014, 1040, 1041, 1044, 1231, 1232, 1233, 1265, 1491, 1644, 1662, 1665, 1676, 1775, 1862, 1863, 1864, 1865, 1866, 1867, 1879 and 2043 passed Second Reading and were referred to the Committee on Finance.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 403) approving the intent and purpose of H.B. No. 75 and recommending its passage on Third Reading with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 403 on H.B. No. 75, as amended, was deferred until tomorrow, March 23, 1973.

The Chair directed the Clerk to note that printed copies of H.B. No. 75, HD 2, were made available to the members of the House at 11:18 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. 404) approving the intent and purpose of H.B. No. 318 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. 318, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, March 23, 1973.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 405) approving the intent and purpose of H.B. No. 315 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. 315, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, March 23, 1973.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 406) approving the intent and purpose of H.B. No. 316 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. 316, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, March 23, 1973.

Representative Kawakami, for the

Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 407) approving the intent and purpose of H.B. No. 1333 and recommending its passage on Second Reading.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 1333 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, March 23, 1973.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 408) approving the intent and purpose of H.C.R. No. 68 and recommending its adoption.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.C.R. No. 68 was adopted.

Representative Iha, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 409) approving the intent and purpose of H.B. No. 1091 and recommending its passage on Second Reading.

On motion by Representative Iha, seconded by Representative Nakama and carried, the report of the Committee was adopted and H.B. No. 1091 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, March 23, 1973.

Representative Iha, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 410) approving the intent and purpose of H.B. No. 1875 and recommending its passage on Second Reading.

On motion by Representative Iha, seconded by Representative Nakama and carried, the report of the Committee was adopted and H.B. No. 1875 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, March 23, 1973.

Representative Sakima, for the Committee on Education, presented a report (Stand. Com. Rep. No. 411) approving the intent and purpose of H.B.

No. 1521 and recommending its passage on Second Reading.

On motion by Representative Sakima, seconded by Representative Young and carried, the report of the Committee was adopted and H.B. No. 1521 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, March 23, 1973.

The Chair here directed the Clerk to note that H.B. Nos. 318, 315, 316, 1333, 1091, 1875 and 1521 had passed Second Reading not later than 11:18 o'clock a.m.

Representative Kimura, for the majority of the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 412) approving the intent and purpose of H.B. No. 1197 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Kimura, seconded by Representative Kishinami and carried, the report of the majority of the Committee was adopted and H.B. No. 1197 passed Second Reading and was referred to the Committee on Finance.

Representative Kimura, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 413) approving the intent and purpose of H.B. No. 1351 and recommending its passage on Second Reading and 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.B. No. 1351 passed Second Reading and was referred to the Committee on Finance.

Representative Kimura, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 414) approving the intent and purpose of H.B. No. 1880 and recommending its passage on Second Reading and 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.B. No. 1880 passed Second Reading and was referred to the Committee on Finance.

Representative Kimura, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 415) approving the intent and purpose of H.B. No. 1342 and recommending its passage on Second Reading and 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.B. No. 1342 passed Second Reading and was referred to the Committee on Finance.

Representative Kimura, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 416) approving the intent and purpose of H.B. No. 1549 and recommending its passage on Second Reading and 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.B. No. 1549 passed Second Reading and was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 417) approving the intent and purpose of H.B. No. 1754 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 1754, as amended, entitled: "A Bill for an Act to amend Chapter 205, HRS, to expand appeal procedures" passed Second Reading and was referred to the Committee on Finance.

Representative Kimura, for the majority of the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 418) approving the intent and purpose of H.B. No. 1198 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Kimura, seconded by Representative Kishinami and carried, the report of the majority of

the Committee was adopted and H.B. No. 1198 passed Second Reading and was referred to the Committee on Finance.

Representative Yap, for the Committee on Consumer Protection, presented a report (Stand. Com. Rep. No. 419) approving the intent and purpose of H.B. No. 310 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Yap, seconded by Representative Medina and carried, Stand. Com. Rep. No. 419 and H.B. No. 310 were recommitted to the Committee on Consumer Protection.

Representative Yap, for the majority of the Committee on Consumer Protection, presented a report (Stand. Com. Rep. No. 420) approving the intent and purpose of H.B. No. 483 and recommending its passage on Second Reading and its referral to the Committee on Judiciary.

On motion by Representative Yap, seconded by Representative Medina and carried, the report of the majority of the Committee was adopted and H.B. No. 483 passed Second Reading and was referred to the Committee on Judiciary.

Representative Yim, for the Committee on Human Rights, presented a report (Stand. Com. Rep. No. 421) approving the intent and purpose of H.B. No. 395 and recommending its passage on Second Reading and its referral to the Committee on Judiciary.

On motion by Representative Yim, seconded by Representative King and carried, the report of the Committee was adopted and H.B. No. 395 passed Second Reading and was referred to the Committee on Judiciary.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 378 to 381) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 378) recognizing Professor Johan Galtung for his outstanding work in the areas of peace research and social science methodology and thanking him for his prodigious contribution to the students and faculty of the University of Hawaii during his

short stay in Hawaii was jointly offered by Representatives A. Chong, Ajifu, Akizaki, Cobb, de la Cruz, Fong, Iha, Kato, Kimura, Kishinami, Kondo, Kunimura, Lee, Medina, Nakama, Poepoe, Roehrig, Saiki, Sakima, Suwa, Uechi, Ushijima, Wasai, Yap, Young and Yuen.

On motion by Representative A. Chong, seconded by Representative Ushijima and carried, H.R. No. 378 was adopted.

At this time, Representative A. Chong introduced to the members of the House Professor Johan Galtung and presented him with a certified copy of House Resolution No. 378.

A resolution (H.R. No. 379) congratulating Dr. Mitchel Mitsuo Yokoyama on his appointment to the directorship of the Kallestad Laboratories and a professorship at the University of Minnesota School of Medicine was jointly offered by Representatives Saiki, Aduja, Ajifu, Aki, Akizaki, Amaral, Carroll, A. Chong, W. Chong, Cobb, de la Cruz, Fong, J. Garcia, R. Garcia, Hapai, Iha, Kato, Kawakami, Kihano, Kimura, King, Kishinami, Kondo, Kunimura, Lee, Leopold, Lunasco, Medeiros, Medina, Morioka, Nakama, O'Connor, Oda, Poepoe, Roehrig, Sakima, Soares, Suwa, Takamine, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim, Young, Yuen and Beppu.

On motion by Representative Saiki, seconded by Representative Poepoe and carried, H.R. No. 379 was adopted.

A resolution (H.R. No. 380) honoring Miss Linda Susan Ogawa as an outstanding achiever was jointly offered by Representatives Carroll, Aduja, Ajifu, Aki, Akizaki, Amaral, A. Chong, W. Chong, Cobb, de la Cruz, Fong, J. Garcia, R. Garcia, Hapai, Iha, Kato, Kawakami, Kihano, Kimura, King, Kishinami, Kondo, Kunimura, Lee, Leopold, Lunasco, Medeiros, Medina, Morioka, Nakama, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim, Young, Yuen and Beppu.

On motion by Representative Carroll, seconded by Representative Sakima and carried, H.R. No. 380 was adopted.

A resolution (H.R. No. 381) congratulations to the staff of the YMCA at Camp Erdman for their valuable efforts in the Outdoor Education Program was jointly offered by Representatives Kishinami, Aduja, Ajifu, Aki, Akizaki, Amaral, Carroll, A. Chong, W. Chong, Cobb, de la Cruz, Fong, J. Garcia, R. Garcia, Hapai, Iha, Kato, Kawakami, Kihano, Kimura, King, Kondo, Kunimura, Lee, Leopold, Lunasco, Medeiros, Medina, Morioka, Nakama, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim, Young, Yuen and Beppu.

On motion by Representative Kishinami, seconded by Representative Kihano and carried, H.R. No. 381 was adopted.

By unanimous consent, the following resolutions (H.R. Nos. 382 to 384) and concurrent resolution (H.C.R. Nos. 96 and 97) were referred to the Committee on Legislative Management and further action was deferred until tomorrow, March 23, 1973:

A resolution (H.R. No. 382) relating to tuition was offered by Representative Ushijima.

A resolution (H.R. No. 383) requesting the Fire Chief to work with the Department of Land and Natural Resources, Division of State Parks, to help prevent fire in areas surrounding Waahila Park was jointly offered by Representatives Morioka, Aki, Akizaki, A. Chong, Cobb, de la Cruz, R. Garcia, Iha, Kato, Kawakami, Kihano, Kimura, King, Kishinami, Kondo, Kunimura, Lee, Leopold, Lunasco, Medina, Nakama, O'Connor, Roehrig, Saiki, Sakima, Suwa, Takamine, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yap, Yim, Young, Yuen and Beppu.

A resolution (H.R. No. 384) requesting the Department of Land and Natural Resources to study the water requirements for various crops was jointly offered by Representatives Medina, Aki, Akizaki, Amaral, de la Cruz, Kawakami, Kihano, Kimura, Kishinami, Kondo, Kunimura, Morioka, Poepoe, Suwa, Wong, Yuen and Beppu.

A concurrent resolution (H.C.R. No.

96) relating to tuition was offered by Representative Ushijima.

A concurrent resolution (H.C.R. No. 97) supporting the establishment of general and special-purpose subzones of the State's Foreign-Trade Zone No. 9 on the neighbor islands was jointly offered by Representatives Kawakami, A. Chong, Cobb, de la Cruz, R. Garcia, Iha, Kato, Kimura, Morioka, Takamine, Wakatsuki, Wasai, Wedemeyer, Wong, Yim and Young.

At 11:23 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

At 12:08 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 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 S.B. No. 76.

On motion by Representative Wong, seconded by Representative Sakima, S.B. No. 76 passed Third Reading by a vote of 51 ayes.

Third Reading of S.B. No. 89.

On motion by Representative Wong, seconded by Representative Sakima, S.B. No. 89 passed Third Reading by a vote of 51 ayes.

Third Reading of H.B. No. 1163.

On motion by Representative O'Connor, seconded by Representative Kimura, H.B. No. 1163 passed Third Reading by a vote of 51 ayes.

Third Reading of H.B. No. 1519.

On motion by Representative Suwa, seconded by Representative Akizaki, H.B.

No. 1519 passed Third Reading by a vote of 51 ayes.

Third Reading of H.B. No. 326.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, H.B. No. 326 was recommitted to the Committee on Finance.

Third Reading of H.B. No. 44.

On motion by Representative Wong, seconded by Representative Sakima, H.B. No. 44 passed Third Reading by a vote of 51 ayes.

Third Reading of H.B. No. 87.

On motion by Representative Lee, seconded by Representative A. Chong, H.B. No. 87 passed Third Reading by a vote of 51 ayes.

Third Reading of H.B. No. 336.

On motion by Representative Yap, seconded by Representative Medina, H.B. No. 336 passed Third Reading by a vote of 51 ayes.

Third Reading of H.B. No. 1562.

On motion by Representative Yap, seconded by Representative Medina, H.B. No. 1562 passed Third Reading by a vote of 51 ayes.

Third Reading of H.B. No. 105.

On motion by Representative Wong, seconded by Representative Sakima, H.B. No. 105 passed Third Reading by a vote of 51 ayes.

Third Reading of H.B. No. 124.

By unanimous consent, consideration of H.B. No. 124 on Third Reading was deferred until tomorrow, March 23, 1973.

The Chair directed the Clerk to note that S.B. Nos. 76 and 89 and H.B. Nos. 1163, 1519, 44, 87, 336, 1562 and 105 had passed Third Reading not earlier than 12:10 o'clock p.m.

UNFINISHED BUSINESS

Consideration of Stand. Com. Rep. No. 308 on H.B. No. 968 which had been

deferred to this day.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 968, having been read throughout, passed Third Reading by a vote of 50 ayes to 1 no, with Representative Cobb voting no.

Consideration of Stand. Com. Rep. No. 309 on H.B. No. 1003, 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. 1003, as amended, having been read throughout, passed Third Reading by a vote of 51 ayes.

Consideration of Stand. Com. Rep. No. 310 on H.B. No. 160 which had been deferred to this day.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, H.B. No. 160, having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 968, 1003 and 160 had passed Third Reading not earlier than 12:10 o'clock p.m.

Consideration of Stand. Com. Rep. No. 237 on H.B. No. 22, as amended, which had been deferred to this day.

By unanimous consent, consideration of Stand. Com. Rep. No. 237 on H.B. No. 22, as amended, was deferred until tomorrow, March 23, 1973.

DEFERRED MATTERS

Consideration of Stand. Com. Rep. No. 351 on H.B. No. 1835, as amended, which had been deferred to this time.

On motion by Representative Lee, seconded by Representative A. Chong and carried, Stand. Com. Rep. No. 351 and H.B. No. 1835, as amended, were recommitted to the Committee on Public Employment.

At 12:20 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

At 12:24 o'clock p.m., the House of Representatives reconvened.

Consideration of Stand. Com. Rep. No. 383 on H.B. No. 575, as amended, which had been deferred to this time.

On motion by Representative Lunasco, seconded by Representative Takamine and carried, the report of the Committee was adopted and H.B. No. 575, as amended, passed Second Reading and was referred to the Committee on Agriculture.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 46 to 52) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 46) returning House Concurrent Resolution No. 72, HD 1, which was adopted by the Senate on March 22, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 47) returning House Bill No. 340 which passed Third Reading in the Senate on March 22, 1973, in an amended form, was placed on file.

By unanimous consent, H.B. No. 340, as amended by the Senate, was placed on the Clerk's desk.

A communication from the Senate (Sen. Com. No. 48) transmitting Senate Bill No. 79, SD 1, entitled: "A Bill for an Act relating to slow moving vehicles," which passed Third Reading in the Senate on March 22, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 49) transmitting Senate Bill No. 90, SD 1, entitled: "A Bill for an Act relating to licensing of certain occupations," which passed Third Reading in the Senate on March 22, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 50) transmitting Senate Bill No. 111, SD 1, entitled: "A Bill for an Act relating to minimum capital for an escrow depository," which passed Third Reading in the Senate on March 22, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 51) transmitting Senate Bill No. 123, SD 1, entitled: "A Bill for an Act relating to the practice of barbering," which passed Third Reading in the Senate on March 22, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 52) transmitting Senate Bill No. 698, SD 1, entitled: "A Bill for an Act relating to survival of actions for wrongful death," which passed Third Reading in the Senate on March 22, 1973, was placed on file.

On motion by Representative Ushijima, seconded by Representative J. Garcia and carried, S.B. Nos. 79, 90, 111, 123 and 698 passed First Reading by title and further action was deferred until tomorrow, March 23, 1973.

At 12:33 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, March 23, 1973.

47TH DAY

Friday, March 23, 1973

The House of Representatives of the Seventh Legislature of the State of Hawaii, Regular Session of 1973, was called to order at 11:00 o'clock a.m.

The Speaker presided.

The Divine Blessing was invoked by The Reverend Dennis J. Slattery, Associate, Sacred Heart Church.

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 Forty-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 Forty-Sixth Day was approved.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Mess. Nos. 55 to 57) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Mess. No. 55) informing the House that House Bill No. 122 had been signed into law as Act 3 on March 15, 1973, was placed on file.

A message from the Governor (Gov. Mess. No. 56) transmitting the cost item for the collective bargaining agreement which was negotiated with the Hawaii State Teachers' Association on February 29, 1972, was placed on file.

A message from the Governor (Gov. Mess. No. 57) transmitting the cost items for collective bargaining agreements negotiated with various employee organizations, was placed on file.

DEPARTMENTAL COMMUNICATION

A communication from Wytze Gorter, Chancellor, University of Hawaii (Dept. Com. No. 9) acknowledging receipt of H.R. No. 119 of the Regular Session of 1973, was placed on file.

MISCELLANEOUS COMMUNICATION

A communication from Malcolm MacNaughton, President, Castle and Cooke, Inc. (Misc. Com. No. 36) acknowledging receipt of H.R. No. 315 which was adopted during the Regular Session of 1973, was placed on file.

ORDER OF THE DAY

COMMITTEE REFERRALS

The following bills (S.B. Nos. 79, 90, 111, 123 and 698) were disposed of as follows:

S.B. No. 79 was referred to the Committee on Transportation.

S.B. No. 90 was referred to the Committee on Finance.

S.B. No. 111 was referred to the Committee on Judiciary.

S.B. No. 123 was referred to the Committee on Consumer Protection.

S.B. No. 698 was referred to the Committee on Judiciary.

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 382 to 384) and concurrent resolutions (H.C.R. Nos. 96 and 97) were disposed of as follows:

H.R. No. 382 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. 383 was referred to the Committee on Water, Land Use and Development and after consideration by it, the Committee was instructed to refer the resolution to the Committee on Finance.

H.R. No. 384 was referred to the Committee on Water, Land Use and Development and after consideration by it, the Committee was instructed to refer the resolution to the Committee on Finance.

H.C.R. No. 96 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. 97 was referred to the Committee on Water, Land Use and Development and after consideration by it, the Committee was instructed to refer the concurrent resolution to the Committee on Finance.

STANDING COMMITTEE REPORTS

Representative Akizaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 422) informing the House that House Resolution Nos. 378 to 384, House Concurrent Resolution Nos. 96 and 97, Standing Committee Report No. 21, and Standing Committee Report Nos. 423 to 452 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. 423) approving the intent and purpose of H.B. No. 831 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Sakima, seconded by Representative Young and carried, the report of the Committee was adopted and H.B. No. 831 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. 424) approving the intent and purpose of H.B. No. 511 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Young, seconded by Representative Sakima and carried, the report of the Committee was adopted and H.B. No. 511 passed Second Reading and was referred to the Committee on Finance.

Representative Lunasco, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 425) approving the intent and purpose of

H.R. No. 80 and recommending its referral to the Committee on Public Employment with certain amendments.

On motion by Representative Lunasco, seconded by Representative Takamine and carried, the report of the Committee was adopted and H.R. No. 80, as amended, entitled: "A Resolution requesting the House Public Employment Committee to study the military's influence on Hawaii's employment situation and to submit a report thereon" was referred to the Committee on Public Employment.

Representative Kato, for the Committee on Public Welfare and Assistance, presented a report (Stand. Com. Rep. No. 426) approving the intent and purpose of H.C.R. No. 23 and recommending its referral to the Committee on Finance.

On motion by Representative Kato, seconded by Representative Kondo and carried, the report of the Committee was adopted and H.C.R. No. 23 was referred to the Committee on Finance.

Representative Kato, for the Committee on Public Welfare and Assistance, presented a report (Stand. Com. Rep. No. 427) approving the intent and purpose of H.C.R. No. 40 and recommending its referral to the Committee on Finance.

On motion by Representative Kato, seconded by Representative Kondo and carried, the report of the Committee was adopted and H.C.R. No. 40 was referred to the Committee on Finance.

Representative Lee, for the Committee on Public Employment, presented a report (Stand. Com. Rep. No. 428) approving the intent and purpose of H.B. No. 89 and recommending its passage on Second Reading with certain amendments.

On motion by Representative Lee, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 89, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading Tuesday, March 27, 1973.

Representative Yap, for the Committee on Consumer Protection,

presented a report (Stand. Com. Rep. No. 429) approving the intent and purpose of H.B. No. 917 and recommending its passage on Second Reading with certain amendments.

On motion by Representative Yap, seconded by Representative Medina and carried, the report of the Committee was adopted and H.B. No. 917, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading Tuesday, March 27, 1973.

Representative Wasai, for the Committee on Parks, Fish and Game Management, presented a report (Stand. Com. Rep. No. 430) approving the intent and purpose of H.B. No. 1116 and recommending its passage on Second Reading.

On motion by Representative Wasai, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.B. No. 1116 passed Second Reading and was placed on the Order of the Day for the Third Reading Tuesday, March 27, 1973.

Representative Yim, for the Committee on Human Rights, presented a report (Stand. Com. Rep. No. 431) approving the intent and purpose of H.B. No. 118 and recommending its passage on Second Reading.

On motion by Representative Yim, seconded by Representative King and carried, the report of the Committee was adopted and H.B. No. 118 passed Second Reading and was placed on the Order of the Day for Third Reading Tuesday, March 27, 1973.

Representative Wong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 432) approving the intent and purpose of H.B. No. 154 and recommending its passage on Second Reading with certain amendments.

On motion by Representative Wong, seconded by Representative Sakima and carried, the report of the Committee was adopted and H.B. No. 154, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading Tuesday, March 27, 1973.

Representative Wong, for the Committee on Health, presented a report

(Stand. Com. Rep. No. 433) approving the intent and purpose of H.B. No. 1896 and recommending its passage on Second Reading.

On motion by Representative Wong, seconded by Representative Sakima and carried, the report of the Committee was adopted and H.B. No. 1896 passed Second Reading and was placed on the Order of the Day for Third Reading Tuesday, March 27, 1973.

Representative Wong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 434) approving the intent and purpose of H.B. No. 47 and recommending its passage on Second Reading.

On motion by Representative Wong, seconded by Representative Sakima and carried, the report of the Committee was adopted and H.B. No. 47 passed Second Reading and was placed on the Order of the Day for Third Reading Tuesday, March 27, 1973.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 435) approving the intent and purpose of S.B. No. 141 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. 141 passed Second Reading and was placed on the Order of the Day for Third Reading Tuesday, March 27, 1973.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 436) approving the intent and purpose of H.B. No. 996 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. 996 passed Second Reading and was placed on the Order of the Day for Third Reading Tuesday, March 27, 1973.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 437) approving the intent and purpose of H.B.

No. 168 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. 168, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading Tuesday, March 27, 1973.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 438) approving the intent and purpose of H.B. No. 82 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. 82, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading Tuesday, March 27, 1973.

Representative Young, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 439) approving the intent and purpose of H.B. No. 1877 and recommending its passage on Second Reading and its referral to the Committee on Judiciary with certain amendments.

On motion by Representative Young, seconded by Representative Yuen and carried, the report of the Committee was adopted and H.B. No. 1877, as amended, passed Second Reading and was referred to the Committee on Judiciary.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 440) approving the intent and purpose of H.B. No. 1340 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. 1340, 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. 441) approving the intent and purpose of H.B. No. 1802 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. 1802 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. 442) approving the intent and purpose of H.B. No. 1386 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. 1386 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. 443) approving the intent and purpose of H.B. No. 2028 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. 2028 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. 444) approving the intent and purpose of H.B. No. 2027 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. 2027 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. 445) approving the intent and purpose of H.B. No. 1490 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. 1490, 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. 446) approving the intent and purpose of H.B. No. 1349 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. 1349, 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. 447) approving the intent and purpose of H.B. No. 1173 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. 1173 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. 448) approving the intent and purpose of H.B. No. 476 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. 476 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. 449) approving the intent and purpose of H.B. No. 15 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. 15, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading Tuesday, March 27, 1973.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 450) approving the intent and purpose of H.B. No. 1094 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. 1094, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading Tuesday, March 27, 1973.

Representative Iha, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 451) approving the intent and purpose of H.B. No. 12 and recommending its passage on Third Reading with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 451 on H.B. No. 12, as amended, was deferred until Tuesday, March 27, 1973.

The Chair here directed the Clerk to note that printed copies of H.B. No. 12, HD 2, were made available to the members of the House at 11:17 o'clock a.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. 452) approving the intent and purpose of H.B. No. 1005 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. 1005 passed Second Reading and was placed on the Order of the Day for Third Reading Tuesday, March 27, 1973.

The Chair here directed the Clerk to note that H.B. Nos. 89, 917, 1116, 118, 154, 1896, 47, 996, 168, 82, 15, 1094 and 1005 and S.B. No. 141 had passed Second Reading not later than 11:17 o'clock a.m.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 385 to 394) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 385) congratulating Rick Wagner for receiving honorable mention on the 1972 High School All-America Team was jointly offered by Representatives Lunasco, Aduja, Ajifu, Aki, Akizaki, Amaral, Carroll, A. Chong, W. Chong, Cobb, de la Cruz, Fong, J. Garcia, R. Garcia, Hapai, Iha, Kato, Kawakami, Kihano, Kimura, King, Kishinami, Kondo, Kunimura, Lee, Leopold, Medeiros, Medina, Morioka, Nakama, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim, Young, Yuen and Beppu.

On motion by Representative Lunasco, seconded by Representative Oda and carried, H.R. No. 385 was adopted.

A resolution (H.R. No. 386) extending heartiest congratulations and best wishes to the Leilehua boys' swimming team on winning the Oahu Interscholastic Association Western Division title was jointly offered by Representatives Lunasco, Aduja, Ajifu, Aki, Akizaki, Amaral, Carroll, A. Chong, W. Chong, Cobb, de la Cruz, Fong, J. Garcia, R. Garcia, Hapai, Iha, Kato, Kawakami, Kihano, Kimura, King, Kishinami, Kondo, Kunimura, Lee, Leopold, Medeiros, Medina, Morioka, Nakama, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim, Young, Yuen and Beppu.

On motion by Representative Lunasco, seconded by Representative

Oda and carried, H.R. No. 386 was adopted.

A resolution (H.R. No. 387) congratulating Alex Kaloi for receiving honorable mention to the 1972 High School All-America Team was jointly offered by Representatives Lunasco, Aduja, Ajifu, Aki, Akizaki, Amaral, Carroll, A. Chong, W. Chong, Cobb, de la Cruz, Fong, J. Garcia, R. Garcia, Hapai, Iha, Kato, Kawakami, Kihano, Kimura, King, Kishinami, Kondo, Kunimura, Lee, Leopold, Medeiros, Medina, Morioka, Nakama, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim, Young, Yuen and Beppu.

On motion by Representative Lunasco, seconded by Representative Oda and carried, H.R. No. 387 was adopted.

A resolution (H.R. No. 388) congratulating Leilehua seniors Rick Wagner, Bob Ward, and Mike Okamura for being named to the all-tournament team of the Hawaii State High School Basketball Championship was jointly offered by Representatives Lunasco, Aduja, Ajifu, Aki, Akizaki, Amaral, Carroll, A. Chong, W. Chong, Cobb, de la Cruz, Fong, J. Garcia, R. Garcia, Hapai, Iha, Kato, Kawakami, Kihano, Kimura, King, Kishinami, Kondo, Kunimura, Lee, Leopold, Medeiros, Medina, Morioka, Nakama, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim, Young, Yuen and Beppu.

On motion by Representative Lunasco, seconded by Representative Oda and carried, H.R. No. 388 was adopted.

A resolution (H.R. No. 389) extending wholehearted congratulations and best wishes to the Leilehua High School rifle team on gaining the Oahu Interscholastic Association Championship was jointly offered by Representatives Lunasco, Aduja, Ajifu, Aki, Akizaki, Amaral, Carroll, A. Chong, W. Chong, Cobb, de la Cruz, Fong, J. Garcia, R. Garcia, Hapai, Iha, Kato, Kawakami, Kihano, Kimura, King, Kishinami, Kondo, Kunimura Lee, Leopold, Medeiros, Medina, Morioka, Nakama, O'Connor, Oda, Poepoe,

Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim, Young, Yuen and Beppu.

On motion by Representative Lunasco, seconded by Representative Oda and carried, H.R. No. 389 was adopted.

A resolution (H.R. No. 390) extending sincerest congratulations and best wishes to the Leilehua High School golf team on capturing the Oahu Interscholastic Association Golf Championship was jointly offered by Representatives Lunasco, Aduja, Ajifu, Aki, Akizaki, Amaral, Carroll, A. Chong, W. Chong, Cobb, de la Cruz, Fong, J. Garcia, R. Garcia, Hapai, Iha, Kato, Kawakami, Kihano, Kimura, King, Kishinami, Kondo, Kunimura, Lee, Leopold, Medeiros, Medina, Morioka, Nakama, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim, Young, Yuen and Beppu.

On motion by Representative Lunasco, seconded by Representative Oda and carried, H.R. No. 390 was adopted.

A resolution (H.R. No. 391) congratulating the Leilehua "Mules" football team on winning the Oahu Interscholastic Association Western Division Championship was jointly offered by Representatives Oda, Aduja, Ajifu, Aki, Akizaki, Amaral, Carroll, A. Chong, W. Chong, Cobb, de la Cruz, Fong, J. Garcia, R. Garcia, Hapai, Kato, King, Kondo, Leopold, Lunasco, Medeiros, Poepoe, Roehrig, Saiki, Soares, Wasai, Wong, Yamada, Yap, Yim and Young.

On motion by Representative Oda, seconded by Representative Lunasco and carried, H.R. No. 391 was adopted.

A resolution (H.R. No. 392) congratulating the Leilehua High School "Mules" on winning the 1973 Hawaii State High School Basketball Championship was jointly offered by Representatives Oda, Aduja, Ajifu, Aki, Amaral, W. Chong, Cobb, de la Cruz, Fong, J. Garcia, Hapai, Iha, Kato, Kawakami, Kihano, Kimura, Leopold, Lunasco, Medeiros, Medina, Morioka,

Poepoe, Roehrig, Sakima, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Yamada, Young and Yuen.

On motion by Representative Oda, seconded by Representative Lunasco and carried, H.R. No. 392 was adopted.

At this time, Representative Lunasco introduced to the members of the House the recipients of the resolutions from Waialua High School and their coaches.

A resolution (H.R. No. 393) honoring Alfred Apaka, Jr. was jointly offered by Representatives Saiki, Aduja, Aki, Amaral, Carroll, A. Chong, W. Chong, Cobb, Fong, J. Garcia, R. Garcia, Hapai, Kawakami, Lee, Leopold, Lunasco, Medeiros, Nakama, Oda, Poepoe, Roehrig, Soares, Takamine, Wasai, Wedemeyer, Wong, Yamada, Yim and Young.

On motion by Representative Saiki, seconded by Representative Poepoe and carried, H.R. No. 393 was adopted.

A resolution (H.R. No. 394) in recognition of libraries during National Library Week was jointly offered by Representatives Sakima, Aduja, Ajifu, Aki, Akizaki, Amaral, Carroll, A. Chong, W. Chong, Cobb, de la Cruz, Fong, J. Garcia, R. Garcia, Hapai, Iha, Kato, Kawakami, Kihano, Kimura, King, Kishinami, Kondo, Kunimura, Lee, Leopold, Lunasco, Medeiros, Medina, Morioka, Nakama, O'Connor, Oda, Poepoe, Roehrig, Saiki, Soares, Suwa, Takamine, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim, Young, Yuen and Beppu.

On motion by Representative Sakima, seconded by Representative Kunimura and carried, H.R. No. 394 was adopted.

By unanimous consent, the following resolutions (H.R. Nos. 395 and 396) were referred to the Committee on Legislative Management and further action was deferred until Tuesday, March 27, 1973:

A resolution (H.R. No. 395) requesting that a hearing be conducted to determine why the installation of certain warning lights in Hawaii county has not been implemented was jointly offered by Representatives Takamine and Iha.

A resolution (H.R. No. 396)

requesting the establishment of an interim committee on education to monitor the implementation of the legislative auditor's recommendations concerning the Department of Education was jointly offered by Representatives Sakima, Aki, Amaral, Fong, Kato, Kawakami, Kihano, Kimura, Kunimura, Lee, Leopold, Poepoe, Saiki, Takamine, Ushijima, Wedemeyer, Yap, Young and Yuen.

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

At 12:14 o'clock p.m., the House of Representatives reconvened.

SUSPENSION OF RULES

On motion by Representative Ushijima, seconded by Representative J. Garcia and carried, 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. 318.

On motion by Representative Suwa, seconded by Representative Akizaki, H.B. No. 318 passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

Third Reading of H.B. No. 315.

On motion by Representative Suwa, seconded by Representative Akizaki, H.B. No. 315 passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

Third Reading of H.B. No. 316.

On motion by Representative Suwa, seconded by Representative Akizaki, H.B. No. 316 passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

Third Reading of H.B. No. 1333.

On motion by Representative

Kawakami, seconded by Representative A. Chong, H.B. No. 1333 passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

Third Reading of H.B. No. 1091.

On motion by Representative Iha, seconded by Representative Nakama, H.B. No. 1091 passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

Third Reading of H.B. No. 1875.

On motion by Representative Iha, seconded by Representative Nakama, H.B. No. 1875 passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

Third Reading of H.B. No. 1521.

On motion by Representative Sakima, seconded by Representative Young, H.B. No. 1521 passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

The Chair here directed the Clerk to note that H.B. Nos. 318, 315, 316, 1333, 1091, 1875 and 1521 had passed Third Reading not earlier than 12:15 o'clock p.m.

UNFINISHED BUSINESS

Consideration of H.B. No. 124 on Third Reading which had been deferred to this day.

On motion by Representative Lee, seconded by Representative A. Chong, H.B. No. 124 passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

The Chair here directed the Clerk to note that H.B. No. 124 had passed Third Reading at 12:20 o'clock p.m.

Consideration of H.B. No. 22, HD 3, on Third Reading which had been deferred to this day.

Representative O'Connor moved that H.B. No. 22, HD 3, pass Third Reading, seconded by Representative Kimura.

Representative Leopold then offered an amendment to H.B. No. 22, HD 3, as follows:

“SECTION 1. House Bill 22, HD 3 is amended by amending various sections thereof as follows:

‘Section 1. The Hawaii Revised Statutes is amended by repealing chapter 11, part XII, subpart B and substituting therefor a new subpart B to read as follows:

**B. ELECTION CAMPAIGN
CONTRIBUTIONS AND
EXPENDITURES.**

Sec. 11-191 Definitions. When used in this part:

(1) ‘Campaign treasurer’ means a person appointed under section 11-197, and, unless expressly indicated otherwise, includes deputy campaign treasurers.

(2) ‘Candidate’ means an individual who seeks nomination for election, or election, to office and, for the purposes of this chapter, an individual shall be deemed to seek nomination for election, or election, if he has done any of the following:

(a) taken the action necessary under the law of the State to qualify himself for nomination for election, or election, to office, or

(b) received any contribution of more than \$50 or made or incurred any expenditure to bring about his nomination for election or election to office reportable under sections 11-208 or 11-209; or

(c) has given his consent for any other person to bring about his nomination for election, or election, to office.

(3) ‘Committee’ means any organization, association, or individual who does any of the following acts in conjunction with any candidate, party or issue, whether such acts are for or against the same and with or without the consent of any candidate or party:

(a) accepts contributions; or

(b) makes expenditures; or

(c) raises or holds money or anything of value.

(4) ‘Commission’ means the commission on public elections.

(5) ‘Contribution’ means:

(a) an offer, promise, agreement, or tender of money or anything of value by way of gift, subscription, loan, advance, or the purchase of tickets to testimonial dinners or fund raisings, for the purpose of:

(i) influencing the nomination or election of any candidate or any individual who files for nomination at a later date and becomes a candidate;

(ii) influencing the outcome of any question or issue at any election; or

(iii) use by any party; or

(b) the payment, by any person other than a candidate or committee, of compensation for the personal services of another person which are rendered to such candidate or committee.

(6) ‘Newspaper’ means a publication of general distribution issued once or more per week that is written and published in the State of Hawaii.

(7) ‘Office’ means any public or constitutional office including but not limited to the following: U.S. senate, U.S. representative, governor, lieutenant governor, state senator and representative, board of education official, delegates to the constitutional convention, and county officers.

(8) ‘Party’ means any qualified political party.

(9) ‘Person’ means an individual, partnership, committee, association, corporation, or labor union and its auxiliary committees.

Sec. 11-192 Commission on public elections. (a) There is created an independent commission on public elections to be placed in the lieutenant governor’s office for administrative purposes only. The commission shall be composed of five members appointed by the governor in the following manner and pursuant to section 26-34:

(1) Two members of the commission

shall be appointed from each of the two political parties which polled the largest vote in the last preceding general election. The state central committees of such parties shall each submit a list of three voters to the governor and the appointments shall be made from these lists. The list shall be submitted on or before July 15, following the effective date of this subpart, and every four years thereafter. The members shall take office on August 15 succeeding the submission of the list and shall serve for a term of four years.

(2) The appointed members shall within thirty days after qualifying and assuming office submit a list of two voters from which the governor within thirty days from its receipt shall appoint the fifth member, who shall serve as chairman. The term of the fifth member shall end on the same day as the terms of the previously appointed members.

(3) In the event of a vacancy in the office of any member appointed from the list furnished by a political party, the vacancy shall be filled from a list of three names submitted by the state central committee of the party to which that member belonged. In the event of a vacancy in the office of chairman, the appointment shall be made pursuant to paragraph (2). All appointments to fill a vacancy shall be for the unexpired term.

(4) The list to be submitted to the governor for the office of chairman, or to fill a vacancy in that office, shall not be compiled at a time when another vacancy exists on the commission.

(b) The commission shall fix the time and place of its regular meetings by order duly recorded in its minutes. No action shall be taken without a quorum present. Special meetings shall be called by the chairman on his own initiative or upon the written request of at least two members.

(c) The commissioners shall serve without pay but shall be entitled to such technical, clerical, and stenographic assistance as may be necessary or proper to carry out their duties.

Sec. 11-193 Duties of commission. The commission shall adopt such regulations and official forms and perform such duties as are necessary to

implement this subpart. The commission is authorized to:

(1) Develop prescribed forms for the making of all reports required by this subpart;

(2) Prepare and publish a manual for all candidates and committees, including therein uniform methods of bookkeeping and reporting;

(3) Preserve all required reports for at least five years from the date of receipt;

(4) Permit copying of any required report as requested by any person;

(5) Ascertain whether candidates, committees, parties, or others have failed to file required reports or have filed defective reports; give notice to delinquents to correct or explain deficiencies and make available for public inspection a list of such delinquents;

(6) Hold public hearings, investigate any violations in reporting and issue subpoenas for the production of documents and the attendance of witnesses;

(7) Prior to July 1, 1974, adopt a code of fair campaign practices and establish rules and regulations for its implementation and enforcement and procedures for the resolution of any charges made thereunder by any citizen.

All rules and regulations shall be promulgated pursuant to chapter 91.

Sec. 11-194 Challenges, investigation and notice. Challenges to a candidate's compliance with this subpart B, shall be filed with the commission. The commission shall investigate such challenges and shall advise the chief election officer of its findings. If, in the opinion of the commission, a violation has occurred, the state legislature in the case of a state office, or the respective county legislative body in the case of a county office, shall also be advised as to its findings.

Sec. 11-195 Registration. (a) Each candidate, committee or party shall file an organizational report with the commission on the earliest of the following applicable days:

(1) on or before the day of filing for nomination or election;

(2) at least 45 days before the primary election;

(3) at least 45 days before the general, special general or special election, when there is no primary election; or

(4) by the tenth day after (A) receiving any contribution of more than \$50, or (B) making or incurring any expenditure which is reportable under sections 11-208 or 11-209.

(b) A committee shall be directly associated with only one candidate, party or issue at any one time.

Sec. 11-196 Filing of reports, generally. All reports required to be filed under this subpart shall be sworn to by the individual filing the report, and shall be open to public inspection.

Sec. 11-197 Organizational report. (a) The organizational report shall include:

(1) The name and address of the candidate, committee or party with which it is directly associated;

(2) The names and addresses of the campaign treasurer and deputies;

(3) The names and addresses of the campaign chairman and deputy campaign chairman;

(4) A list of all banks, safety deposit boxes, or other depositories used; and

(5) The amount, name and address of each individual donor who has contributed \$50 or more since the last election applicable to the office being sought or to the issue in question.

(b) Any change in information submitted in the organizational report shall be reported not later than 4:30 p.m. on the tenth day after such change is brought to the attention of the candidate, committee, party or campaign treasurer.

Sec. 11-198 Campaign treasurer. (a) Every committee, party, or candidate shall appoint a campaign treasurer on or before the day for filing an organizational report. Up to three deputy campaign

treasurers may be appointed, provided such appointments are appropriately filed. A candidate may appoint himself as campaign treasurer.

(b) A campaign treasurer may be removed at any time. In case of death, resignation or removal of the campaign treasurer, the committee, party, or candidate shall appoint a successor and shall file his name and address with the commission not later than 4:30 p.m. on the day after the appointment.

(c) Each campaign treasurer shall be deemed to be authorized to receive contributions or make expenditures in behalf of the person or body appointing him.

(d) A campaign treasurer shall be directly associated with only one party, candidate or issue.

Sec. 11-199 Campaign contributions, generally. All funds contributed shall be deposited in a financial depository reported under section 11-197. Every candidate and campaign treasurer shall report every contribution received which is more than \$50.

Sec. 11-200 Campaign contributions, restrictions against transfer.

(a) A candidate, campaign treasurer, or committee shall not receive any contributions, make any expenditures, or receive or make any transfer of money or anything of value:

(1) for any purpose other than those directly related, in the case of the candidate, to his own campaign, and in the case of a campaign treasurer or committee, to the campaign of the candidate or issue with which they are directly associated; or

(2) to support the campaigns of candidates other than the candidate, for whom the funds were collected or with whom the campaign treasurer or committee is directly associated;

(3) to campaign against any other candidate not directly opposing the candidate, for whom the funds were collected or with whom the campaign treasurer or committee is directly associated.

(b) A committee, party, candidate or campaign treasurer shall not receive any contribution from a committee or party not registered with the commission.

(c) This section shall not be construed to prohibit a party from supporting more than one candidate, or joint expenditure by two or more candidates seeking election to multiple offices from the same district whether such expenditures are equally or unequally incurred among such candidates.

Sec. 11-201 Candidates expenditures of own funds, not a contribution. A candidate's expenditure of his own funds in the pursuit of his campaign shall not be deemed a contribution for this purpose of this subpart.

Sec. 11-202 Contribution of corporation funds; unlawful. It shall be illegal for any corporation, incorporated under the laws of the State, or doing business therein, or any officer or agent thereof, from corporate funds, to make or authorize any contributions, directly or indirectly, to campaign funds or for political purposes, in any election held in the State. Any corporation violating this section shall upon conviction be fined a sum equal to ten times the amount of the contribution made, but in no event, less than \$1,000. Any director, officer or agent of a corporation who knowingly violates this subsection shall upon conviction be fined a sum equal to ten times the amount of the contribution made, but in no event less than \$1,000 or be imprisoned for not more than six months or both.

Sec. 11-203 Anonymous contributions; unlawful. (a) No person shall make a payment of his own money or of another person's money to any candidate, party, or committee in connection with a nomination or election in any other name than that of the person who in truth supplies such money; nor shall any candidate, party, or committee knowingly receive such payment or enter or cause the same to be entered in his accounts in another name than that of the person by whom it was actually furnished.

(b) Any anonymous contribution in excess of \$50 received by a candidate, party, committee, campaign treasurer, or

deputy campaign treasurer shall not be used or expended, but rather shall be returned to the donor, if his identity is known. If the donor is unknown, the contribution shall escheat to the State in the case of candidates for state office and committees backing such candidates or for or against a state issue on the ballot, and to the county in the case of candidates for a county office and committees backing such candidates or for or against a county issue on the ballot. In any case where an anonymous contribution is made to a party organization and no donor is found, the contribution shall escheat to the State if it is a state organization and to the county if it is a county organization.

(c) No contribution of money or other thing of value, nor obligation thereof, including those made or incurred by the candidate or his family shall be made or received, directly or indirectly, to support or defeat a candidate in an election except through a duly appointed campaign treasurer or deputy campaign treasurer.

Sec. 11-204 Testimonial affair. (a) As used in this section 'testimonial affair' means an event held in honor of a person who holds, or who is or was a candidate for nomination or election to a political office in this State, designed to raise funds on his behalf for any purpose other than charitable, religious, or educational.

(b) No testimonial affair shall be held except in the calendar year of the election for which the person is a candidate for nomination or election. One testimonial affair may be held in the calendar year of the election for which the person is a candidate for nomination or election; provided that an additional testimonial affair may be held within six months after a general, special general or special election, in the case of a candidate having a deficit. No testimonial affair may be held unless a notice of intent to hold such an affair is filed with the commission prior to the date of the affair setting forth the name and address of the person in charge.

(c) Within thirty days after the date of a testimonial affair the campaign treasurer shall file with the commission a report containing the total amount received, the expenses incurred and the disposition of the funds raised.

(d) The following expenses incident to a testimonial affair held during the times specified in section 11-207 shall not be considered expenditures within the limitations set by that section.

(1) The cost of food and beverages consumed at the affair;

(2) Rent and utilities for the premises where the affair is held;

(3) The cost of printing tickets; and

(4) The amount paid for guest speakers and entertainment.

Sec. 11-205 Campaign expenditures: authority required. (a) No expenditure shall be made or incurred by a candidate, unless authorized in writing by a campaign treasurer before its incurrence; except that a candidate may draw on the campaign treasurer for, or may himself pay his personal expenses for postage, telegrams, telephone calls, stationery, expressage, travel, meals, and lodging. The candidate shall make a detailed accounting of such personal expenses and the accounting shall be made a part of the report of the campaign treasurer as required in sections 11-208 and 11-209. The authorization shall state the amount and purpose of the proposed expenditures and shall be signed by the campaign treasurer.

(b) No funds shall be withdrawn for or paid by a campaign depository from any campaign fund account except upon the presentation of written authorization from a campaign treasurer.

(c) No expenditure on behalf of a candidate shall be made or incurred by any committee without specific written authorization of the campaign treasurer. Every expenditure so authorized and made or incurred shall be attributed to the candidate with whom the committee is directly associated for purpose of imposing the expenditure limitations imposed by section 11-207.

Sec. 11-206 Campaign expenditures, restriction as to items. The following expenses, and no other, may be authorized by a campaign treasurer:

(1) Hiring public halls for political meetings, furnishing music, costumes, banners, fireworks and the like, and

reasonable refreshments and entertainment for political meetings or public parades, and advertising the meetings or parades;

(2) Printing and circulating political newspapers, pamphlets, and books;

(3) Renting rooms for political committees;

(4) Compensating campaign employees and furnishing reasonable entertainment to the employees and members of political committees of the same political party to which the candidate belongs;

(5) Traveling expenses of campaign employees and committees and public speakers and reasonable compensation to public speakers;

(6) Postage, telegram, telephone, printing, and express charges;

(7) Preparing, circulating, and filing nomination papers;

(8) Conveying voters to the polls;

(9) Purchasing radio and television time, advertisements in newspapers and other communications media, and advertising materials; and

(10) Sundry items to be distributed to the general public in connection with a campaign or for the purpose of influencing a nomination for election or election.

Sec. 11-207 Campaign expenditure, limits as to amounts. (a) The total expenditures for candidates, inclusive of all expenditures made or incurred by the candidate himself and all campaign treasurers and committees in his behalf, shall not exceed the following amounts expressed respectively as the product of the number of voters in the last preceding general election eligible to vote for the respective class of offices:

(1) From January 1 of the year of a general election through the day of the general election, or nine months prior to a special general or special election through the day of special general or special election:

(A) for the office of governor—50 cents;

(B) for the office of lieutenant governor—40 cents;

(C) for the offices of mayor and prosecuting attorneys—40 cents;

(D) for the offices of state senators and county council members—25 cents;

(E) for the offices of state representatives and all other offices—25 cents;

(b) That part of expenditures in subsection (a) expended for time and space for advertising in newspaper, or radio, or television for nomination for election, and election, for the following classes of offices shall not exceed in the aggregate the number of voters in the last preceding general election eligible to vote for the respective class of offices:

(1) From January 1 of the year of a general election through the day of the general election, or nine months prior to a special general or special election through the day of special general or special election:

(A) for the office of governor—25 cents;

(B) for the office of lieutenant governor—25 cents;

(C) for the offices of mayor and prosecuting attorneys—20 cents;

(D) for the offices of state senators and county council members—12.5 cents;

(E) for the offices of state representatives and all other offices—12.5 cents; and

(c) The aggregate expenditures for all preparation talent and other costs attributable to the production of advertising in newspapers, and on radio and on television shall be limited to seventy-five percent of the total cost of advertising attributable to radio and television time and newspaper space.

Sec. 11-208 Preliminary reports. (A) Each campaign treasurer shall file a preliminary report certified as to its correctness by him with the commission ten days prior to each election containing the current statement of the following:

(1) The aggregate sum of all contributions received;

(2) A list of the names and addresses of all identified or identifiable person or groups contributing more than \$50;

(3) The aggregate sum of all contributions made anonymously;

(4) All expenditures made, incurred, or authorized by or for a candidate including the name and address of each payee and the amount and purpose of each expenditure; and

(5) A current statement of the balance on hand or deficit.

Sec. 11-209 Final and supplemental reports. (a) Each campaign treasurer shall file with the commission thirty days after a general election, special election or special general election, a final report, certified as to its correctness by the party, or committee chairman of the campaign treasurer, as the case may be, which final report shall include where applicable:

(1) A statement of the total contributions received;

(2) A list of the names and addresses of all persons contributing more than \$50;

(3) The aggregate sum of all contributions made anonymously;

(4) A statement of all expenditures made, incurred, or authorized by or for a candidate including the name of each payee and the amount and purpose of each expenditure; and

(5) A statement of the balance on hand or deficit.

(b) A candidate who is not successful in a primary election shall file his final report within twenty days after the primary election. A candidate who is successful in a primary election need not file a final report after the primary election although he is required to file one after the general election.

(c) Deficit. In the event of a deficit, the campaign treasurer shall, every ninety days until the deficit is eliminated, file supplemental reports identifying all further contributions received subsequent

to the previous report.

(d) Surplus. In the event of a surplus, the campaign treasurer shall:

(1) Maintain the account in a registered depository; and

(2) Every six months, until the candidate becomes a candidate again, file supplemental reports including all items prescribed in subsection (a).

(e) A candidate who receives no contributions or makes no expenditures shall so report on the dates designated.

Sec. 11-210 Disposition of funds. (a) All candidates who withdraw or cease to be candidates, and individuals who have received contributions but fail to file for nomination, or committees or parties that discontinue, shall return any residual fund proportionately to the donors if their identities are known.

(b) If no donors are found, the residual shall be contributed to the campaign fund of a candidate for the same office, a party, or to charities.

(c) Upon such disposition, the candidate and campaign treasurer shall file a report with the commission indicating the amounts distributed under subsection (b), and the manner of disposition.

Sec. 11-211 Advertising. (a) All advertising published or circulated prior to or on the day of election shall state who paid for the advertisement and the address of such person, party or committee.

(b) No newspaper or radio or television broadcasting station shall publish or broadcast any advertisement promoting any candidate unless such publication is approved in writing by the candidate, his authorized representative or party chairman.

Sec. 11-212 Penalties; relief. Any person or corporation violating any provision of this subpart shall, unless otherwise expressly stated, be punishable in the manner prescribed as follows:

(a) If a natural person, he shall be guilty of a petty misdemeanor.

(b) If the person is a corporation, organization, or association, it shall be punished by a fine not exceeding \$1,000.

(c) Whenever a corporation, organization, or association violates this subpart, the violation shall be deemed to be also that of the individual directors, officers, or agents of the corporation, organization, or association, who have knowingly authorized, ordered, or done any of the acts constituting such violation.

(d) Any registered voter may sue for injunctive relief to compel compliance with this subpart.

Sec. 11-213 Prosecution. (a) For purposes of prosecution for violations of this subpart, the offices of the attorney general and the prosecuting attorney of the respective counties shall be deemed to have concurrent jurisdiction to be exercised as follows:

(1) No prosecution shall be commenced without the prior written request of the commission or upon the issuance of an appropriate order of the court;

(2) In the case of statewide offices, parties or issues, the attorney general or the prosecuting attorney for the City and County of Honolulu shall prosecute any violation.

(3) In the case of all other offices, parties or issues, the attorney general or the prosecuting attorney for the respective county shall prosecute any violation.

(4) In the commission's choice of prosecuting agency, it shall be guided by whether there will be any conflicting interest between such agency and its appointive authority.

(b) The court will give priority to the expeditious processing of suits under this section.

(c) Prosecution for violation of any provision of this subpart shall not be commenced after one year has elapsed from the date of the violation.'

SECTION 2. Severability. If any provision of this chapter, or the application thereof to any person or

circumstance, is held invalid, the validity of such provision to the person and circumstances shall not be affected thereby.

SECTION 3. This Act shall take effect upon its approval."

Representative Leopold moved for the adoption of the amendment, seconded by Representative Soares.

Representative Leopold then rose and spoke in favor of the adoption of the amendment, as follows:

"House Bill 22, HD 3, is a campaign bill that sets limits which in essence are not limits at all. The corrective changes contained in the amendment are centered around the reduction of the dollar amounts from \$250 to amounts in excess of \$50. For example, the amendment provides that one becomes a candidate when an expenditure in excess of \$50 is made in an individual's behalf to further his or her nomination. The amendment also provides that all donations in excess of \$50 must be reported. The bill requires that only donations of \$250 or more must be reported.

The amendment prohibits anonymous contributions in excess of \$50. The bill allows anonymous contributions up to \$249.99.

The amendment seeks to change the selection procedure for the independent election commission by having the Governor make his selections from list submitted to him by each eligible political party. The amendment seeks to require that a fair campaign practice code be accompanied by enforcement procedures and that the code and the procedures to enforce it be drafted by July 1, 1974.

The amendment also tightens up the section of the bill that deals with testimonial affairs by dropping the fifteen dollar ceiling in the bill and by limiting pre-election testimonials to one per election year.

The amendment further seeks to tighten the dollar amounts a candidate may spend in a campaign. The bill is far too generous in allowing candidates to spend large sums of money in both the primary and general elections. The

amendment reduces the expenditures contained in the bill by 50 percent and considers expenditures in total rather than allowing the separation of expenditures between the primary and general elections.

Mr. Speaker, campaign spending reform is one of the most critical issues facing this legislature. It is imperative that action be taken to arrest the influence of money in politics and insure that elected officials are more responsive to public interest than to special interest."

Representative O'Connor rose and spoke against the amendment, as follows:

"Mr. Speaker, your Committee on Judiciary considered many, many facets in placing this bill before you today. Among the facets was an interesting piece of legislation, House Bill No. 387, introduced by the previous speaker. In that piece of legislation, the previous speaker suggested that the sum for statewide elections be identical to the sum which is proposed by House Bill No. 22, HD 3. We also have, Mr. Speaker, the fact that your Judiciary Committee went thoroughly through each of the points made by the previous speaker, both during initial deliberations and during later deliberations and after considering each of them came up with the proposals which are in the initial bill before you. Because of that consideration, Mr. Speaker, I would urge the members of this Body to defeat the amendment which is being proposed by the previous speaker. Thank you."

Representative Cobb then rose and spoke in favor of the amendment stating that we should vote to drastically reduce the dollar limit for reportable donations and that part of this amendment reduces the amount of reportable donations to \$50 and the record-keeping provisions to the same amount.

The motion to adopt the amendment was put by the Chair and failed to carry by a roll call vote of 27 noes to 24 ayes, with Representatives Aduja, Ajifu, Aki, Amaral, Carroll, W. Chong, Cobb, Fong, J. Garcia, R. Garcia, Hapai, Kato, Leopold, Lunasco, Medeiros, Oda, Poepoe, Saiki, Soares, Uechi, Wasai, Wong, Yamada and Yim voting aye.

Representative Medina then rose and

spoke in favor of H.B. No. 22, HD 3.

Representative O'Connor rose and spoke in favor of the bill stating that to properly handle a measure of this nature, it is necessary to coalesce sufficient ideas on each point in order to bring together a measure which accomplishes the delicate task of dividing between the need of a community and the people of a community to know the issues and the positions of any particular candidate for any particular office and the similar need of the community not to be burdened with the excessive costs of campaigning. It is a delicate balance to strike, and it is a balance upon which there are 51 separate views.

He further stated:

"Therefore, Mr. Speaker, your Judiciary Committee offers to this Honorable Body a compromise—a compromise in almost every respect. Because of this type of legislation, a compromise is really the best legislation available. That we need campaign spending restrictions, there can be no doubt. And, in order to further those restrictions, we offer to you a bill which has in it a variety of limitations.

First, there is an overall limitation on campaign spending for every State office and every office of a body within the State. Secondly, there is a limitation on media expenditures for every office. These expenditures are divided between the primary and the general elections. The bill becomes complicated in this respect, primarily because your Committee felt that an individual who is running in a general election, who had a stiff primary battle should not be penalized by someone who did not have any battle at all and could spend large amounts of money between the primary and general elections if he was allowed to do so. Therefore, the limitations are split between the primary and general elections. Further, the amounts that are allowed to be expended are allowed to be shifted by a formula adopted in that section from the general to the primary. And I think this deserves some explanation because the intent of the bill is to protect the candidate who comes up to the primary and is facing a candidate who has no primary battle. Therefore, in that particular aspect, we allow a shifting of funds from general to primary,

contemplating that in some races there will be no general battle and the real election will be in the primary. A formula is allowed for a 50 percent shift of funds in that direction. However, no shift of funds is allowed from primary to general.

In elections where only candidates of one party run alone, without opposition from the other party, the entire amount allocated for the overall election may be spent in the primary because that's where the real election will occur.

The Committee drew from the various proposals submitted to this Body by various members who are not on the Committee. Your Committee, in part, drew from the content of House Bill No. 387 and looked at the amounts which were indicated therein for the various offices, and I would point out that for statewide offices the sum adopted of \$1 is adhered to in the governor's race but is not adhered to at all in the lieutenant governor's race where a far lesser amount is allowed in the bill before you.

As far as countywide offices go, House Bill No. 387 again allows \$1 per vote and the bill before you seriously diminishes that by allowing 80 cents per vote or 40 cents in each of the elections. We drew from the Lieutenant Governor's input; we drew from the measure which was passed in this Body last year. I might remind the members of this Honorable Body that we did pass Senate Bill No. 43, SD 2, HD 1, in the last session of this Body. In that bill which your Committee also drew from, the governor's amount for expenditures in any campaign was \$2 for the entire election.

The bill before you cuts that amount in half. For the lieutenant governor's race, Senate Bill No. 43, in its House Draft 1 version, allowed a dollar. The bill before you, Mr. Speaker, diminishes that amount. For each mayor's race, it is \$1.50 but the bill before you diminishes that to 80 cents.

The work that is before this Body is probably the most stringent piece of campaign legislation that this Body has had to vote on in the past three years. Therefore, Mr. Speaker, because of the effort expended, because of the compromises reached, because of the various materials from which information was drawn and utilized in reaching the

conclusions in this particular piece of legislation, I urge every member of this Body to vote for this bill. I might make two slight explanations, Mr. Speaker, that I think are important and I make these for the record.

This particular piece of legislation defines 'candidate' and defines it primarily for the purposes of this bill. I will read from the definition of 'candidate': 'Candidate means an individual who seeks nomination for election or election to office; and, for the purposes of this chapter, an individual shall be deemed to seek nomination for election or election if he has done one of several things.' Mr. Speaker, for the Journal, I might indicate that that definition is only applicable where it indicates to the chapter on campaign spending and contributions, and that is the intent of your Committee. I will give an example, Mr. Speaker. Elsewhere in our statutory mandates on elections, a circuit court judge, or any judge, is prohibited from being a candidate while still a judge. If such an individual had a committee formed, or a committee was formed for him, and they started to seek out contributions, with or without his knowledge, it is not the Committee's intent that that individual should become a candidate until he formally announces his candidacy. We have had examples of this in the past where we have had court determinations on this situation. This chapter on campaign spending would apply to such an individual retroactively, not prospectively. Therefore, the definition of candidate for the purpose of this chapter is only for the purposes of this chapter.

I might further add, Mr. Speaker, that there has been some concern about expenditures and whether or not they would include the expenditures of time on the part of individuals. For example, a person volunteers time to go door-to-door for someone, or a person voluntarily leaves his job for the purpose of doing something for the candidate. It is not the intent of your Committee that such voluntary expenditure of time be included among expenditures.

Mr. Speaker, I urge all members of this Honorable Body to vote in favor of this bill."

Representative Yim then rose and

stated:

"Mr. Speaker, I rise to speak in favor of the bill with one major reservation. It is my understanding that the main thrust of House Bill 22, HD 3, is to cut down on campaign costs. Although there are some significant provisions in the bill to do just that, there is still one major defect and that is the failure to include in the bill a prohibition on certain individuals doing business with the county and State governments for making political contribution—individuals such as architects, contractors, engineers, land developers, real estate and insurance people, bankers and so on. It is this source which accounts for most of the big campaign money spent in any given election. Cutting off this source of money would singly achieve the objective of cutting down campaign costs certainly more than all of the other provisions in this bill put together.

In addition, Mr. Speaker, there is another benefit which moves us closer to better politics by excluding these individuals doing business with government from making political contributions and that is the elimination of a potential evil in the form of a legalized shakedown on these business people—the implied threat to buy tickets and contribute or else no government contract and no favored treatment. Whether this is true or not, the system permits favoritism in government—that government contracts and favors go to the highest bidder in campaign contributions. And this, Mr. Speaker, strikes at the very heart of my concern and that is since money is one of the most important factors in winning elections, since politics touches upon the lives of all of our citizens and determines the destiny of this State, and if big money can control politics, it would then mean political power would be in the hands of a privileged few and one step removed from a dictatorship.

This may not be so today. But, surely, if the political system permits the potential of having political power in the hands of a few, we here in this chamber must take action sooner or later to improve the system. Mr. Speaker, for the above reasons, I consider this bill to be one of the most significant bills ever discussed by the legislators over the past ten years and I will vote for the bill, but

with some strong reservations. Thank you, Mr. Speaker."

Representative Wong rose and spoke against the bill stating that a stronger and more stringent piece of legislation should have been pushed out from this House.

Representative Cobb then rose and stated as follows:

"Mr. Speaker, I rise to speak in favor of this bill with reservations. My reservations are three-fold.

First, large donations of \$250 are still allowed and items below that not reportable.

Second, there exists in the bill a discriminatory provision relating to general election expenses that would tend to discriminate against the minority members of this House.

Third, what the Representative from the 15th District mentioned, that those who do business with the City and State are still not barred from contributions."

Representative J. Garcia rose and spoke against the bill by pointing out some of the pitfalls of the bill. First, the formation of the commission. The commission is the only body that can initiate the prosecution of any violation of this campaign law. Nobody else can and written consent must be obtained in order to prosecute under this law.

Secondly, under depositories, all receipts taken in or all campaign contributions made do not have to be deposited into banks. Safety deposit boxes can be used and when a safety deposit box is used, records are hard to check and one never knows what can transpire then.

Representative J. Garcia further stated:

"We also find that you can have many testimonials, as long as they are under \$15. The question is how many testimonials can be thrown by some individuals or sponsored by some individuals in comparison to others.

You will also find on Page 11 that anonymous contributions are unlawful. While the intent of the first paragraph is excellent, the entire section is negated by the second paragraph: 'This section shall not apply to amounts that aggregate less than \$250.' This wipes out the intent of

the first paragraph. This might have been a typographical error, but our attorneys advise us that this should have been a subsection in order to make the law workable. There are also no plans in here, no requirements, for preliminary and final reporting of how many contributions were anonymous. All you have to give is an aggregate sum. You do know that if the stipulation is \$250, there are going to be many \$249.99 contributions.

Mr. Speaker, an allusion was made a while back about this bill working against the minority party, particularly where funds can be transferred from the general to the primary election and this is the truth. It can be pointed out particularly in the gubernatorial race, for example, where our lieutenant governor and governor candidates combine their resources. They can win the campaign in the primary and forget about the general. And events of the past prove to be true. You will also find that, where Democrats have very strong competition in very poor Republican districts, the same will hold true. They will win their campaigns in the primary election and not in the general. Why not make it 50-50; 50 percent in the primary and 50 percent in the general. Let's give everybody an even break.

I ask every member of this Honorable Body to vote down House Bill 22, HD 3."

The motion to pass H.B. No. 22, HD 3, on Third Reading was put by the Chair and carried by a roll call vote of 34 ayes to 17 noes, with Representatives Aduja, Ajifu, Aki, Amaral, Carroll, W. Chong Fong, J. Garcia, Hapai, Leopold Medeiros, Oda, Poepoe, Saiki, Soares Wong and Yamada voting no.

The Chair directed the Clerk to note that H.B. No. 22 had passed Third Reading at 12:58 o'clock p.m.

Consideration of Stand. Com. Rep. No. 403 on H.B. No. 75, as amended, which had been deferred to this day.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, Stand. Com. Rep. No. 403 and H.B. No. 75, as amended, were recommitted to the Committee on Finance.

At 1:00 o'clock p.m., on motion by Representative Ushijima, seconded by Representative J. Garcia and carried, the House of Representatives adjourned until 11:00 o'clock a.m. Tuesday, March 27, 1973.

48TH DAY

Tuesday, March 27, 1973

The House of Representatives of the Seventh Legislature of the State of Hawaii, Regular Session of 1973, was called to order at 11:00 o'clock a.m.

The Speaker presided.

The Divine Blessing was invoked by The Reverend Timeteo Quintero of Saint Paul's Philippine Independent Church.

Roll call of the members of the House of Representatives showed that all members were present with the exception of Representatives A. Chong, Kishinami, Kunimura, Poepoe and Suwa, who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Forty-Seventh 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 Forty-Seventh Day was approved.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 53 to 60) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 53) returning House Bill No. 148 which passed Third Reading in the Senate on March 23, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 54) transmitting Senate Concurrent Resolution No. 17, SD 1, requesting the Governor of Hawaii to establish an Ethical Environmental Impact Commission, which was adopted by the Senate on March 23, 1973, was placed on file.

By unanimous consent, further action on S.C.R. No. 17 was deferred until later on the calendar.

A communication from the Senate (Sen. Com. No. 55) transmitting Senate Bill No. 51, SD 2, entitled: "A Bill for an Act relating to the Interdepartmental Transportation Control Commission," which passed Third Reading in the Senate

on March 23, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 56) transmitting Senate Bill No. 122, SD 1, entitled: "A Bill for an Act relating to the qualifications for license as a pharmacist," which passed Third Reading in the Senate on March 23, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 57) transmitting Senate Bill No. 125 entitled: "A Bill for an Act relating to application fees for a nursing home administrator's license," which passed Third Reading in the Senate on March 23, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 58) transmitting Senate Bill No. 163, SD 1, entitled: "A Bill for an Act relating to fees for the administration of the federation licensing examination for medical licensure," which passed Third Reading in the Senate on March 23, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 59) transmitting Senate Bill No. 744, SD 1, entitled: "A Bill for an Act relating to the specific provisions of industrial loan companies," which passed Third Reading in the Senate on March 23, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 60) transmitting Senate Bill No. 990 entitled: "A Bill for an Act relating to civil identification," which passed Third Reading in the Senate on March 23, 1973, was placed on file.

On motion by Representative Ushijima, seconded by Representative J. Garcia and carried, S.B. Nos. 51, 122, 125, 163, 744 and 990 passed First Reading by title and further action was deferred until later on the calendar.

MISCELLANEOUS COMMUNICATION

A communication from Robert F. Burns, Secretary of State, Rhode Island (Misc. Com. No. 37) transmitting a certified copy of Senate Resolution (S 493) relating to the proclamation of "Meatless Day" which was adopted on March 7, 1973, was read by the Clerk and was placed on file.

At this time, the following introductions were made to the members

of the House:

Representative Ushijima introduced the members of the Inabe High School Band from Japan and Mr. Nobuyoshi Yamada, its Band Leader.

Representative Lunasco introduced 36 fifth and sixth grade students from the Lady of Sorrow Catholic Church with their teacher, Sister Margaret and a mother, Mrs. Tobias.

Representative Kihano introduced 70 students from Pearl City Highlands Elementary School with their teachers, Mrs. Chun, Mrs. Mitsuyoshi and Mrs. Masaki.

Representative Nakama then introduced Mr. Jerry Wurf, President of the American Federation of State County Municipal Employees, AFL-CIO.

The Chair appointed Representatives Takamine, Young, Saiki and Soares to escort Mr. Wurf to the rostrum whereupon he addressed the members of the House.

The Chair here directed the Clerk to note the presence of Representatives A. Chong, Kishinami, Kunimura, Poepoe and Suwa.

ORDER OF THE DAY

COMMITTEE REFERRALS

The following bills (S.B. Nos. 51, 122, 125, 163, 744 and 990) were disposed of as follows:

S.B. No. 51 was referred to the Committee on Transportation and after consideration by it, the Committee was instructed to refer the bill to the Committee on Finance.

S.B. No. 122 was referred to the Committee on Judiciary.

S.B. No. 125 was referred to the Committee on Finance.

S.B. No. 163 was referred to the Committee on Finance.

S.B. No. 744 was referred to the Committee on Judiciary.

S.B. No. 990 was referred to the

Committee on Judiciary.

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 395 and 396) and concurrent resolution (S.C.R. No. 17) were disposed of as follows:

H.R. No. 395 was referred to the Committee on Transportation and after consideration by it, the Committee was instructed to refer the resolution to the Committee on Finance.

H.R. No. 396 was referred to the Committee on Education and after consideration by it, the Committee was instructed to refer the resolution to the Committee on Finance.

S.C.R. No. 17 was referred to the Committee on Judiciary and after consideration by it, the Committee was instructed to refer the concurrent resolution to the Committee on Finance.

COMMITTEE REASSIGNMENT

H.B. No. 310 which had been referred to the Committee on Consumer Protection and to the Committee on Finance on January 26, 1973, was referred to the Committee on Consumer Protection and after consideration by it, the Committee was instructed to refer the bill to the Committee on Judiciary.

STANDING COMMITTEE REPORTS

Representative Akizaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 453) informing the House that House Resolution Nos. 385 to 396, and Standing Committee Report Nos. 454 to 465, have 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. 454) approving the intent and purpose of H.B. No. 20 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. 20, as amended, entitled: "A Bill for an Act relating to sales of handguns, and of replicas of firearms," passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, March 28, 1973.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 455) approving the intent and purpose of H.B. No. 880 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. 880 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, March 28, 1973.

The Chair here directed the Clerk to note that H.B. No. 20 and 880 had passed Second Reading not later than 11:20 o'clock a.m.

Representative Lunasco, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 456) approving the intent and purpose of H.R. No. 161 and recommending its adoption.

By unanimous consent, consideration of Stand. Com. Rep. No. 456 on H.R. No. 161 was deferred until the end of the calendar.

Representative Young, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 457) approving the intent and purpose of H.R. No. 307 and recommending its referral to the Select Committee of Oahu Representatives with certain amendments.

On motion by Representative Young, seconded by Representative Yuen and carried, the report of the Committee was adopted and H.R. No. 307, as amended, was referred to the Select Committee of Oahu Representatives.

Representative Kimura, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 458) approving the intent and purpose of

H.B. No. 1320 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative Kimura, seconded by Representative Kishinami and carried, the report of the Committee was adopted and H.B. No. 1320, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Kimura, for the majority of the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 459) approving the intent and purpose of H.B. No. 1523 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative Kimura, seconded by Representative Kishinami and carried, the report of the majority of the Committee was adopted and H.B. No. 1523, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 460) approving the intent and purpose of H.B. No. 1321 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 1321 passed Second Reading and was referred to the Committee on Finance.

Representative Young, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 461) approving the intent and purpose of H.B. No. 1104 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Young, seconded by Representative Yuen and carried, the report of the Committee was adopted and H.B. No. 1104 passed Second Reading and was referred to the Committee on Finance.

Representative Young, for the Committee on Housing, presented a

report (Stand. Com. Rep. No. 462) approving the intent and purpose of H.R. No. 230 and recommending its referral to the Committee on Finance.

On motion by Representative Young, seconded by Representative Yuen and carried, the report of the Committee was adopted and H.R. No. 230 was referred to the Committee on Finance.

Representative Young, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 463) approving the intent and purpose of H.R. No. 231 and recommending its referral to the Committee on Judiciary.

On motion by Representative Young, seconded by Representative Yuen and carried, the report of the Committee was adopted and H.R. No. 231 was referred to the Committee on Judiciary.

Representative Young, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 464) approving the intent and purpose of H.R. No. 232 and recommending its referral to the Committee on Finance.

On motion by Representative Young, seconded by Representative Yuen and carried, the report of the Committee was adopted and H.R. No. 232 was referred to the Committee on Finance.

Representative Young, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 465) approving the intent and purpose of H.R. No. 331 and recommending its adoption.

By unanimous consent, consideration of Stand. Com. Rep. No. 465 on H.R. No. 331 was deferred until the end of the calendar.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 397 to 400) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 397) recognizing Professor Kyuji Nakabayashi and commending the cultural student exchange program between Japan and Pearl City Highlands Elementary School was jointly offered by Representatives Kishinami, Akizaki, A. Chong, R. Garcia, Iha, Kato, Kihano, Kimura, King, Kondo,

Kunimura, Lee, Lunasco, Morioka, Nakama, O'Connor, Sakima, Suwa, Ushijima, Wakatsuki, Wasai, Wedemeyer, Yap, Yim, Young, Yuen and Beppu.

On motion by Representative Kishinami, seconded by Representative Kihano and carried, H.R. No. 397 was adopted.

At this time, Representative Kishinami introduced to the members of the House Professor Kyuji Nakabayashi, Mr. Takei, Coordinator of the student exchange program, and Mr. Milton Kotoshirodo, Principal of Pearl City Highlands Elementary School.

A resolution (H.R. No. 398) extending aloha and best wishes to the Inabe Senior High School Band of the Mie Prefecture, Japan was jointly offered by Representatives Ushijima, Ajifu, Akizaki, Amaral, A. Chong, Cobb, de la Cruz, Fong, J. Garcia, R. Garcia, Kato, Kawakami, Kihano, Kimura, King, Kishinami, Kondo, Kunimura, Lee, Leopold, Lunasco, Medina, Morioka, Nakama, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Wakatsuki, Wasai, Yamada, Yap, Yim, Yuen and Beppu.

On motion by Representative Ushijima, seconded by Representative Akizaki and carried, H.R. No. 398 was adopted.

A resolution (H.R. No. 399) extending aloha and best wishes to the Shiroko Senior High School Band of the Mie Prefecture, Japan was jointly offered by Representatives Ushijima, Ajifu, Akizaki, Amaral, A. Chong, Cobb, de la Cruz, Fong, J. Garcia, R. Garcia, Kato, Kawakami, Kihano, Kimura, King, Kishinami, Kondo, Kunimura, Lee, Leopold, Lunasco, Medina, Morioka, Nakama, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Wakatsuki, Wasai, Yamada, Yap, Yim, Yuen and Beppu.

On motion by Representative Ushijima, seconded by Representative Akizaki and carried, H.R. No. 399 was adopted.

A resolution (H.R. No. 400) commending the Kahaluu Community Coalition Committee for taking the initiative toward formulating a policy for

the future course of their community was jointly offered by Representatives Wasai, Cobb, de la Cruz, Iha, Kato, Kawakami, Kihano, Kimura, King, Medina, Roehrig, Takamine, Uechi, Wong, Yamada, Yap, Yim, Young and Beppu.

On motion by Representative Wasai, seconded by Representative Uechi and carried, H.R. No. 400 was adopted.

By unanimous consent, the following resolutions (H.R. Nos. 401 to 405) and concurrent resolutions (H.C.R. Nos. 98 to 100) were referred to the Committee on Legislative Management and further action was deferred until tomorrow, March 28, 1973:

A resolution (H.R. No. 401) requesting the Department of Hawaiian Home Lands and the Department of Land and Natural Resources to study the feasibility of exchanging Hawaiian Home Lands for lands of the State to make land available to Hawaiians in Keanae and Hana was jointly offered by Representatives de la Cruz, Akizaki, Amaral, A. Chong, W. Chong, J. Garcia, Hapai, Iha, Kawakami, Kihano, Kimura, King, Kishinami, Kondo, Kunimura, Medeiros, Medina, Morioka, Nakama, O'Connor, Sakima, Soares, Suwa, Takamine, Ushijima, Wakatsuki, Wedemeyer, Yim, Young, Yuen and Beppu.

A resolution (H.R. No. 402) requesting the Governor of the State of Hawaii to declare the fourth Saturday of each September as "National Hunting and Fishing Day" was jointly offered by Representatives Wasai, de la Cruz, Iha, Medina, Takamine, Uechi, Yamada, Yap, Young and Beppu.

A resolution (H.R. No. 403) requesting the House of Representatives to declare April 1st as Easter Egg Hunt Day was jointly offered by Representatives Fong, Aduja, Ajifu, Aki, Amaral, Carroll, W. Chong, J. Garcia, Hapai, Oda, Poepoe, Saiki, Soares and Yamada.

A resolution (H.R. No. 404) directing the State Department of Social Services and Housing, Public Welfare Division, to change its existing policies to exclude tax credit rebates as a resource was jointly offered by Representatives King, R.

Garcia, Kimura, Lee, Medina, Takamine, Ushijima, Wasai, Wedemeyer and Yap.

A resolution (H.R. No. 405) relating to the construction of the Vineyard Street garage was jointly offered by Representatives King, Akizaki, R. Garcia, Kimura, Medina, Takamine, Ushijima, Wasai, Wedemeyer and Yap.

A concurrent resolution (H.C.R. No. 98) requesting the Governor of the State of Hawaii to declare the fourth Saturday of each September as "National Hunting and Fishing Day" was jointly offered by Representatives Wasai, de la Cruz, Iha, Medina, Takamine, Uechi, Yamada, Yap, Young and Beppu.

A concurrent resolution (H.C.R. No. 99) relating to the construction of the Vineyard Street garage was jointly offered by Representatives King, Akizaki, R. Garcia, Kimura, Medina, Takamine, Ushijima, Wasai, Wedemeyer and Yap.

A concurrent resolution (H.C.R. No. 100) directing the State Department of Social Services and Housing, Public Welfare Division, to change its existing policies to exclude tax credit rebates as a resource was jointly offered by Representatives King, R. Garcia, Kimura, Lee, Medina, Takamine, Ushijima, Wasai, Wedemeyer and Yap.

At 11:27 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

At 11:29 o'clock a.m., the House of Representatives reconvened.

At this time, Representative Soares introduced to the members of the House a group of madrigal singers from the Monte Vista High School in California and its leader, Mr. Jack Lindsey; Mr. John Simmons, Dean of Students, and Mrs. Simmons.

At 11:31 o'clock a.m., the Chair declared a recess, subject to the call of the Chair, for the purpose of having the madrigal singers entertain the members of the House.

At 12:25 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. 89.

On motion by Representative Lee, seconded by Representative A. Chong, H.B. No. 89 passed Third Reading by a vote of 50 ayes, with Representative Yap being excused.

Third Reading of H.B. No. 917.

On motion by Representative Yap, seconded by Representative Medina, H.B. No. 917 passed Third Reading by a vote of 48 ayes to 2 noes, with Representatives Carroll and Hapai voting no and Representative Yim being excused.

Third Reading of H.B. No. 1116.

On motion by Representative Wasai, seconded by Representative Kawakami, H.B. No. 1116 passed Third Reading by a vote of 49 ayes to 2 noes, with Representatives Medina and Roehrig voting no.

Third Reading of H.B. No. 118.

On motion by Representative Yim, seconded by Representative King, H. B. No. 118 passed Third Reading by a vote of 47 ayes to 4 noes, with Representatives Ajifu, Roehrig, Uechi and Yamada voting no.

Third Reading of H.B. No. 154.

On motion by Representative Wong, seconded by Representative Sakima, H.B. No. 154 passed Third Reading by a vote of 51 ayes.

Third Reading of H.B. No. 1896.

On motion by Representative Wong,

seconded by Representative Sakima and carried, H.B. No. 1896 was recommitted to the Committee on Health.

Third Reading of H.B. No. 47.

On motion by Representative Wong, seconded by Representative Sakima, H.B. No. 47 passed Third Reading by a vote of 51 ayes.

The Chair here directed the Clerk to note that H.B. Nos. 89, 917, 1116, 118, 154 and 47 had passed Third Reading not earlier than 12:26 o'clock p.m.

At 12:27 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

At 12:40 o'clock p.m., the House of Representatives reconvened.

Third Reading of S.B. No. 141.

On motion by Representative O'Connor, seconded by Representative Kimura, S.B. No. 141 passed Third Reading by a vote of 51 ayes.

Third Reading of H.B. No. 996.

On motion by Representative O'Connor, seconded by Representative Kimura, H.B. No. 996 passed Third Reading by a vote of 49 ayes to 2 noes, with Representatives Amaral and Uechi voting no.

Third Reading of H.B. No. 168.

On motion by Representative O'Connor, seconded by Representative Kimura, H.B. No. 168 passed Third Reading by a vote of 51 ayes.

Third Reading of H.B. No. 82.

By unanimous consent, consideration of H.B. No. 82 on Third Reading was deferred until tomorrow, March 28, 1973.

Third Reading of H.B. No. 15.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, H.B. No. 15 was recommitted to the Committee on Judiciary.

Third Reading of H.B. No. 1094.

On motion by Representative O'Connor, seconded by Representative Kimura, H.B. No. 1094 passed Third Reading by a vote of 51 ayes.

Third Reading of H.B. No. 1005.

On motion by Representative O'Connor, seconded by Representative Kimura, H.B. No. 1005 passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S. B. No. 141 and H.B. Nos. 996, 168, 1094 and 1005 had passed Third Reading not earlier than 12:41 o'clock p.m.

UNFINISHED BUSINESS

Consideration of Stand. Com. Rep. No. 451 on H.B. No. 12, as amended, which had been deferred to this day.

By unanimous consent, consideration of Stand. Com. Rep. No. 451 on H.B. No. 12, as amended, was deferred until tomorrow, March 28, 1973.

DEFERRED MATTERS

Consideration of Stand. Com. Rep. No. 456 on H.R. No. 161 which had been deferred to this time.

On motion by Representative Lunasco, seconded by Representative Takamine and carried, the report of the Committee was adopted and H.R. No. 161 was adopted.

Consideration of Stand. Com. Rep. No. 465 on H.R. No. 331 which had been deferred to this time.

On motion by Representative Young, seconded by Representative Yuen and carried, the report of the Committee was adopted and H.R. No. 331 was adopted.

At 12:47 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, March 28, 1973.

49TH DAY

Wednesday, March 28, 1973

The House of Representatives of the Seventh Legislature of the State of Hawaii, Regular Session of 1973, was called to order at 11:00 o'clock a.m.

The Speaker presided.

The Divine Blessing was invoked by The Reverend Ed Reynolds of the First Christian Church.

Roll call of the members of the House of Representatives showed that all members were present, with the exception of Representative Kawakami who was excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Forty-Eighth 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 Forty-Eighth Day was approved.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Mess. Nos. 58 and 59) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Mess. No. 58) transmitting copies of a report prepared by the University of Hawaii in response to H.R. No. 7 of the Regular Session of 1973, was placed on file.

A message from the Governor (Gov. Mess. No. 59) transmitting copies of a report prepared by the University of Hawaii in response to S.C.R. No. 59 of the Regular Session of 1973, was placed on file.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 61 to 71) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 61) returning House Bill No. 134 which passed Third Reading in the Senate on March 27, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 62) returning House Bill No. 137 which passed Third Reading in the Senate on March 27, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 63) returning House Bill No. 139 which passed Third Reading in the Senate on March 27, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 64) returning House Bill No. 142, HD 2, which passed Third Reading in the Senate on March 27, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 65) returning House Bill No. 147, HD 1, which passed Third Reading in the Senate on March 27, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 66) returning House Bill No. 213 which passed Third Reading in the Senate on March 27, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 67) returning House Bill No. 214 which passed Third Reading in the Senate on March 27, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 68) returning House Bill No. 215 which passed Third Reading in the Senate on March 27, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 69) transmitting Senate Bill No. 276, entitled: "A Bill for an Act relating to disqualification for unemployment compensation benefits" which passed Third Reading in the Senate on March 27, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 70) transmitting Senate Bill No. 988, entitled: "A Bill for an Act relating to narrowing the scope of immunity granted individuals compelled to give testimony or evidence pursuant to Section 480-18, Hawaii Revised Statutes" which passed Third Reading in the Senate on March 27, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 71) transmitting Senate

Bill No. 1018, entitled: "A Bill for an Act relating to elevator mechanics" which passed Third Reading in the Senate on March 27, 1973, was placed on file.

On motion by Representative Ushijima, seconded by Representative J. Garcia and carried, S.B. Nos. 276, 988 and 1018 passed First Reading by title and further action was deferred until later on the calendar.

A communication from the Senate (Sen. Com. No. 72) transmitting Senate Concurrent Resolution No. 49 which was adopted by the Senate on March 27, 1973, was placed on file.

On motion by Representative Ushijima, seconded by Representative J. Garcia and carried, S.C.R. No. 49 was adopted.

At this time, Representative Ushijima introduced to the members of the House Lt. Governor George W. Craft of Division 22, California-Nevada-Hawaii District of Kiwanis International and various members of the Kiwanis International.

DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 10 and 11) were read by the Clerk and were disposed of as follows:

A communication from Hiroshi Yamashita, Chairman, State Board of Education (Dept. Com. No. 10) transmitting a copy of the court decision on the matter of impasse between the Department of Education and the Hawaii State Teachers Association, was placed on file.

A communication from KeNam Kim, Comptroller, Department of Accounting and General Services (Dept. Com. No. 11) transmitting copies of the Bond Fund Statement of Appropriations, Allotments, and Expenditures for the period ended December 31, 1972, was placed on file.

MISCELLANEOUS COMMUNICATIONS

The following communications (Misc. Com. Nos. 38 and 39) were read by the Clerk and were disposed of as follows:

A communication from Richard H. Rich (Misc. Com. No. 38) acknowledging receipt of H.R. No. 219 of the Regular

Session of 1973, was placed on file.

A communication from Glenn A. Kaya, Vice President, Parkview Gem, Inc. (Misc. Com. No. 39) acknowledging receipt of H.R. No. 375 of the Regular Session of 1973, was placed on file.

ORDER OF THE DAY

COMMITTEE REFERRALS

The following bills (S.B. Nos. 276, 988 and 1018) were disposed of as follows:

S.B. No. 276 was referred to the Committee on Judiciary.

S.B. No. 988 was referred to the Committee on Judiciary.

S.B. No. 1018 was referred to the Committee on Judiciary.

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 401 to 405) and concurrent resolutions (H.C.R. Nos. 98 to 100) were read by the Clerk and were disposed of as follows:

H.R. No. 401 was referred to the Committee on Water, Land Use and Development and after consideration by it, the Committee was instructed to refer the resolution to the Committee on Finance.

H.R. No. 402 was referred to the Committee on Parks, Fish and Game Management.

HR. No. 403 was referred to the Committee on Legislative Management.

H.R. No. 404 was referred to the Committee on Public Welfare and Assistance and after consideration by it, the Committee was instructed to refer the resolution to the Committee on Finance.

H.R. No. 405 was referred to the Committee on Environmental Protection and after consideration by it, the Committee was instructed to refer the resolution to the Committee on Finance.

H.C.R. No. 98 was referred to the Committee on Parks, Fish and Game Management.

H.C.R. No. 99 was referred to the

Committee on Environmental Protection and after consideration by it, the Committee was instructed to refer the concurrent resolution to the Committee on Finance.

H.C.R. No. 100 was referred to the Committee on Public Welfare and after consideration by it, the Committee was instructed to refer the concurrent resolution to the Committee on Finance.

STANDING COMMITTEE REPORTS

Representative Akizaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 466) informing the House that House Resolution Nos. 397 to 405, House Concurrent Resolution Nos. 98 to 100 and Standing Committee Report Nos. 467 to 479 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. 467) approving the intent and purpose of H.B. No. 185, HD 1, and recommending its passage on Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 467 on H.B. No. 185 was deferred until tomorrow, March 29, 1973.

The Chair here directed the Clerk to note that printed copies of H.B. No. 185, HD 1, were made available to the members of the House at 11:08 o'clock a.m., in accordance with Article III, Section 16, of the Constitution of the State of Hawaii.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 468) approving the intent and purpose of H.B. No. 1337 and recommending its passage on Second Reading with certain amendments.

On motion by Representative A. Chong, seconded by Representative Iha and carried, the report of the Committee was adopted and H.B. No. 1337, as amended, passed Second Reading and was

placed on the Order of the Day for Third Reading tomorrow, March 29, 1973.

The Chair here directed the Clerk to note that H.B. No. 1337 had passed Second Reading at 11:08 o'clock a.m.

Representative Young, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 469) approving the intent and purpose of H.R. No. 257 and recommending its referral to the Committee on Finance.

On motion by Representative Young, seconded by Representative Yuen and carried, the report of the Committee was adopted and H.R. No. 257 was referred to the Committee on Finance.

Representative Lee, for the Committee on Public Employment, presented a report (Stand. Com. Rep. No. 470) approving the intent and purpose of H.C.R. No. 2 and recommending its referral to the Committee on Judiciary.

On motion by Representative Lee, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.C.R. No. 2 was referred to the Committee on Judiciary.

Representative Lunasco, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 471) approving the intent and purpose of H.B. No. 1088 and recommending its passage on Second Reading and its referral to the Committee on Judiciary.

On motion by Representative Lunasco, seconded by Representative Takamine and carried, the report of the Committee was adopted and H.B. No. 1088 passed Second Reading and was referred to the Committee on Judiciary.

Representative Lunasco, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 472) approving the intent and purpose of H.B. No. 1336 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Lunasco, seconded by Representative Takamine and carried, the report of the Committee was adopted and H.B. No. 1336 passed Second Reading and was referred to the Committee on Finance.

Representative Lunasco, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 473) approving the intent and purpose of H.B. No. 1159 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative Lunasco, seconded by Representative Takamine and carried, the report of the Committee was adopted and H.B. No. 1159, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Lunasco, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 474) approving the intent and purpose of H.B. No. 1883 and recommending its passage on Second Reading and its referral to the Committee on Judiciary with certain amendments.

On motion by Representative Lunasco, seconded by Representative Takamine and carried, the report of the Committee was adopted and H.B. No. 1883, 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. 475) approving the intent and purpose of H.B. No. 1482 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. 1482, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, March 29, 1973.

The Chair here directed the Clerk to note that H.B. No. 1482 had passed Second Reading at 11:11 o'clock a.m.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 476) approving the intent and purpose of H.C.R. No. 61 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. 61, as amended, entitled: "House Concurrent Resolution requesting the President of the United States and Congress to reevaluate funding for social service programs" was adopted.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 477) approving the intent and purpose of H.R. No. 116 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.R. No. 116, as amended, entitled: "House Resolution requesting a report from the University of Hawaii on women at the several campuses of the University and community colleges" was adopted.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 478) approving the intent and purpose of H.R. No. 157 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.R. No. 157 entitled: "House Resolution requesting the Department of Health to establish and assess fees for agricultural burning permits based solely upon and distributively proportionate to the aggregate of actual costs incurred to administer issuing of such permits" was adopted.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 479) approving the intent and purpose of H.R. No. 52, HD 1, 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. 52, HD 1, was adopted.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 406 and 407) were read by the Clerk and

were disposed of as follows:

A resolution (H.R. No. 406) honoring Noboru Miyake for his invaluable contributions to the people of Hawaii was jointly offered by Representatives Kawakami, Aduja, Ajifu, Aki, Akizaki, Amaral, A. Chong, W. Chong, Cobb, de la Cruz, Fong, J. Garcia, R. Garcia, Hapai, Iha, Kato, Kihano, Kimura, King, Kishinami, Kondo, Kunimura, Lee, Leopold, Lunasco, Medeiros, Medina, Morioka, Nakama, Poepoe, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Yamada, Yap, Yim, Young, Yuen and Beppu.

On motion by Representative Kunimura, seconded by Representative Yamada and carried, H.R. No. 406 was adopted.

A resolution (H.R. No. 407) in recognition and commendation of the University of Hawaii students for their sponsorship of "Rainbow '73" was jointly offered by Representatives A. Chong, Ajifu, Akizaki, Amaral, W. Chong, Cobb, de la Cruz, Fong, J. Garcia, R. Garcia, Hapai, Iha, Kato, Kawakami, Kihano, Kimura, King, Kishinami, Kondo, Lee, Leopold, Lunasco, Medeiros, Medina, Morioka, Nakama, Oda, Poepoe, Sakima, Suwa, Takamine, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim, Young, Yuen and Beppu.

On motion by Representative A. Chong, seconded by Representative Ushijima and carried, H.R. No. 407 was adopted.

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

Upon reconvening at 11:10 o'clock a.m., the Chair directed the Clerk to note the presence of Representative Kawakami.

By unanimous consent, the following resolutions (H.R. Nos. 408 to 412) and concurrent resolution (H.C.R. No. 101) were referred to the Committee on Legislative Management and further action was deferred until tomorrow, March 29, 1973:

A resolution (H.R. No. 408)

requesting the Honorable Governor of Hawaii to change the name of "Wailua Marina" to that of "Walter Smith Memorial Marina" was jointly offered by Representatives Kunimura, de la Cruz, Kawakami, Kihano, Morioka, Nakama, Suwa, Ushijima, Wakatsuki, Yamada, Yap and Beppu.

A resolution (H.R. No. 409) requesting the Department of Education to implement the legislative auditor's recommendations concerning the management of the Department of Education was jointly offered by Representatives Sakima, Ajifu, Akizaki, Amaral, W. Chong, de la Cruz, Hapai, Kawakami, Kihano, Kimura, King, Kondo, Kunimura, Lee, Medeiros, Medina, O'Connor, Oda, Roehrig, Saiki, Uechi, Ushijima, Wakatsuki, Wedemeyer, Wong, Yim and Young.

A resolution (H.R. No. 410) relating to the Waikiki Aquarium was jointly offered by Representatives Kimura, Akizaki, Iha, Kawakami, Kihano, Kishinami, Nakama, Sakima, Suwa, Wedemeyer and Yuen.

A resolution (H.R. No. 411) relating to an interim study to review functions relating to consumer protection was jointly offered by Representatives Yap, Kawakami, King, Kunimura, Lee, Medina, Roehrig, Sakima and Yuen.

A resolution (H.R. No. 412) requesting the Department of Land and Natural Resources to make a study as to the needs for and desirability of a park in Bishop Estate lands in Kapalama, Honolulu was jointly offered by Representatives Yap, Kawakami, King, Roehrig, Sakima and Yuen.

A concurrent resolution (H.C.R. No. 101) requesting the Honorable Governor of Hawaii to change the name of "Wailua Marina" to that of "Walter Smith Memorial Marina" was jointly offered by Representatives Kunimura, de la Cruz, Kawakami, Kihano, Morioka, Nakama, Suwa, Ushijima, Wakatsuki, Yamada, Yap and Beppu.

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

At 11:40 o'clock a.m., the House of Representatives reconvened.

SUSPENSION OF RULES

On motion by Representative Ushijima, seconded by Representative J. Garcia and carried, 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. 20.

Representative O'Connor moved that H.B. No. 20, having been read throughout, pass Third Reading, seconded by Representative Kimura.

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

"Mr. Speaker, a major problem in crime control in the United States and in Hawaii is the cheap revolver, commonly referred to as the 'Saturday night special.' Unfortunately, this type of weapon is made available by mail order catalogs, common advertisement and other means which are readily available to the criminal element in this community and in others. For that reason, Mr. Speaker, in Hawaii and across the United States, legislative bodies, including the Congress of the United States, are acting today to ban the 'Saturday night special' from the marketplace and from the availability of criminals in general.

In Hawaii, we have a series of laws in existence today in regards to gun control. Prohibited from sale today are machine guns, sub-machine guns, rifles with barrel lengths less than 16 inches, shotguns of less than 16 inches, cannons and so forth. This adds another category, Mr. Speaker, of weapon to the prohibited list—a category which has been and will be used if not prohibited by crime and the organized criminal element.

In addition to banning the 'Saturday night special', this bill also takes on the problem of replicas of firearms. Your Committee discovered during its extensive hearings on the firearm problem that there have been offered for sale in this community weapons which are

identical replicas of firearms and that these weapons have been used in the prosecution of crime in this community. This section of the bill does not go to the cowboy gun which is sold in the toy store to the children of the community which does not really look like a real gun. This section goes to a replica of a firearm which is fashioned so nearly in appearance to a real gun so as to cause the likelihood of its confusion with a firearm.

Mr. Speaker, we feel that these two measures contained in House Bill No. 20, HD 1, will go far to strengthen the gun control situation in Hawaii and to combat crime. Thank you."

Representative Carroll then rose and stated that he is a member of the Hawaii Rifle Association and the Oahu Pig Hunters 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 Carroll was not excused from voting on this measure.

Representative Carroll spoke in favor of the bill, as follows:

"This bill is essentially the same bill as the one that has been introduced on behalf of the National Rifle Association in the Federal Congress. This particular bill goes to the prohibition of sale of cheap, unreliable handguns which are primarily used for criminal attack and assault with a weapon. They are weapons which most people who hunt or target shoot would not want anything to do with. I feel that getting this type of weapon off the market and out of the hands of possible criminals is an excellent purpose which can be served to the ultimate with the passage of this bill. It is my understanding that most people who are involved in this State favor this bill and I urge that all members vote for it."

Representative J. Garcia asked Representative O'Connor if he would yield to a question to which Representative O'Connor answered in the affirmative.

Representative J. Garcia then inquired if this particular bill would preclude individuals who want to protect their

homes from purchasing .22 revolvers, .38's and .45's to which Representative O'Connor replied in the negative, stating that this measure only goes to very cheap handguns which are usually sold in mail order catalogs.

Representative O'Connor further stated that the test as to whether or not the gun falls within the prohibition is a test of the metal body of the gun by dropping a bit of acid and testing with litmus paper on the gun itself.

Representative O'Connor then restated that this measure does not prohibit the homeowner from buying an expensive pistol, registering it under the laws of the State and obtaining a permit.

The motion to pass H.B. No. 20 on Third Reading was put by the Chair and H.B. No. 20 passed Third Reading by a vote of 50 ayes to 1 no, with Representative Hapai voting no.

Third Reading of H.B. No. 880.

On motion by Representative O'Connor, seconded by Representative Kimura, H.B. No. 880 passed Third Reading by a vote of 51 ayes.

UNFINISHED BUSINESS

Consideration of H.B. No. 82 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. 82 was deferred until tomorrow, March 29, 1973.

Consideration of Stand. Com. Rep. No. 451 on H.B. No. 12 which had been deferred to this day.

Representative Iha moved that the report of the Committee be adopted and H.B. No. 12, having been read throughout, pass Third Reading, seconded by Representative Nakama.

Representative Cobb then inquired whether or not Representative Iha would yield to questions to which Representative Iha answered in the affirmative.

Representative Cobb inquired what

the real purpose of this bill was to which Representative Iha replied that the purpose is to prohibit electioneering on public highways.

Representative Cobb then inquired whether or not there were any accident statistics available on the danger of sign waving to which Representative Iha replied that he could not definitely answer the question, except that he has heard from many candidates who campaigned using this technique that many accidents were created.

Representative Cobb then inquired whether or not there are statistics available from the Traffic Department or the Department of Transportation relative to the dangers of sign waving to which Representative Iha answered in the negative.

Representative Cobb then inquired how the Committee on Transportation arrived at the conclusion that waving of signs is dangerous to which Representative Iha replied that they arrived at that conclusion by listening to people who had called the Committee on Transportation and also by listening to the Committee members who indicated that during the last election, especially when students participated in sign waving, accidents had been created.

Representative Cobb then inquired whether or not the danger of sign waving would be alleviated if the practice of waving with a sign is limited to the candidate only to which Representative Iha replied that he is not able to answer that question.

Representative Cobb further inquired whether or not the constitutionality of the bill had been cleared with the Attorney General. Representative Iha replied that the Committee, in considering the bill, had the House attorneys review the bill and they indicated that it would stand the constitutionality test.

Representative Cobb then inquired whether or not this bill would prohibit Kalani teachers with HSTA signs from holding those signs on Kalaniana'ole Highway to which Representative Iha stated that this bill pertains strictly to campaigning for election.

Representative Cobb then inquired whether or not a labor leader who is holding a sign for a congressional candidate would be considered political campaigning. Representative Iha replied in the affirmative.

Representative Cobb then inquired whether or not a picture on a brochure is considered a movable sign. Representative Iha replied that if the picture was standing on our public highways, the answer would be in the affirmative.

Representative Cobb asked if printing on a brochure is considered a movable sign to which Representative Iha replied in the negative.

At 12:01 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

At 12:40 o'clock p.m., the House of Representatives reconvened and resumed consideration of H.B. No. 12.

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

"Mr. Speaker, the measure before us would prohibit the practice of holding or displaying a movable sign within the rights-of-way boundaries of a public highway or on the sidewalk abutting a public highway for the purpose of carrying on political campaign activities as defined in Section 19-6(7). The action would seek to draw the attention of occupants of motor vehicles using the highway. We have a definition of movable sign in this particular bill. It is any portable device, display, emblem, billboard, notice, picture, painting or writing other than official signs placed or required by the State or county.

Mr. Speaker, your Committee seriously considered many objectionable features of this bill. For example, we did not feel that we should prohibit picketing in a bonafide strike situation because such activities in labor disputes are not only protected by law, but also subject to controls of other prevailing laws. Also, a constitutional question was raised as to whether or not the bill as written would deny individuals the freedom of expression under the First Amendment which states Congress shall make no law abridging the freedom of speech or of the press.

In this respect, your Committee carefully examined the recent enunciations by the Supreme Court of the United States which stated that a fundamental constitutional right is burdened by the State unless, and I quote: 'shown to be necessary to promote a compelling State interest.' Your Committee members were satisfied that a compelling State interest is present in this instance because the practice of campaigning on our public highways creates a hazardous condition for the motorists as well as for those who are engaged in campaigning. The practice, we are all aware, has resulted in several accidents during the most recent campaign. I feel we should correct this very serious situation.

For those who are concerned that the election is going to be a little more difficult or a little more costly, I'd like to add that, as policymakers, we should be foremost concerned with the safety of our people. Last year, for example, we had approximately 18,000 accidents, 11,000 plus people were injured; 126 people died. We should bear these things in mind before we even think about how we are going to be re-elected during the next election. I'd like to urge each member to vote for this particular measure before us."

Representative Cobb then offered an amendment to H.B. No. 12, as follows:

"SECTION 1. House Bill 12, House Draft 2, is amended by amending section 2 to read as follows:

"SECTION 2. The Hawaii Revised Statutes is amended by adding a new subsection to section 291C-77 to read as follows:

"Sec. 291C-77 Pedestrians soliciting rides, [or] business or attention of motorist. (a) Except as otherwise provided by county ordinance, no person shall stand in, walk along, or otherwise occupy a portion of a highway for the purpose of soliciting a ride, employment, business, or contributions from the occupant of any vehicle.

(b) No person shall stand on or in proximity to a street or highway for the purpose of soliciting the watching or guarding of any vehicle while parked or about to be parked on a street or

highway.

(c) Except as otherwise provided by county ordinance, no person shall hold or display a movable sign within the right-of-way boundaries of a public highway or on the sidewalk abutting a public highway or in an area adjacent to the highway for the purpose of carrying on political campaign activities as defined in section 19-6(7) and which seek to draw the attention of occupants of motor vehicles using the highway; provided that this subsection shall not apply to candidates for political office when standing on a public highway which is completely void of any obstruction for at least one hundred feet when measured from the candidate in either direction and on which the speed limit is thirty-five miles per hour or less. A movable sign is any portable device, display, emblem, billboard, notice, picture, painting or writing, other than official signs placed or required by the State or county."

Representative Cobb moved for the adoption of the amendment, seconded by Representative R. Garcia.

Representative Cobb then rose and spoke in favor of the amendment, as follows:

"Basically, this amendment provides that an individual may not hold a sign unless he is standing in an area of road where the speed limit is 35 miles an hour or less and which is completely void of any obstruction for at least 100 feet when measured from the candidate in either direction. It further goes on to define what a movable sign is; namely, any portable device, display, emblem, billboard, notice, picture, painting or writing other than official signs placed or required by the State or the county.

This amendment will provide for the safety of those sign holders and motorists by limiting it to areas where the practice will not be dangerous. It also provides for the reasonable regulation of sign holding by controlling the areas in which they may be placed. In so doing, Mr. Speaker, this amendment meets the requirement which was laid down by Federal Judge Samuel King when he declared the Maui County Ordinance unconstitutional on December 22, 1972. That County Ordinance is now identical to this bill. Judge King, in his opinion, stated that it

is permissible to regulate the use of signs but not permissible to ban them altogether."

Representative Roehrig rose and asked if Representative Cobb would yield to questions. Representative Cobb answered in the affirmative.

Representative Roehrig stated that the language of the bill provides that this prohibition shall not apply to candidates in public office from standing on a public highway which is completely void of any obstruction and inquired if a written opinion was obtained in reference to the constitutionality of the question of whether or not that particular phrase was void on the basis of vagueness. Representative Cobb replied that no written constitutional opinion was rendered. He stated, however, that the Department of Transportation has laid down the criteria of a speed limit of 35 miles per hour or less, 100 feet of clear space on either side of the candidate and no cross-traffic obstruction.

Representative Roehrig rose and spoke against the amendment stating that the language as provided in the amendment is constitutionally vague.

Representative Iha also rose and spoke against the amendment stating that the Committee on Transportation feels that no candidates at all should be allowed to campaign on public highways.

The motion to adopt the amendment to H.B. No. 12, HD 2, was put by the Chair and failed to carry by a roll call vote of 39 noes to 12 ayes, with Representatives Ajifu, Aki, Cobb, R. Garcia, Hapai, Kato, Leopold, Lunasco, Uechi, Wasai, Wong and Yim voting aye.

Representative Cobb offered a second amendment to H.B. No. 12, HD 2, as follows:

"SECTION 1. House Bill 12, House Draft 2, is amended by amending Section 2 to read as follows:

'SECTION 2. The Hawaii Revised Statutes is amended by adding a new subsection to section 291C-77 to read as follows:

'Sec. 291C-77 Pedestrians soliciting rides, [or] business or attention of

motorist. (a) Except as otherwise provided by county ordinance, no person shall stand in, walk along, or otherwise occupy a portion of a highway for the purpose of soliciting a ride, employment, business, or contributions from the occupant of any vehicle.

(b) No person shall stand on or in proximity to a street or highway for the purpose of soliciting the watching or guarding of any vehicle while parked or about to be parked on a street or highway.

(c) Except as otherwise provided by county ordinance, no person shall hold or display a movable sign within the right-of-way boundaries of a public highway or on the sidewalk abutting a public highway or in an area adjacent to the highway for the purpose of carrying on political campaign activities, as defined in section 19-6(7) and which seek to draw the attention of occupants of motor vehicles using the highway. In no instance shall this subsection apply to any person who is picketing for the purpose of inducing, influencing, or demanding a change in the conditions, compensation, rights, privileges, or obligations of employment. A movable sign is any portable device, display, emblem, billboard, notice, picture, painting or writing, other than official signs placed or required by the State or county."

Representative Cobb moved that the amendment be adopted, seconded by Representative R. Garcia.

Representative Cobb rose and spoke in favor of the amendment, as follows:

"The purpose of this amendment is to exclude union picket signs specifically. In reviewing the bill, I found that there was no mention of union picket signs, yet they are activities that are conducted within the City and County of Honolulu as well as the State as a whole. It could lead to a confusion as to whether or not certain picketing activities would in fact constitute campaigning. I feel we should provide specially to exclude union pickets and avoid the constitutional dilemma."

The motion to adopt the amendment to H.B. No. 12, HD 2, was put by the Chair and failed to carry by a roll call vote of 38 noes to 13 ayes, with Representatives Aduja, Ajifu, Aki, Cobb,

R. Garcia, Hapai, Kato, King, Leopold, Lunasco, Uechi, Wasai and Wong voting aye.

Representatives R. Garcia, Hapai, Cobb, Ajifu and Wong rose and spoke against the passage of H.B. No. 12, HD 2.

Representatives Ushijima, Roehrig and Carroll rose and spoke for the passage of H.B. No. 12, HD 2.

The motion was put by the Chair and the report of the Committee was adopted and H.B. No. 12, HD 2, passed Third Reading by a roll call vote of 35 ayes to 16 noes, with Representatives Ajifu, Aki, A. Chong, Cobb, R. Garcia, Hapai, Kato, Kihano, King, Leopold, Lunasco, Uechi, Wasai, Wong, Yim and Young voting no.

The Chair directed the Clerk to note that H.B. Nos. 20 and 880 passed Third Reading not earlier than 12:03 o'clock p.m. and H.B. No. 12 not earlier than 1:34 o'clock p.m.

DISPOSITION OF MATTER PLACED ON THE CLERK'S DESK

By unanimous consent, H.B. No. 145, as amended by the Senate, was taken from the Clerk's desk.

Representative Lunasco moved that the House agree to the amendments proposed by the Senate to H.B. No. 145 and that H.B. No. 145, as amended, pass Final Reading, seconded by Representative Takamine.

Representative Lunasco then explained the amendments made by the Senate.

The motion was put by the Chair and carried and H.B. No. 145, as amended, passed Final Reading by a roll call vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 145 had passed Final Reading at 1:38 o'clock p.m.

At 1:39 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, March 29, 1973.

50TH DAY

Thursday, March 29, 1973

The House of Representatives of the Seventh Legislature of the State of Hawaii, Regular Session of 1973, was called to order at 11:00 o'clock a.m.

The Speaker presided.

The Divine Blessing was invoked by The Reverend William H. Kaina of the Hawaii Conference United Church of Christ.

Roll call of the members of the House of Representatives showed that all members were present with the exception of Representative Kimura, who was excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Forty-Ninth 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 Forty-Ninth Day was approved.

SENATE COMMUNICATION

A communication from the Senate (Sen. Com. No. 73) transmitting Senate Bill No. 1152, SD 1, entitled: "A Bill for an Act amending Section 51-1, Hawaii Revised Statutes, relating to mass transit" which passed Third Reading in the Senate on March 28, 1973, was read by the Clerk and was placed on file.

On motion by Representative Ushijima, seconded by Representative J. Garcia and carried, S.B. No. 1152 passed First Reading by title and further action was deferred until later in the calendar.

At this time, Representative Saiki introduced to the members of the House the Honorable Roy Rude, a member of the House of Representatives of the State of North Dakota.

The Chair then appointed Representatives Leopold, Hapai and Kishinami to escort Representative Rude to the rostrum whereupon he addressed the members of the House.

The Chair here directed the Clerk to note the presence of Representative Kimura.

ORDER OF THE DAY

COMMITTEE REFERRAL

The following bill (S.B. No. 1152) was disposed of as follows:

S.B. No. 1152 was referred to the Committee on Transportation and after consideration by it, the Committee was instructed to refer the bill to the Committee on Judiciary.

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 408 to 412) and concurrent resolution (H.C.R. No. 101) were disposed of as follows:

H.R. No. 408 was referred to the Select Committee of Kauai Representatives.

H.R. No. 409 was referred to the Committee on Education and after consideration by it, the Committee was instructed to refer the resolution to the Committee on Finance.

H.R. No. 410 was referred to the Committee on Higher Education and after consideration by it, the Committee was instructed to refer the resolution to the Select Committee of Oahu Representatives.

H.R. No. 411 was referred to the Committee on Consumer Protection and after consideration by it, the Committee was instructed to refer the resolution to the Committee on Finance.

H.R. No. 412 was referred to the Committee on Water, Land Use and Development and after consideration by it, the Committee was instructed to refer the resolution to the Committee on Finance.

H.C.R. No. 101 was referred to the Select Committee of Kauai Representatives.

STANDING COMMITTEE REPORTS

Representative Akizaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 480) informing the House that House Resolution Nos. 406 to 412, House Concurrent Resolution No. 101, and

Standing Committee Report Nos. 481 to 517, have been printed and distributed.

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

Representative Wasai, for the Committee on Parks, Fish and Game Management, presented a report (Stand. Com. Rep. No. 481) approving the intent and purpose of H.R. No. 281 and recommending its referral to the Committee on Finance.

On motion by Representative Wasai, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.R. No. 281 was referred to the Committee on Finance.

Representative Wasai, for the Committee on Parks, Fish and Game Management, presented a report (Stand. Com. Rep. No. 482) approving the intent and purpose of H.R. No. 332 and recommending its referral to the Committee on Finance.

On motion by Representative Wasai, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.R. No. 332 was referred to the Committee on Finance.

Representative Wasai, for the Committee on Parks, Fish and Game Management, presented a report (Stand. Com. Rep. No. 483) approving the intent and purpose of H.R. No. 170 and recommending its referral to the Committee on Finance.

On motion by Representative Wasai, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.R. No. 170 was referred to the Committee on Finance.

Representative Wasai, for the Committee on Parks, Fish and Game Management, presented a report (Stand. Com. Rep. No. 484) approving the intent and purpose of H.R. No. 38 and recommending its referral to the Committee on Finance.

On motion by Representative Wasai, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.R. No. 38 was

referred to the Committee on Finance.

Representative Yap, for the Committee on Consumer Protection, presented a report (Stand. Com. Rep. No. 485) approving the intent and purpose of H.B. No. 1937 and recommending its passage on Second Reading and its referral to the Committee on Judiciary with certain amendments.

On motion by Representative Yap, seconded by Representative Medina and carried, the report of the Committee was adopted and H.B. No. 1937, as amended, passed Second Reading and was referred to the Committee on Judiciary.

Representative Yap, for the Committee on Consumer Protection, presented a report (Stand. Com. Rep. No. 486) approving the intent and purpose of H.B. No. 310 and recommending its passage on Second Reading and its referral to the Committee on Judiciary.

On motion by Representative Yap, seconded by Representative Medina and carried, the report of the Committee was adopted and H.B. No. 310 passed Second Reading and was referred to the Committee on Judiciary.

Representative Yap, for the Committee on Consumer Protection, presented a report (Stand. Com. Rep. No. 487) approving the intent and purpose of H.B. No. 1965 and recommending its passage on Second Reading and its referral to the Committee on Judiciary with certain amendments.

On motion by Representative Yap, seconded by Representative Medina and carried, the report of the Committee was adopted and H.B. No. 1965, as amended, passed Second Reading and was referred to the Committee on Judiciary.

Representative Yap, for the Committee on Consumer Protection, presented a report (Stand. Com. Rep. No. 488) approving the intent and purpose of H.B. No. 189 and recommending its passage on Second Reading and its referral to the Committee on Judiciary.

On motion by Representative Yap, seconded by Representative Medina and carried, the report of the Committee was adopted and H.B. No. 189 passed Second Reading and was referred to the

Committee on Judiciary.

Representative Yap, for the Committee on Consumer Protection, presented a report (Stand. Com. Rep. No. 489) approving the intent and purpose of H.B. No. 188 and recommending its passage on Second Reading and its referral to the Committee on Judiciary with certain amendments.

On motion by Representative Yap, seconded by Representative Medina and carried, the report of the Committee was adopted and H.B. No. 188, as amended, passed Second Reading and was referred to the Committee on Judiciary.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 490) approving the intent and purpose of H.B. No. 1145 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. 1145, 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. 491) approving the intent and purpose of H.B. No. 1552 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. 1552 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. 492) approving the intent and purpose of H.B. No. 28 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. 28, 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. 493) approving the intent and purpose of H.B. No. 452 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. 452 passed Second Reading and was referred to the Committee on Finance.

Representative Young, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 494) approving the intent and purpose of H.B. No. 463 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative Young, seconded by Representative Yuen and carried, the report of the Committee was adopted and H.B. No. 463, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Young, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 495) approving the intent and purpose of H.B. No. 91 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative Young, seconded by Representative Yuen and carried, the report of the Committee was adopted and H.B. No. 91, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Young, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 496) approving the intent and purpose of H.B. No. 92 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative Young,

seconded by Representative Yuen and carried, the report of the Committee was adopted and H.B. No. 92, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Young, for the majority of the Committee on Housing, presented a report (Stand. Com. Rep. No. 497) approving the intent and purpose of H.B. No. 1026 and recommending its passage on Second Reading and its referral to the Committee on Judiciary with certain amendments.

On motion by Representative Young, seconded by Representative Yuen and carried, the report of the majority of the Committee was adopted and H.B. No. 1026, as amended, passed Second Reading and was referred to the Committee on Judiciary.

Representative Young, for the majority of the Committee on Housing, presented a report (Stand. Com. Rep. No. 498) approving the intent and purpose of H.B. No. 605 and recommending its passage on Second Reading and its referral to the Committee on Judiciary with certain amendments.

On motion by Representative Young, seconded by Representative Yuen and carried, the report of the majority of the Committee was adopted and H.B. No. 605, as amended, passed Second Reading and was referred to the Committee on Judiciary.

Representative Young, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 499) approving the intent and purpose of H.B. No. 1846 and recommending its passage on Second Reading and its referral to the Committee on Judiciary with certain amendments.

On motion by Representative Young, seconded by Representative Yuen and carried, the report of the Committee was adopted and H.B. No. 1846, as amended, passed Second Reading and was referred to the Committee on Judiciary.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 500) 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 Kawakami, seconded by Representative A. Chong 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. 501) approving the intent and purpose of H.B. No. 1096 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. 1096 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, March 30, 1973.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 502) approving the intent and purpose of H.B. No. 1254 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. 1254, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, March 30, 1973.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 503) approving the intent and purpose of H.B. No. 1847 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. 1847 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, March 30, 1973.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 504) approving the intent and purpose of H.B.

No. 1097 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. 1097 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, March 30, 1973.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 505) approving the intent and purpose of H.B. No. 688 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. 688, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, March 30, 1973.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 506) approving the intent and purpose of H.B. No. 2029 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. 2029 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, March 30, 1973.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 507) approving the intent and purpose of H.B. No. 997 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. 997, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, March 30, 1973.

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

report (Stand. Com. Rep. No. 508) approving the intent and purpose of H.B. No. 1170 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. 1170, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, March 30, 1973.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 509) approving the intent and purpose of H.B. No. 1313 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. 1313, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, March 30, 1973.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 510) approving the intent and purpose of H.B. No. 1178 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. 1178, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, March 30, 1973.

Representative Yap, for the Committee on Consumer Protection, presented a report (Stand. Com. Rep. No. 511) approving the intent and purpose of H.B. No. 970 and recommending its passage on Second Reading.

On motion by Representative Yap, seconded by Representative Medina and carried, the report of the Committee was adopted and H.B. No. 970 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow,

March 30, 1973.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 512) approving the intent and purpose of H.B. No. 876 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. 876, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, March 30, 1973.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 513) approving the intent and purpose of H.B. No. 1147 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. 1147, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, March 30, 1973.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 514) approving the intent and purpose of H.B. No. 1255 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. 1255, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, March 30, 1973.

The Chair directed the Clerk to note that H.B. Nos. 1096, 1254, 1847, 1097, 688, 2029, 997, 1170, 1313, 1178, 970, 876, 1147 and 1255 had passed Second Reading not later than 11:20 o'clock a.m.

Representative King, for the Committee on Environmental Protection, presented a report (Stand. Com. Rep. No. 515) approving the intent and purpose of H.B. No. 1783 and recommending its

passage on Second Reading and its referral to the Committee on Judiciary.

On motion by Representative King, seconded by Representative Roehrig and carried, the report of the Committee was adopted and H.B. No. 1783 passed Second Reading and was referred to the Committee on Judiciary.

Representative Takamine, for the Select Committee of Hawaii Representatives, presented a report (Stand. Com. Rep. No. 516) approving the intent and purpose of H.R. No. 283 and recommending its referral to the Committee on Finance.

On motion by Representative Takamine, seconded by Representative Suwa and carried, the report of the Committee was adopted and H.R. No. 283 was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 517) approving the intent and purpose of H.R. No. 264 and recommending its referral to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.R. No. 264 was referred to the Committee on Finance.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 413 and 414) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 413) extending best wishes to Specialist Five Tom Y. Kobashigawa on his release from North Vietnam and his return home to Hawaii was jointly offered by Representatives Lee, Carroll, Cobb, Fong, J. Garcia, Iha, Kihano, Kimura, Medeiros, O'Connor, Oda, Roehrig, Saiki, Sakima, Yamada, Yap, Young, Yuen and Beppu.

On motion by Representative Lee, seconded by Representative Sakima and carried, H.R. No. 413 was adopted.

A resolution (H.R. No. 414) congratulating the members of the Rural

Oahu AJA Senior Baseball League's 1973 All-Star team was jointly offered by Representatives Young, Aduja, Aki, Akizaki, Amaral, A. Chong, de la Cruz, J. Garcia, R. Garcia, Hapai, Kato, Kawakami, Kihano, Kimura, King, Kishinami, Kunimura, Lee, Leopold, Lunasco, Medeiros, Medina, Morioka, Nakama, Poepoe, Roehrig, Saiki, Sakima, Suwa, Takamine, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yap, Yim and Yuen.

On motion by Representative Young, seconded by Representative Kihano and carried, H.R. No. 414 was adopted.

By unanimous consent, the following resolutions (H.R. Nos. 415 to 421) and concurrent resolution (H.C.R. No. 102) were referred to the Committee on Legislative Management and further action was deferred until tomorrow, March 30, 1973:

A resolution (H.R. No. 415) requesting the Board of Regents of the University of Hawaii to restructure its organization to carry out the clear legislative intent of Act 71, Session Laws of Hawaii 1968 relating to vocational education was jointly offered by Representatives Kunimura, Akizaki, Iha, Kawakami, Kimura, Morioka, Suwa, Wedemeyer and Yuen.

A resolution (H.R. No. 416) requesting the Board of Vocational Education to conduct a study on vocational education programs to ensure that "comprehensiveness" will be preserved on all community college campuses was jointly offered by Representatives Kunimura, Akizaki, Iha, Kawakami, Kimura, Morioka, Sakima, Suwa, Wedemeyer and Yuen.

A resolution (H.R. No. 417) supporting the need for expanding the engineering curriculum at the University of Hawaii was jointly offered by Representatives Kimura, Akizaki, Iha, Kawakami, Kunimura, Morioka, O'Connor, Sakima, Suwa, Uechi, Wakatsuki, Wedemeyer and Yuen.

A resolution (H.R. No. 418) requesting an investigation of the Grand Jury system in the State of Hawaii was jointly offered by Representatives Iha, Akizaki, A. Chong, de la Cruz, Kihano, Kimura, Kishinami, Kondo, Lee,

Lunasco, Medina, Morioka, Sakima, Suwa, Takamine, Ushijima, Wedemeyer, Yap, Young and Yuen.

A resolution (H.R. No. 419) requesting that the Department of Land and Natural Resources conduct a study to determine the feasibility of a land exchange which would enable the State to acquire certain Hawaiian Sugar Planters' Association property was jointly offered by Representatives Iha, Akizaki, A. Chong, de la Cruz, Kawakami, Kihano, Kimura, King, Kishinami, Kondo, Lee, Lunasco, Medina, Morioka, Nakama, Sakima, Takamine, Ushijima, Wedemeyer, Yap and Yuen.

A resolution (H.R. No. 420) urging the increased use of solid materials as median barriers and guard rails on the highways was jointly offered by Representatives Iha, Akizaki, A. Chong, de la Cruz, Kihano, Kimura, Kishinami, Kondo, Lee, Lunasco, Medina, Morioka, Nakama, Sakima, Suwa, Takamine, Ushijima, Wedemeyer, Yap, Young and Yuen.

A resolution (H.R. No. 421) requesting the Department of Education to implement a course in adulthood was jointly offered by Representatives Sakima, Akizaki, Amaral, A. Chong, W. Chong, Cobb, de la Cruz, Kato, Kawakami, Kihano, Kimura, Kishinami, Kondo, Lee, Medina, Oda, Saiki, Suwa, Takamine, Wedemeyer, Yap, Yim, Young and Yuen.

A concurrent resolution (H.C.R. No. 102) requesting the Governor to seek the approval of the United States Navy for certain recreational uses of West Loch was jointly offered by Representatives Kishinami, Akizaki, A. Chong, de la Cruz, J. Garcia, Kato, Kawakami, Kihano, King, Kondo, Kunimura, Lunasco, Morioka, Nakama, Sakima, Suwa, Takamine, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yap, Yim, Young, Yuen and Beppu.

At 11:22 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.

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

Third Reading of H.B. No. 1337.

On motion by Representative Kawakami, seconded by Representative A. Chong, H.B. No. 1337, having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Carroll and Kato being excused.

UNFINISHED BUSINESS

Consideration of H.B. No. 82 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. 82 was recommitted to the Committee on Judiciary.

Consideration of Stand. Com. Rep. No. 467 on H.B. No. 185 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. 185, having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Kato being excused.

Consideration of Stand. Com. Rep. No. 475 on H.B. No. 1482, 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. 1482, as amended, having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Kato being excused.

The Chair directed the Clerk to note that H.B. Nos. 1337, 185 and 1482 had passed Third Reading not earlier than 11:56 o'clock a.m.

At 11:59 o'clock a.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, March 30, 1973.

51ST DAY

Friday, March 30, 1973

The House of Representatives of the Seventh Legislature of the State of Hawaii, Regular Session of 1973, was called to order at 11:00 o'clock a.m.

The Speaker presided.

The Divine Blessing was invoked by The Reverend Francis Shimono, Associate, of Our Lady of Sorrows Church.

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 Fiftieth 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 Fiftieth Day was approved.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Mess. Nos. 60 to 62) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Mess. No. 60) transmitting copies of a report prepared by the University of Hawaii in response to H.R. No. 7 was placed on file.

A message from the Governor (Gov. Mess. No. 61) transmitting copies of a report prepared by the Department of Education in response to S.R. No. 36 was placed on file.

A message from the Governor (Gov. Mess. No. 62) transmitting copies of a report prepared by the Conference College and University Student Leaders pursuant to Act 169, SLH 1972, was placed on file.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 74 to 85) were read by the Clerk and were disposed of as follows:

A communication from the Senate

(Sen. Com. No. 74) returning House Bill No. 470, HD 2, which passed Third Reading in the Senate in an amended form on March 29, 1973, was placed on file.

By unanimous consent, H.B. No. 470, HD 2, SD 1, was placed on the Clerk's desk.

The Chair directed the Clerk to note that printed copies of H.B. No. 470, HD 2, SD 1, were made available to the members of the House at 11:00 o'clock a.m. in accordance with Article III, Section 16, of the Constitution of the State of Hawaii.

A communication from the Senate (Sen. Com. No. 75) transmitting Senate Bill No. 97, SD 1, entitled: "A Bill for an Act relating to temporary disability insurance" which passed Third Reading in the Senate on March 29, 1973 was placed on file.

A communication from the Senate (Sen. Com. No. 76) transmitting Senate Bill No. 129, SD 1, entitled: "A Bill for an Act relating to the importation of plant and animal life, seeds and soils, and repealing Part I, Chapter 150, Hawaii Revised Statutes" which passed Third Reading in the Senate on March 29, 1973 was placed on file.

A communication from the Senate (Sen. Com. No. 77) transmitting Senate Bill No. 140, SD 1, entitled: "A Bill for an Act relating to assistance to displaced persons" which passed Third Reading in the Senate on March 29, 1973 was placed on file.

A communication from the Senate (Sen. Com. No. 78) transmitting Senate Bill No. 231 entitled: "A Bill for an Act relating to public employment" which passed Third Reading in the Senate on March 29, 1973 was placed on file.

A communication from the Senate (Sen. Com. No. 79) transmitting Senate Bill No. 903 entitled: "A Bill for an Act relating to sentence of imprisonment, amending Section 620, Hawaii Revised Statutes, which passed Third Reading in the Senate on March 29, 1973, was placed on file.

On motion by Representative Ushijima, seconded by Representative J.

Garcia and carried, S.B. Nos. 97, 129, 140, 231 and 903 passed First Reading by title and further action was deferred until later on the calendar.

A communication from the Senate (Sen. Com. No. 80) returning House Bill No. 637, HD 1, which passed Third Reading in the Senate in an amended form on March 30, 1973, was placed on file.

By unanimous consent, H.B. No. 637, HD 1, 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. 637, HD 1, SD 1, were made available to the members of the House at 11:05 o'clock a.m., in accordance with Article III, Section 16, of the Constitution of the State of Hawaii.

A communication from the Senate (Sen. Com. No. 81) transmitting Senate Bill No. 660, SD 2, entitled: "A Bill for an Act relating to adverse possession" which passed Third Reading in the Senate on March 30, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 82) transmitting Senate Bill No. 823, SD 1, entitled: "A Bill for an Act relating to environmental quality" which passed Third Reading in the Senate on March 30, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 83) transmitting Senate Bill No. 930, SD 1, entitled: "A Bill for an Act relating to shoreline setbacks" which passed Third Reading in the Senate on March 30, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 84) transmitting Senate Bill No. 995, SD 1, entitled: "A Bill for an Act relating to disclosure of mental health records to patients" which passed Third Reading in the Senate on March 30, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 85) transmitting Senate Bill No. 1024 entitled: "A Bill for an Act relating to grant for civil air patrol" which passed Third Reading in the Senate on March 30, 1973, was placed on file.

On motion by Representative Ushijima, seconded by Representative J.

Garcia and carried, S.B. Nos. 660, 823, 930, 995 and 1024 passed First Reading by title and further action was deferred until Monday, April 2, 1973.

DEPARTMENTAL COMMUNICATION

A communication from Edwin H. Honda, Insurance Commissioner, Department of Regulatory Agencies (Dept. Com. No. 12) transmitting copies of the 1972 Annual Report of the Insurance Division of the Department of Regulatory Agencies was read by the Clerk and was placed on file.

MISCELLANEOUS COMMUNICATIONS

The following communications (Misc. Com. Nos. 40 to 42) were read by the Clerk and were disposed of as follows:

A communication from Tadashi Suzuki, County Clerk, County of Hawaii (Misc. Com. No. 40) transmitting a copy of Resolution No. 42 relating to the agricultural industry in the Ka'u District was placed on file.

A communication from Carl Williams, President, Hawaiian Electric Company, Inc. (Misc. Com. No. 41) acknowledging receipt of H.R. No. 329 was placed on file.

A communication from Bertram T. Kanbara, Chairman, Hawaii Commission to Promote Uniform Legislation (Misc. Com. No. 42) transmitting the commissioner's report was placed on file.

At 11:10 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

At 11:25 o'clock a.m., the House of Representatives reconvened.

ORDER OF THE DAY

COMMITTEE REFERRALS

The following bills (S.B. Nos. 97, 129, 140, 231 and 903) were disposed of as follows:

S.B. No. 97 was referred to the Committee on Judiciary.

S.B. No. 129 was referred to the Committee on Agriculture and after consideration by it, the Committee was

instructed to refer the bill to the Committee on Judiciary.

S.B. No. 140 was referred to the Committee on Housing and after consideration by it, the Committee was instructed to refer the bill to the Committee on Judiciary.

S.B. No. 231 was referred to the Committee on Public Employment.

S.B. No. 903 was referred to the Committee on Judiciary.

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 415 to 421) and concurrent resolution (H.C.R. No. 102) were disposed of as follows:

H.R. No. 415 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. 416 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. 417 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. 418 was referred to the Committee on Judiciary.

H.R. No. 419 was referred to the Committee on Water, Land Use and Development and after consideration by it, the Committee was instructed to refer the resolution to the Committee on Finance.

H.R. No. 420 was referred to the Committee on Transportation and after consideration by it, the Committee was instructed to refer the resolution to the Committee on Finance.

H.R. No. 421 was referred to the Committee on Education and after consideration by it, the Committee was instructed to refer the resolution to the Committee on Finance.

H.C.R. No. 102 was referred to the Committee on Parks, Fish and Game Management.

At 11:30 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

At 11:53 o'clock a.m., the House of Representatives reconvened.

STANDING COMMITTEE REPORTS

Representative Akizaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 518) informing the House that House Resolution Nos. 413 to 421, House Concurrent Resolution No. 102 and Standing Committee Report Nos. 519 to 538 had been printed and distributed.

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

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 519) approving the intent and purpose of H.R. No. 241, HD 1 and recommending its adoption.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.R. No. 214 was adopted.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 520) approving the intent and purpose of H.R. No. 259 and recommending its adoption.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.R. No. 259 was adopted.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 521) approving the intent and purpose of H.R. No. 360 and recommending its adoption.

On motion by Representative

Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.R. No. 360 was adopted.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 522) approving the intent and purpose of H.R. No. 10 and recommending its adoption with certain amendments.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.R. No. 10, as amended, was adopted.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 523) approving the intent and purpose of H.C.R. No. 56 and recommending its adoption with certain amendments.

Representative Saiki then rose and spoke in favor of the resolution as follows:

"Mr. Speaker, I'd like to state that the President of the United States, Mr. Richard M. Nixon, lends his personal endorsement of the Equal Rights Amendment and urged Congress to approve the measure. He has expressed his support of the equal rights movement in total in many, many substantial ways.

Since 1969, the President has appointed 78 women to high-leveled positions and even appointed an advisory council on the status of women, a council of which I am a member. President Nixon's support has been demonstrated in the past. But, if this House of Representatives of the State of Hawaii wishes to request the President of the United States to again reaffirm his support of the Equal Rights Amendment to hurry the passage of this amendment in other states where it is pending, I have no objections. I shall vote in the affirmative."

Representative O'Connor rose and spoke in favor of the concurrent resolution as follows:

"Just about a year ago, Congress passed a proposed amendment to the Constitution of the United States

prohibiting the denial or abridgment of equal rights under law on account of sex. We then succeeded in being one of the very first states to approve the proposed amendment. Unfortunately, some of our sister states have not seen fit to be so swift in their actions on this amendment. There it is to reaffirm the President's initial stand upon this measure, that the present resolution comes before this Body. I urge all members to vote in favor of this resolution."

Representative Leopold rose and spoke in favor of the concurrent resolution as follows:

"The life of the Equal Rights Amendment hangs in the balance of the legislatures of the several states. As the co-author of this resolution, I would like to make it crystal clear that the purpose of it is not in any way to cast doubt upon the record of the President of the United States, who for some 22 years recorded a fine record in support of equal rights for women.

I believe that since the measure hangs in the balance in many states, some of which have reconsidered the resolution and have voted down their previous support of the amendment, a vigorous and aggressive reaffirmation of Presidential support would be extremely helpful to save this Equal Rights Amendment. The President of the United States is the most visible elected official in this nation and for him to take a bold position in support of this Equal Rights Amendment would be most opportune. It is, of course, most proper that we urge our sister states to follow our prime example.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H.C.R. No. 56, as amended, was adopted.

Representative Wong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 524) approving the intent and purpose of H.B. No. 342 and recommending its passage on Second Reading and its referral to the Committee on Judiciary with certain amendments.

On motion by Representative Wong, seconded by Representative Sakima and carried, the report of the Committee was

adopted and H.B. No. 342, as amended, 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. 525) approving the intent and purpose of H.R. No. 373 and recommending its referral to the Committee on Finance with certain amendments.

Representative Suwa moved to waive referral of H.R. No. 373, as amended, to the Committee on Finance, seconded by Representative Akizaki and carried.

Representative Kimura then moved that the report of the Committee be adopted and, notwithstanding the recommendation of the Committee that H.R. No. 373 be referred to the Committee on Finance, that H.R. No. 373 be adopted, seconded by Representative Akizaki.

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

“This is a time when faculty tenure and other University resources seem to be making news on the other side of our State Legislature. As Chairman of your Higher Education Committee, I support this resolution requesting the Board of Regents of the University to report on the Legislative Auditor’s faculty workload report for two major reasons.

First, at our public hearing on the subject matter, we have found that there is now available a complete method of monitoring existing rules and policies on workload and overload. This data was unavailable when the audit was made. The University stands ready to report this data to us before the end of this session. They will tell us about the progress they have made in working toward the implementation of some general faculty workload policy.

Second, the University will report to us again before the next session on the complete implementation of the Auditor’s recommendations. Data about workload policies on the Fall, 1973 semester—the present semester—will be presented.

I want to point out that we are

directing this resolution to the Board of Regents, the policymaking board of the University. They are substantially responsible for higher education in the University system. They set limitations upon their faculty. They work closely with students and faculty in their decisions through their committee processes. I want to stress the coordinated nature of their efforts which affect all campuses, including the community colleges. In this resolution and in the committee report, we are emphasizing student, faculty and administrative participation—especially in the second report. This would make the coordinated effort channeled through the Board, then reported to us down here at the Legislature.

It seems to me that there is a need to respect and maintain the integrity and identity of the way these various parts of public higher education in the State work. The draft of Resolution No. 373 before you requests two reports on workload which would help keep us apprised of decisions made internally by the University of Hawaii. Only when we respect their authority and autonomy as a State agency for what they are can we in the Legislature then apprise and assess their actions.

Your vote, then, would be for what seems wisest for the maximum number of people in the State of Hawaii. Not all in the State go to higher education institutions. Not all are affected by policies made by the Board of Regents. Not all citizens are interested in what happens to the University of Hawaii faculty. It is this broad spectrum of differing community interests that we represent when we add our input to the process of making higher education work for the State.

I urge your vote for H.R. No. 373, HD 1. It would give the House a response to the general area of workload which differs from the voices heard from the other chamber. It would be a vote for wiser, more human consideration of faculty resources. It would be a vote for broad participation on the part of students, faculty and administrators in making these reports.

Finally, it would be an indication to the University that the State House of Representatives supports the broad goals

and functions of an institution it had a hand in creating.”

The motion was put by the Chair and carried and the report of the Committee was adopted and, notwithstanding the recommendation of the Committee that H.R. No. 373 be referred to the Committee on Finance, H.R. No. 373, as amended, was adopted.

Representative Wasai, for the majority of the Committee on Parks, Fish and Game Management, presented a report (Stand. Com. Rep. No. 526) approving the intent and purpose of H.R. No. 262 and recommending its referral to the Committee on Finance with certain amendments.

On motion by Representative Wasai, seconded by Representative Kawakami and carried, the report of the majority of the Committee was adopted and H.R. No. 262, as amended, entitled: “A Resolution requesting the Division of Fish and Game of the Department of Land and Natural Resources to develop the comprehensive plan in order to implement a law prohibiting the netting of fish in all bays and harbors of the State” was referred to the Committee on Finance.

Representative Lunasco, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 527) approving the intent and purpose of H.B. No. 1929 and recommending its passage on Second Reading and its referral to the Committee on Judiciary with certain amendments.

On motion by Representative Lunasco, seconded by Representative Takamine and carried, the report of the Committee was adopted and H.B. No. 1929, as amended, passed Second Reading and was referred to the Committee on Judiciary.

Representative Lunasco, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 528) approving the intent and purpose of H.B. No. 728 and recommending its passage on Second Reading and its referral to the Committee on Judiciary with certain amendments.

On motion by Representative Lunasco, seconded by Representative Takamine and carried, the report of the

Committee was adopted and H.B. No. 728, as amended, passed Second Reading and was referred to the Committee on Judiciary.

Representative Lunasco, for the majority of the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 529) approving the intent and purpose of H.R. No. 301 and recommending its referral to the Committee on Finance with certain amendments.

On motion by Representative Lunasco, seconded by Representative Takamine and carried, the report of the majority of the Committee was adopted and H.R. No. 301, as amended, was referred to the Committee on Finance.

Representative Sakima, for the Committee on Education, presented a report (Stand. Com. Rep. No. 530) approving the intent and purpose of H.B. No. 1240 and recommending its passage on Second Reading with certain amendments.

On motion by Representative Sakima, seconded by Representative Young and carried, the report of the Committee was adopted and H.B. No. 1240, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading Monday, April 2, 1973.

Representative Wong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 531) approving the intent and purpose of H.B. No. 1896 and recommending its passage on Third Reading with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 531 on H.B. No. 1896, as amended, was deferred until Monday, April 2, 1973.

The Chair here directed the Clerk to note that printed copies of H.B. No. 1896, as amended, were made available to the members of the House at 1:05 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. 532) approving the intent and purpose of H.B. No. 1166 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. 1166, as amended, entitled: "A Bill for an Act relating to pre-sentence diagnosis and report, amending Section 706-601, Hawaii Revised Statutes" passed Second Reading and was placed on the Order of the Day for Third Reading Monday, April 2, 1973.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 533) approving the intent and purpose of H.B. No. 115, HD 1 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. 115, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading Monday, April 2, 1973.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 534) approving the intent and purpose of H.B. No. 1526 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. 1526, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading Monday, April 2, 1973.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 535) approving the intent and purpose of H.B. No. 995 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. 995, as amended, passed Second Reading

and was placed on the Order of the Day for Third Reading Monday, April 2, 1973.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 536) approving the intent and purpose of H.B. No. 1169 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. 1169, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading Monday, April 2, 1973.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 537) approving the intent and purpose of H.B. No. 809 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. 809, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading Monday, April 2, 1973.

The Chair here directed the Clerk to note that H.B. Nos. 1240, 1166, 115, 1526, 995, 1169 and 809 had passed Second Reading not later than 1:05 o'clock p.m.

At 1:06 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

At 1:09 o'clock p.m., the House of Representatives reconvened.

Representative Lee, for the Committee on Public Employment, presented a report (Stand. Com. Rep. No. 538) approving the intent and purpose of H.B. No. 1835, HD 1 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative Lee, seconded by Representative A. Chong

and carried, the report of the Committee was adopted and H.B. No. 1835, as amended, 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. 539) approving the intent and purpose of H.B. No. 1287 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative Sakima, seconded by Representative Young and carried, the report of the Committee was adopted and H.B. No. 1287, as amended, entitled: "A Bill for an Act relating to teacher's salaries" 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. 540) approving the intent and purpose of H.B. No. 135, HD 1 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. 135, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading Monday, April 2, 1973.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 541) approving the intent and purpose of H.B. No. 15, HD 1 and recommending its passage on Third Reading with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 541 on H.B. No. 15, as amended, was deferred until Monday, April 2, 1973.

The Chair directed the Clerk to note that printed copies of H.B. No. 15, as amended, were made available to the members of the House at 1:10 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) approving the intent and purpose of H.B. No. 990 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. 990, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading Monday, April 2, 1973.

The Chair here directed the Clerk to note that H.B. Nos. 135 and 990 had passed Second Reading at 1:10 o'clock p.m.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 422 to 429) were read by the Clerk and disposed of as follows:

A resolution (H.R. No. 422) honoring educator Kenneth K. Kurokawa and extending aloha and best wishes upon his retirement was jointly offered by Representatives R. Garcia, Aki, Akizaki, Amaral, Carroll, A. Chong, W. Chong, Cobb, de la Cruz, Hapai, Iha, Kato, Kawakami, Kihano, Kimura, Kishinami, Kondo, Lee, Medina, Saiki, Sakima, Takamine, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yap, Yim, Young, Yuen and Beppu.

On motion by Representative R. Garcia, seconded by Representative Lee and carried, H.R. No. 422 was adopted.

A resolution (H.R. No. 423) expressing congratulations and best wishes to the Honorable John A. Burns on his 64th birthday was jointly offered by Representatives Beppu, Aduja, Ajifu, Aki, Akizaki, Amaral, Carroll, A. Chong, W. Chong, Cobb, de la Cruz, Fong, J. Garcia, R. Garcia, Iha, Kato, Kawakami, Kihano, Kimura, King, Kishinami, Kondo, Kunimura, Lee, Leopold, Lunasco, Medeiros, Medina, Morioka, Nakama, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim, Young and Yuen.

On motion by Representative de la Cruz, seconded by Representative Wakatsuki and carried, H.R. No. 423 was adopted.

A resolution (H.R. No. 424) requesting the Department of Education and the Hawaii State Teachers' Association to return to collective bargaining in good faith was jointly offered by Representatives Sakima, Aduja, Ajifu, Aki, Akizaki, Amaral, Carroll, A. Chong, W. Chong, Cobb, de la Cruz, Fong, J. Garcia, R. Garcia, Hapai, Iha, Kato, Kawakami, Kihano, Kimura, King, Kishinami, Kondo, Kunimura, Lee, Leopold, Lunasco, Medeiros, Medina, Morioka, O'Connor, Oda, Poepoe, Roehrig, Saiki, Soares, Suwa, Takamine, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yap, Yim, Young, Yuen and Beppu.

On motion by Representative Sakima, seconded by Representative Young and carried, H.R. No. 424 was adopted.

A resolution (H.R. No. 425) wishing "Al" Ofati Malepeai and Leroy Reed a happy birthday was jointly offered by Representatives Wong, Aduja, Ajifu, Aki, Akizaki, Carroll, A. Chong, W. Chong, Cobb, de la Cruz, Fong, J. Garcia, R. Garcia, Hapai, Iha, Kato, Kawakami, Kihano, Kimura, King, Kishinami, Kondo, Kunimura, Lee, Leopold, Lunasco, Medeiros, Medina, Nakama, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Yamada, Yap, Yim, Young, Yuen and Beppu.

On motion by Representative Wong, seconded by Representative Wasai and carried, H.R. No. 425 was adopted.

A resolution (H.R. No. 426) congratulating Gwendolyn Ngit How Jim, Miss Chinese Chamber of Commerce—U.S.A. for 1973 was jointly offered by Representatives Carroll, Ajifu, Aki, Akizaki, Amaral, A. Chong, W. Chong, Cobb, de la Cruz, Fong, J. Garcia, Hapai, Iha, Kato, Kawakami, Kihano, Kimura, King, Kondo, Kunimura, Lee, Leopold, Lunasco, Medeiros, Medina, Morioka, Nakama, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim, Young, Yuen and

Beppu.

On motion by Representative Carroll, seconded by Representative Hapai and carried, H.R. No. 426 was adopted.

Representative Carroll introduced to the members of the House Miss Gwendolyn Ngit How Jim and Representative Hapai presented Miss Jim with a carnation lei.

Miss Jim then performed for the members of the House on the Chinese Butterfly Harp.

A resolution (H.R. No. 427) entending deepest sympathy and condolences to the family of the late J. H. (Heinie) Christ was jointly offered by Representatives Beppu, Fong, Kihano, Kimura, Lee, Leopold, Lunasco, Oda, Poepoe, Sakima, Uechi, Wasai, Wedemeyer, Yap and Young.

On motion by Representative Kihano, seconded by Representative Kimura and carried, H.R. No. 427 was adopted.

A resolution (H.R. No. 428) extending congratulations and best wishes to Mr. Henry Schainck upon completion of his work with the East-West Communication Institute was jointly offered by Representatives Beppu, Fong, Kihano, Kimura, Lee, Leopold, Lunasco, Oda, Poepoe, Sakima, Uechi, Wasai, Wedemeyer, Yap and Young.

On motion by Representative Kihano, seconded by Representative Sakima and carried, H.R. No. 428 was adopted.

A resolution (H.R. No. 429) supporting National Plumbing Industry Week, April 15 - 22nd, 1973 was jointly offered by Representatives Kato, Ajifu, Akizaki, Carroll, A. Chong, Cobb, de la Cruz, Fong, R. Garcia, Iha, Kihano, Kimura, Kishinami, Kondo, Kunimura, Lunasco, Medeiros, Medina, Morioka, Nakama, O'Connor, Oda, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Ushijima, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim, Young, Yuen and Beppu.

On motion by Representative Kato, seconded by Representative R. Garcia and carried, H.R. No. 429 was adopted.

By unanimous consent, the following

resolution (H.R. No. 430) and concurrent resolution (H.C.R. No. 103) were referred to the Committee on Legislative Management and further action was deferred until Monday, April 2, 1973:

A resolution (H.R. No. 430) requesting the Department of Education to report its findings of the student rights task force to the Legislature was jointly offered by Representatives Sakima, Amaral, W. Chong, Kato, Kawakami, Kishinami, Kunimura, Lee, Oda, Roehrig, Uechi, Wong, Yap and Young.

A concurrent resolution (H.C.R. No. 103) requesting the appointment of a joint interim committee to receive and report on the study of the Public Utilities Commission conducted by the Legislative Auditor's Office was jointly offered by Representatives O'Connor, Aduja, Carroll, Fong, Kawakami, Kihano, Kimura, King, Lee, Medeiros, Medina, Roehrig, Sakima, Wedemeyer, Yamada and Yap.

SUSPENSION OF RULES

On motion by Representative Ushijima, seconded by Representative J. Garcia and carried, 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. 1096.

On motion by Representative O'Connor, seconded by Representative Kimura, H.B. No. 1096 passed Third Reading by a vote of 49 ayes, with Representatives Carroll and Fong being excused.

Third Reading of H.B. No. 1254.

On motion by Representative O'Connor, seconded by Representative Kimura, H.B. No. 1254 passed Third Reading by a vote of 49 ayes, with Representatives Carroll and Fong being excused.

Third Reading of H.B. No. 1847.

On motion by Representative O'Connor, seconded by Representative Kimura, H.B. No. 1847 passed Third Reading by a vote of 49 ayes, with Representatives Carroll and Fong being excused.

Third Reading of H.B. No. 1097.

On motion by Representative O'Connor, seconded by Representative Kimura, H.B. No. 1097 passed Third Reading by a vote of 49 ayes, with Representatives Carroll and Fong being excused.

Third Reading of H.B. No. 688.

Representative O'Connor moved that H.B. No. 688 pass Third Reading, seconded by Representative Kimura.

Representative Cobb rose and inquired whether or not Representative O'Connor would yield to questions to which Representative O'Connor replied in the affirmative.

Representative Cobb inquired whether or not Representative O'Connor feels that the new Penal Code should be given time to work before any substantial changes are made. Representative O'Connor replied that, in general, he is in agreement with that concept.

Representative Cobb inquired whether Representative O'Connor feels that the Parole Board is doing a good job. Representative O'Connor replied that he believes the Parole Board, as presently constituted, particularly with Chairman Freitas from Hilo in charge, is doing a good job.

Representative Cobb inquired whether there will be a change in the makeup of the Parole Board this session. Representative O'Connor replied that the Parole Board is appointed by the Governor.

Representative Cobb inquired whether there will be any legislation to change the makeup of the Parole Board this session.

At this point, Representative Wakatsuki rose on a point of order and stated that asking for an intention is out of order.

Representative Cobb then inquired:

"Since we are in general allowing the Penal Code to be given time to work, why are we making such a major change in the responsibility of the Parole Board at this time."

Representative O'Connor replied:

"The law which is being sought to be changed today is one which has been in existence in this jurisdiction since 1966. That has to do with indeterminant sentencing. The Penal Code simply adopted the provisions of the law which were previously in existence. Therefore, the law which is being sought to be amended today is one which has existed since 1966 and has had seven years of trial and error. From the evidence presented, there was more error than trial."

Representative Cobb then inquired if he is correct in saying that the Legislature has removed the courts from concurrent jurisdiction and minimum sentencing and this was done with the concurrence of the court. Representative O'Connor replied that in 1966, when the law was changed, the law was changed from providing that courts with the ability to have minimum sentencing or do the minimum sentencing to give the job to the Parole Board.

Representative R. Garcia rose and spoke against the bill as follows:

"This bill would take away the present powers of the Board of Pardons and Pardons to fix and re-fix minimum sentence on inmates. It would further empower our courts to set minimum sentences as well as setting maximum sentences.

Let me clarify this bill further for those of us not fully aware of its implications. It was once long-standing and archaic practice for the Parole Board to merely recommend minimum sentences to the judges. The unfairness of this practice was evidenced by repeated documented instances where different judges set different minimums—for example, ranging from a few years to sixty years for a burglary charge. Criminal judgeship changes from year to year and coupled with the fact that judges are human--operating independently in setting sentences--we saw inequities in court determination of minimums.

In 1965, this Legislature passed Act 102. This law gave the Parole Board the power and responsibility to set minimum sentences. It was a shift of responsibility, interestingly, supported by the courts. Many others cited that Act 102 was a move in stride with the desirable philosophy that courts should adjudicate the guilt or innocence of individuals—not administer corrections. Minimum sentencing is a prognosis of an inmate's behavior—a correctional, rather than a punitive tool.

In late 1967, the State contracted the National Council on Crime and Delinquency to do a major study of our corrections system. The study, "Correction in Hawaii" was completed in 1969. I read to you part of that study:

'The Parole Board should not be hampered by arbitrary legislative rules for eligibility based upon offense, length of imprisonment, or other factors which, however important, are by no means conclusive without reference to other circumstances.'

It was also a recommendation of the study that the Board of Pardons and Pardons should be given sole and exclusive authority to grant or revoke parole.

Further, this very Legislature in 1970 passed House Bill 1979 which was approved and enacted as Act 179 of 1970. This Act mandated the development of the correctional master plan which was to be in accordance with the recommendations of the National Council's study.

So much for the record, Mr. Speaker.

What House Bill 688, HD 1 would do is revert the power of setting minimum sentences back to the courts. This bill before us calls for reversing a painfully slow, yet so desired trend toward the end of rehabilitative corrections, and away from punitive corrections.

First, this bill places a premium on punishment. We see in this bill the use of retribution as a tool to solve our social problems. Mr. Speaker, 'punishment' and 'retribution' are ugly words. They are words counter to the whole concept of our correctional and rehabilitative

programs. The idea behind minimum sentence should be correctional and not punitive.

Secondly, with the shift of power to set minimum sentence to the courts will come added administrative burdens to an already over-burdened judiciary. The courts are crowded; our judges' caseloads are increasingly heavy. We see more and more the use of plea-bargaining. And as our population and crime rates grow, this burden shall become heavier and heavier. The courts are not designed to handle any administrative functions such as corrections.

Thirdly, this bill would complicate the parole procedures. Prison staff reports would have to be made to the Parole Board. The Board would have to review and interview the candidate. Then the Board would report to the court. And only then would the court make a decision. As it stands now, the Board takes direct action, better facilitating a more speedy and efficient corrections program.

Finally, the present practice of allowing the Parole Board to decide minimum sentence sets a kind of review over the judge's power in deciding the fate of a person's life. And, conversely, the court presently stands as a means for appeal by a prisoner not happy with a Parole Board decision.

Mr. Speaker, we all don't want crime. But to stop crime by keeping people in jail is a grossly backward and primitive step. A prisoner is nonetheless a human being. We should have the decency of allowing that person all the opportunity and incentive toward rehabilitation. This bill sadly ignores that decency, Mr. Speaker.

I urge all members of this House to vote against House Bill 688, HD 1."

The motion to pass H.B. No. 688 on Third Reading was put by the Chair and was carried by a roll call vote of 36 ayes to 13 noes, with Representatives Aduja, Ajifu, Aki, A. Chong, W. Chong, Cobb, R. Garcia, Hapai, Lee, Leopold, Lunasco, Wong and Yim voting no and Representatives Carroll and Fong being excused.

Third Reading of H.B. No. 2029.

On motion by Representative O'Connor, seconded by Representative Kimura, H.B. No. 2029 passed Third Reading by a vote of 49 ayes, with Representatives Carroll and Fong being excused.

Third Reading of H.B. No. 997.

On motion by Representative O'Connor, seconded by Representative Kimura, H.B. No. 997 passed Third Reading by a vote of 49 ayes, with Representatives Carroll and Fong being excused.

Third Reading of H.B. No. 1170.

On motion by Representative O'Connor, seconded by Representative Kimura, H.B. No. 1170 passed Third Reading by a vote of 49 ayes, with Representatives Carroll and Fong being excused.

Third Reading of H.B. No. 1313.

On motion by Representative O'Connor, seconded by Representative Kimura, H.B. No. 1313 passed Third Reading by a vote of 49 ayes, with Representatives Carroll and Fong being excused.

Third Reading of H.B. No. 1178.

On motion by Representative O'Connor, seconded by Representative Kimura, H.B. No. 1178 passed Third Reading by a vote of 49 ayes, with Representatives Carroll and Fong being excused.

Third Reading of H.B. No. 970.

On motion by Representative Yap, seconded by Representative Medina, H.B. No. 970 passed Third Reading by a vote of 47 ayes, with Representatives Iha and Roehrig voting no and Representatives Carroll and Fong being excused.

Third Reading of H.B. No. 876.

On motion by Representative Suwa, seconded by Representative Akizaki, H.B. No. 876 passed Third Reading by a vote of 49 ayes, with Representatives Carroll and Fong being excused.

Third Reading of H.B. No. 1147.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, H.B. No. 1147 was recommitted to the Committee on Finance.

Third Reading of H.B. No. 1255.

On motion by Representative O'Connor, seconded by Representative Kimura, H.B. No. 1255 passed Third Reading by a vote of 49 ayes, with Representatives Carroll and Fong being excused.

At 1:29 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

At 1:30 o'clock p.m., the House of Representatives reconvened.

**DISPOSITION OF MATTERS
PLACED ON THE CLERK'S DESK**

By unanimous consent, H.B. No. 340,

SD 1, was taken from the Clerk's desk.

Representative Suwa moved that the House agree to the amendments proposed by the Senate to H.B. No. 340 and that H.B. No. 340, as amended, pass Final Reading, seconded by Representative Akizaki.

The motion was put by the Chair and carried, and H.B. No. 340, as amended, passed Final Reading by a vote of 49 ayes, with Representatives Carroll and Fong being excused.

The Chair directed the Clerk to note that H.B. No. 340 had passed Final Reading at 1:32 o'clock p.m.

At 1:38 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 2, 1973.

52ND DAY

Monday, April 2, 1973

The House of Representatives of the Seventh Legislature of the State of Hawaii, Regular Session of 1973, was called to order at 11:00 o'clock a.m.

The Speaker presided.

The Divine Blessing was invoked by The Reverend Clifford Hoff of the University Avenue Baptist Church.

Roll call of the members of the House of Representatives showed that all members were present with the exception of Representatives Kato, Kawakami, Kimura, O'Connor, Roehrig and Wakatsuki, 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.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Mess. Nos. 63 and 64) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Mess. No. 63) transmitting copies of a report prepared by the University of Hawaii in response to Senate Resolution No. 99 of the Regular Session of 1972, requesting a feasibility study of cooperative educational programs at all campuses of the University system, was placed on file.

A message from the Governor (Gov. Mess. No. 64) transmitting copies of the annual report of the Marine Affairs Coordinator prepared pursuant to Section 3(k) of Act 137, Session Laws of 1970, was placed on file.

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

Representative Oda introduced 10 Girl Scouts of Troop 149 from Mililani Town.

Representative Kihano introduced the

Honorable L. H. Benson, a member of the House of Representatives of the Oklahoma State Legislature and Dr. Smith, a staff member.

The Chair then appointed Representatives Nakama, Kondo and Oda to escort Representative Benson to the rostrum whereupon he addressed the members of the House.

At this time, the Chair directed the Clerk to note the presence of Representatives Kato, Kawakami, Kimura, O'Connor, Roehrig and Wakatsuki.

ORDER OF THE DAY

COMMITTEE REFERRALS

The following bills (S.B. Nos. 660, 823, 930, 995 and 1024) were disposed of as follows:

S.B. No. 660 was referred to the Committee on Judiciary.

S.B. No. 823 was referred to the Committee on Environmental Protection and after consideration by it, the Committee was instructed to refer the bill to the Committee on Judiciary.

S.B. No. 930 was referred to the Committee on Water, Land Use and Development.

S.B. No. 995 was referred to the Committee on Health.

S.B. No. 1024 was referred to the Committee on Finance.

DEFERRED RESOLUTIONS

The following resolution (H.R. No. 430) and concurrent resolution (H.C.R. No. 103) were disposed of as follows:

H.R. No. 430 was referred to the Committee on Education and after consideration by it, the Committee was instructed to refer the resolution to the Committee on Finance.

H.C.R. No. 103 was referred to the Committee on Judiciary and after consideration by it, the Committee was instructed to refer the concurrent resolution to the Committee on Finance.

COMMITTEE REASSIGNMENT

H.B. No. 91 which had been referred to the Committee on Housing and to the Committee on Finance on January 23, 1973, was referred solely to the Committee on Housing.

H.B. No. 92 which had been referred to the Committee on Housing and to the Committee on Finance on January 23, 1973, was referred solely to the Committee on Housing.

STANDING COMMITTEE REPORTS

Representative Akizaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 543) informing the House that House Resolution Nos. 422 to 430, House Concurrent Resolution No. 103, and Standing Committee Report Nos. 544 to 569, have been printed and distributed.

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

Representative Lunasco, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 544) approving the intent and purpose of H.R. No. 258 and recommending its referral to the Committee on Finance.

On motion by Representative Lunasco, seconded by Representative Takamine and carried, the report of the Committee was adopted and H.R. No. 258 was referred to the Committee on Finance.

Representative Lunasco, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 545) approving the intent and purpose of H.R. No. 276 and recommending its referral to the Committee on Finance.

On motion by Representative Lunasco, seconded by Representative Takamine and carried, the report of the Committee was adopted and H.R. No. 276 was referred to the Committee on Finance.

Representative Kato, for the Committee on Public Welfare and Assistance, presented a report (Stand. Com. Rep. No. 546) approving the intent

and purpose of H.R. No. 404 and recommending its referral to the Committee on Finance.

On motion by Representative Kato, seconded by Representative Kunimura and carried, the report of the Committee was adopted and H.R. No. 404 was referred to the Committee on Finance.

Representative Kato, for the Committee on Public Welfare and Assistance, presented a report (Stand. Com. Rep. No. 547) approving the intent and purpose of H.C.R. No. 100 and recommending its referral to the Committee on Finance.

On motion by Representative Kato, seconded by Representative Kunimura and carried, the report of the Committee was adopted and H.C.R. No. 100 was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 548) approving the intent and purpose of H.R. No. 369 and recommending its referral to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.R. No. 369 was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 549) approving the intent and purpose of H.C.R. No. 97 and recommending its referral to the Committee on Finance with certain amendments.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.C.R. No. 97, as amended, was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 550) approving the intent and purpose of H.B. No. 1635 and recommending its referral to the Committee on Finance with certain

amendments.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 1635, as amended, was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 551) approving the intent and purpose of H.B. No. 1755 and recommending its passage on Second Reading and its referral to the Committee on Judiciary.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 1755 passed Second Reading and was referred to the Committee on Judiciary.

Representative Sakima, for the Committee on Education, presented a report (Stand. Com. Rep. No. 552) approving the intent and purpose of H.B. No. 932 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative Sakima, seconded by Representative Young and carried, the report of the Committee was adopted and H.B. No. 932, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Young, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 553) approving the intent and purpose of H.B. No. 612 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative Young, seconded by Representative Yuen and carried, the report of the Committee was adopted and H.B. No. 612, 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. 554) approving the intent and purpose of H.B. No. 127 and recommending its

passage on Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 554 on H.B. No. 127 was deferred until tomorrow, April 5, 1973.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 555) approving the intent and purpose of H.B. No. 218 and recommending its passage on Third Reading with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 555 on H.B. No. 218, as amended, was deferred until tomorrow, April 5, 1973.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 556) approving the intent and purpose of H.B. No. 1326 and recommending its passage on Third Reading with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 556 on H.B. No. 1326, as amended, was deferred until tomorrow, April 5, 1973.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 557) approving the intent and purpose of H.B. No. 320 and recommending its passage on Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 557 on H.B. No. 320 was deferred until tomorrow, April 5, 1973.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 558) approving the intent and purpose of H.B. No. 1143 and recommending its passage on Second Reading with certain amendments.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 1143, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 5, 1973.

Representative Suwa, for the

Committee on Finance, presented a report (Stand. Com. Rep. No. 559) approving the intent and purpose of S.B. No. 90 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. 90, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 5, 1973.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 560) approving the intent and purpose of S.B. No. 163, SD 1, 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. 163 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 5, 1973.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 561) approving the intent and purpose of S.B. No. 125 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. 125 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 5, 1973.

Representative Iha, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 562) approving the intent and purpose of H.C.R. No. 89 and recommending its adoption with certain amendments.

On motion by Representative Takamine, seconded by Representative Iha and carried, the report of the Committee was adopted and H.C.R. No. 89, as amended, was adopted.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 563) approving the intent

and purpose of H.R. No. 363 and recommending its adoption.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, consideration of Stand. Com. Rep. No. 563 on H.R. No. 363 was deferred until the end of the calendar.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 564) approving the intent and purpose of H.C.R. No. 32 and recommending its adoption with certain amendments.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, consideration of Stand. Com. Rep. No. 564 on H.C.R. No. 32, as amended, was deferred until the end of the calendar.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 565) approving the intent and purpose of H.B. No. 1640 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. 1640, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 5, 1973.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 566) approving the intent and purpose of H.B. No. 1174 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. 1174, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 5, 1973.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 567)

approving the intent and purpose of S.B. No. 990 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. 990 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 5, 1973.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 568) approving the intent and purpose of H.B. No. 2025 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. 2025, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 5, 1973.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 569) approving the intent and purpose of H.B. No. 1852 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. 1852, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 5, 1973.

The Chair directed the Clerk to note that H.B. Nos. 1143, 1640, 1174, 2025 and 1852 and S.B. Nos. 90, 163, 125 and 990 had passed Second Reading not later than 11:16 o'clock a.m.

The Chair then directed the Clerk to note that printed copies of H.B. No. 127; H.B. No. 218, HD 2; H.B. No. 1326, HD 2 and H.B. No. 320 were made available to the members of the House at 11:16 o'clock a.m., in accordance with Article III, Section 16, of the Constitution of the State of Hawaii.

At 11:17 o'clock a.m., the Chair

declared a recess, subject to the call of the Chair.

At 1:17 o'clock p.m., the House of Representatives reconvened.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 431 to 436) and concurrent resolution (H.C.R. No. 104) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 431) extending congratulations and warmest best wishes to Mr. George Robello upon his retirement from the Department of Education, Maui District, after many years of dedicated service was jointly offered by Representatives Medina, Aduja, Ajifu, Akizaki, Amaral, A. Chong, W. Chong, Cobb, de la Cruz, J. Garcia, R. Garcia, Hapai, Iha, Kato, Kawakami, Kihano, Kimura, King, Kishinami, Kondo, Kunimura, Lee, Leopold, Lunasco, Medeiros, Morioka, Nakama, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim, Young, Yuen and Beppu.

On motion by Representative Medina, seconded by Representative Kondo and carried, H.R. No. 431 was adopted.

A resolution (H.R. No. 432) congratulating Mr. Robert Hashimoto for the Silver Beaver Award awarded him by the Boy Scouts of America, Aloha Council was jointly offered by Representatives Kihano, Aduja, Ajifu, Aki, Akizaki, Amaral, Carroll, A. Chong, Cobb, de la Cruz, Fong, J. Garcia, R. Garcia, Hapai, Iha, Kato, Kawakami, Kimura, King, Kishinami, Kondo, Kunimura, Lee, Leopold, Lunasco, Medeiros, Morioka, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim, Young and Yuen.

On motion by Representative Kihano, seconded by Representative Kishinami and carried, H.R. No. 432 was adopted.

A resolution (H.R. No. 433) congratulating Mr. Donald Nesser, Mr. Yoshiaki Sonoda, Mr. David Reither, and Mrs. Sarah Solomon for the Award of Merit awarded them by the Boy Scouts of

America, Aloha Council was jointly offered by Representatives Kihano, Aduja, Ajifu, Aki, Akizaki, Amaral, Carroll, A. Chong, Cobb, de la Cruz, Fong, J. Garcia, R. Garcia, Hapai, Iha, Kato, Kawakami, Kimura, King, Kishinami, Kondo, Kunimura, Lee, Leopold, Lunasco, Medeiros, Medina, Morioka, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim, Young and Yuen.

On motion by Representative Kihano, seconded by Representative Kishinami and carried, H.R. No. 433 was adopted.

A resolution (H.R. No. 434) congratulating Mrs. Wanda Okano, the sixth graders, and the student body at Waialae Elementary School was jointly offered by Representatives King, Aduja, Ajifu, Aki, Akizaki, Amaral, Carroll, A. Chong, W. Chong, Cobb, de la Cruz, Fong, J. Garcia, R. Garcia, Hapai, Iha, Kato, Kawakami, Kihano, Kimura, Kishinami, Kondo, Kunimura, Lee, Leopold, Lunasco, Medeiros, Medina, Morioka, Nakama, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim, Young, Yuen and Beppu.

On motion by Representative King, seconded by Representative Kato and carried, H.R. No. 434 was adopted.

A resolution (H.R. No. 435) extending warmest regards and best wishes to Major Tom Tamotsu Shingaki on his release from North Vietnam and his return home to Hawaii was jointly offered by Representatives Amaral, Aduja, Ajifu, Aki, Akizaki, Carroll, A. Chong, W. Chong, Cobb, de la Cruz, Fong, J. Garcia, R. Garcia, Hapai, Iha, Kato, Kawakami, Kihano, Kimura, King, Kishinami, Kondo, Kunimura, Lee, Leopold, Lunasco, Medeiros, Medina, Morioka, Nakama, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim, Young, Yuen and Beppu.

On motion by Representative Amaral, seconded by Representative Medina and carried, H.R. No. 435 was adopted.

A resolution (H.R. No. 436) extending best wishes and warmest aloha to Captain Melvin Matsui on his release from North Vietnam and his return home to Hawaii was jointly offered by Representatives J. Garcia, Aduja, Ajifu, Aki, Akizaki, Amaral, Carroll, A. Chong, W. Chong, Cobb, de la Cruz, Fong, R. Garcia, Hapai, Iha, Kato, Kawakami, Kihano, Kimura, King, Kishinami, Kondo, Kunimura, Lee, Leopold, Lunasco, Medeiros, Medina, Morioka, Nakama, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim, Young, Yuen and Beppu.

On motion by Representative J. Garcia, seconded by Representative W. Chong and carried, H.R. No. 436 was adopted.

A concurrent resolution (H.C.R. No. 104) congratulating the National American Legion Convention was jointly offered by Representatives Kihano, Aduja, Ajifu, Aki, Akizaki, Amaral, Carroll, A. Chong, W. Chong, Cobb, de la Cruz, Fong, J. Garcia, R. Garcia, Hapai, Iha, Kato, Kawakami, Kimura, Kishinami, Kondo, Kunimura, Lee, Leopold, Lunasco, Medeiros, Morioka, Nakama, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim, Young, Yuen and Beppu.

On motion by Representative Yuen, seconded by Representative Kihano and carried, H.C.R. No. 104 was adopted.

By unanimous consent, the following resolution (H.R. No. 437) and concurrent resolutions (H.C.R. Nos. 105 and 106) were referred to the Committee on Legislative Management and further action was deferred until later on the calendar:

A resolution (H.R. No. 437) requesting the Department of Land and Natural Resources to set up a task force to conduct a study for a comprehensive legislation respecting preservation of historical objects and sites was offered by Representative Wasai.

A concurrent resolution (H.C.R. No. 105) requesting the Governor of Hawaii

to establish an Advisory Committee on International Business and Trade was jointly offered by Representatives Kawakami, R. Garcia, Kato, Lunasco, Roehrig and Takamine.

A concurrent resolution (H.C.R. No. 106) requesting the appointment of a joint interim committee to receive and report on the study conducted by the Probate Code Revision Committee of the Uniform Probate Code was jointly offered by Representatives O'Connor, Aduja, Carroll, Fong, Kawakami, Kihano, Kimura, King, Lee, Medeiros, Medina, Roehrig, Sakima, Wedemeyer, Yamada and Yap.

COMMITTEE REASSIGNMENT

H.B. No. 721 which had been referred to the Committee on Agriculture, to the Committee on Water, Land Use and Development and to the Committee on Finance on February 9, 1973, was referred solely to the Committee on Water, Land Use and Development.

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. 1240.

On motion by Representative Sakima, seconded by Representative Young, H.B. No. 1240 passed Third Reading by a vote of 50 ayes, with Representative Roehrig being excused.

Third Reading of H.B. No. 1166.

On motion by Representative O'Connor, seconded by Representative Kimura, H.B. No. 1166 passed Third Reading by a vote of 50 ayes, with Representative Roehrig being excused.

Third Reading of H.B. No. 115.

On motion by Representative O'Connor, seconded by Representative Kimura, H.B. No. 115 passed Third Reading by a vote of 50 ayes, with Representative Roehrig being excused.

Third Reading of H.B. No. 1526.

On motion by Representative O'Connor, seconded by Representative Kimura, H.B. No. 1526 passed Third Reading by a vote of 49 ayes to 1 no, with Representative Ajifu voting no and Representative Roehrig being excused.

Third Reading of H.B. No. 995.

On motion by Representative O'Connor, seconded by Representative Kimura, H.B. No. 995 passed Third Reading by a vote of 50 ayes, with Representative Roehrig being excused.

Third Reading of H.B. No. 1169.

On motion by Representative O'Connor, seconded by Representative Kimura, H.B. No. 1169 passed Third Reading by a vote of 50 ayes, with Representative Roehrig being excused.

Third Reading of H.B. No. 809.

By unanimous consent, consideration of H.B. No. 809 on Third Reading was deferred until the end of the calendar.

Third Reading of H.B. No. 135.

On motion by Representative O'Connor, seconded by Representative Kimura, H.B. No. 135 passed Third Reading by a vote of 50 ayes, with Representative Roehrig being excused.

Third Reading of H.B. No. 990.

On motion by Representative O'Connor, seconded by Representative Kimura, H.B. No. 990 passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 1240, 1166, 115, 1526, 995, 1169, 135 and 990 had passed Third Reading not earlier than 1:20 o'clock p.m.

UNFINISHED BUSINESS

Consideration of Stand. Com. Rep. No. 531 on H.B. No. 1896, as amended,

which had been deferred to this day.

Representative Wong moved that H.B. No. 1896, as amended, having been read throughout, pass Third Reading, seconded by Representative Sakima.

Representative Wong then rose and spoke for the passage of H.B. No. 1896, stating that a tighter surveillance program of new arrivals should be initiated because of the increase of incidences of tuberculosis and leprosy.

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1896, as amended, passed Third Reading by a vote of 51 ayes.

Consideration of Stand. Com. Rep. No. 541 on H.B. No. 15, as amended, which had been deferred to this day.

Representative O'Connor moved that H.B. No. 15, as amended, having been read throughout, pass Third Reading, seconded by Representative Kimura.

Representative Yim then rose and inquired whether Representative O'Connor would yield to questions to which Representative O'Connor replied in the affirmative.

Representative Yim then inquired whether the present adverse possession laws permit anyone going into the real property of another and then using that property as if he owns it and if there is no interference, interruption or complaint by the real owner, after ten years the person may claim ownership.

Representative O'Connor then responded by stating that the requirements for possession by adverse possession are that there be open, notorious possession and use of property for an excess of ten years. He further stated that each case litigated would depend upon the facts of the individual case as to the circumstances. "The facts stated by the previous speaker may under certain circumstances carry the burden of proof in a certain instance. However, I cannot say that in every instance that factual circumstance would set up a case of adverse possession."

Representative Yim then inquired:

"Again, the key concern in the present laws of adverse possession is the use by one of another's property for ten years in such a way as if he owns that property, posting signs like no trespassing, fencing, possibly leasing to another and if there be no objections and no action by the real owner, can that person claim ownership after ten years?"

Representative O'Connor responded:

"He might be able to, Mr. Speaker. It depends entirely upon the circumstances in which he enters the property, how he held it, whether or not someone else came on the property in the interim period. For example, if I invited the previous speaker to use my backyard and he used it for ten years in the fashion that he has described, it would not be adverse possession because he enters the property upon my invitation. Therefore, there can be no adverse possession. So it would depend entirely upon the set of facts in each individual case. Adverse possession cases are generally extremely complicated with many patterns of factual circumstances and the facts complicate adverse possession tremendously.

Under present law, it requires the open, notorious, continued possession of property for an excess of ten years and the factual patterns that go into that legal makeup are complicated and diverse and sometimes people in a situation as Mr. Yim points out might sustain an action for title and sometimes they may not. It depends entirely upon the facts and the circumstances of the case."

Representative Yim inquired:

"Would it be possible if one were to in every way fulfill what you may consider adverse possession which will entitle the one to claim ownership of another, if anytime before the ten years are up and the real owner takes action and claims ownership of the potential contested parcel of property, can adverse possession take effect?"

Representative O'Connor replied:

"Mr. Speaker, that is an extremely complicated question. The answer is yes and no. It depends entirely upon the facts again. How does the actual owner come upon the property? What does he do to

dispell any claims of adverse possession? What has the original person done in advance to establish his claim? This area of law is complex and it is difficult to say from factual circumstances but, in general, if the owner comes upon the land after a period of time where adverse possession has been attempted and ejects by legal action the trespasser from the land and takes possession of it, then generally the adverse possession suit fails and I have to say generally.”

Representative Yim then inquired:

“Based on what was just said by the previous speaker, even if this law passes, what you just said is also true that one cannot exercise his right even with this amendment on the adverse possession law?”

Representative O'Connor replied:

“Mr. Speaker, this amendment has nothing to do with the question asked by the prior speaker. This amendment goes solely to the situation that exists when a person goes upon a land and the requirements for that person to either possess in order to establish adverse possession or to terminate a period of adverse possession. This amendment has to do with the intent of the person going upon the land. The intent required by the amendment is that the going upon be in good faith. Good faith can be shown in many different respects and in this particular aspect, we would require good faith of one going on the land so that a casual invader of a person's property cannot later claim by adverse possession unless sometime along the line he establishes his presence by good faith.”

Representative Yim then inquired:

“Does the adverse possession requirement of ten years or longer on the part of the adverse possession laws change?”

Representative O'Connor responded:

“Mr. Speaker, this bill does not go to that point. We have a separate bill which we have been considering and a Senate bill has come over on that matter. The answer is no—this bill does not have to do with that particular aspect of adverse possession.”

The motion was put by the Chair and H.B. No. 15, as amended, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 1896 had passed Third Reading at 1:27 o'clock p.m. and H.B. No. 15 had passed Third Reading at 1:34 o'clock p.m.

At 1:35 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

At 1:43 o'clock p.m., the House of Representatives reconvened.

STANDING COMMITTEE REPORTS

Representative King, for the majority of the Committee on Environmental Protection, presented a report (Stand. Com. Rep. No. 570) approving the intent and purpose of H.C.R. No. 69 and recommending its referral to the Committee on Finance with certain amendments.

At this time, Representative Suwa waived referral of H.C.R. No. 69, as amended, to the Committee on Finance, seconded by Representative Akizaki and carried.

Representative King then moved that the report of the majority of the Committee be adopted and H.C.R. No. 69, as amended, be adopted, seconded by Representative Roehrig.

Representative King then rose and spoke in favor of the resolution, as follows:

“Salt Lake, Aliapaakai, has been a matter of controversy a long time.

However, we've come a long way in our realization of how fragile and very precious our environment is, particularly here in Hawaii with its limited land area.

Salt Lake is unique. It's the only one we've got. It's a wildlife habitat for waterbirds, particularly endangered species—the Hawaiian stilt and Hawaiian coot, as well as the koloa (Hawaiian duck) and alae ula (Hawaiian gallinule).

It's part of our historical and cultural heritage. Hawaiian legends mention it as

the first house of the Goddess Pele, and early Hawaiians talked of an entrance to the realm of ancestral spirits located there.

Since the permit to fill in the Lake was first issued in 1966 for a golf course that was scheduled to be completed in 1968 but hasn't yet been begun except for some filling in, there has been this growing awareness of what a special kind of open and recreational space the Lake and the shoreline and backshore area around it offers, not just to the residents of Salt Lake but to all of us, underscored by the fact that it was listed as a top priority item for State acquisition in the Open Space Plan mandated by this Legislature and prepared by Stewart Udall's Overview Corporation.

The one thing on which there is no disagreement is the desperate need of the people in the Salt Lake area, particularly the children, for parks and open space. A private golf course would be fine, there's no denying that, for those who could afford the \$3,000 or whatever fee to join, but certainly would not benefit the majority there, and particularly not the children.

The resolution asks that the Board of Land AND Natural Resources promptly re-examine, in light of all that has happened since 1966, the permit it granted that year to fill in the Lake for a golf course.

The other thing this resolution does is to ask that the Department of Planning and Economic Development, together with the Department of Land and Natural Resources, study the feasibility of acquiring the Lake and the remaining shoreline and backshore area as a State treasure for preservation as open space, a wildlife resource and for recreational purposes.

In March of last year, the Department of Planning and Economic Development prepared one report on Salt Lake. In that report they stated they were continuing their study and looking into the possibilities of utilizing various federal and state sources for funds if acquisition were deemed desirable. So, in one sense, the study was begun a year ago with the stated intent to continue exploration in this area and much of the data should already be available.

It is actually, then, quite a simple resolution in what it asks. The important thing that it does is underscore our growing awareness and recognition of the special value of certain unique resources that we have in terms of both our past (our historical and cultural heritage) and our future, and consider the option that we should not wipe them out forever simply in terms of old narrow values.

I urge all of the members of this Honorable Body to vote in favor of this resolution.

Thank you."

Representative Uechi then offered the following amendment to H.C.R. No. 69, HD 1:

"H.C.R. No. 69, HD 1, is amended to add the following BE IT FURTHER RESOLVED clause between the first and second BE IT FURTHER RESOLVED clauses:

'BE IT FURTHER RESOLVED that the legislature provide funds in this legislative session, through an appropriation in the General Appropriations Bill for the 1973-75 biennium or in such bill appropriating funds for capital investments as would otherwise have been included in the General Appropriations Bill, for the acquisition of Salt Lake and its preservation as open space, a wildlife resource and for recreational purposes; and'."

At 1:50 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

At 2:04 o'clock p.m., the House of Representatives reconvened.

Representative Uechi then moved that the amendment be adopted, seconded by Representative Wong.

Representative Uechi spoke in favor of the amendment, as follows:

"Mr. Speaker, this amendment calls for the commitment of the Seventh Legislature to appropriate adequate sums in the General Appropriations budget to acquire Salt Lake and its adjoining area cited in House Concurrent Resolution No. 69, HD 1. Your commitment to this

effort to save Salt Lake by this resolution without the monetary appropriation renders this resolution useless.”

Representative King then rose and spoke against the resolution stating that the amendment at this time is premature in terms of what the resolution calls for.

She further stated: “What the resolution asks is that the Department of Land and Natural Resources re-examine the permit that was granted to the developer in 1966 to fill in the Lake for a golf course.

The second part of the resolution asks that the Department of Planning and Economic Development and the Department of Land and Natural Resources examine the feasibility of the State acquiring the Lake. We don’t know at this time what the study will show as the most desirable alternative. We need to know what the study shows before we can decide how much or if we should appropriate any funds. Because I think it is presumptuous and premature, I urge that we vote against this amendment.”

The motion to adopt the amendment was put by the Chair and roll call having been requested, the amendment failed to carry by a vote of 27 noes to 24 ayes, with Representatives Aduja, Ajifu, Aki, Amaral, Carroll, W. Chong, Cobb, Fong, J. Garcia, R. Garcia, Hapai, Kato, Leopold, Lunasco, Medeiros, Oda, Poepoe, Saiki, Soares, Uechi, Wasai, Wong, Yamada and Yim voting aye.

Representative Fong then rose and inquired whether Representative King would yield to questions, to which Representative King replied in the affirmative.

Representative Fong then inquired how many public hearings were held on this particular resolution.

Representative King replied that one hearing was held on this particular resolution and a hearing was held on another resolution relating to Salt Lake.

Representative Fong further inquired whether the persons who testified were in favor of the resolution to which Representative King replied that there was only one person who was against the resolution.

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. 69, as amended, was adopted.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 571) approving the intent and purpose of H.B. No. 877 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. 877, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 3, 1973.

The Chair directed the Clerk to note that H.B. No. 877 passed Second Reading at 2:10 o’clock p.m.

DEFERRED MATTERS

Consideration of Stand. Com. Rep. No. 563 on H.R. No. 363 which had been deferred to this time.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.R. No. 363 was adopted.

Consideration of Stand. Com. Rep. No. 564 on H.C.R. No. 32, as amended, which had been deferred to this time.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.C.R. No. 32, as amended, was adopted.

Consideration of H.B. No. 809 on Third Reading which had been deferred to this time.

Representative O’Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 572) which replaces Stand. Com. Rep. No. 537, approving the intent and purpose of H.B. No. 809 and recommending its passage on Third Reading with certain amendments.

Representative O’Connor moved to amend Stand. Com. Rep. No. 537 by substituting Stand. Com. Rep. No. 572

and to pass H.B. No. 809, as amended, on Third Reading, seconded by Representative Kimura.

Representative O'Connor then explained that on Page 4 of Stand. Com. Rep. No. 572, the words "these to include recent decisions of the Supreme Court of Hawaii concerning poll watchers' ability to report election progress from the polls" were added to insure that the law established by the Supreme Court of Hawaii in recent decisions regarding poll watchers' activities will be incorporated in the rules and regulations promulgated by the Chief Election Officer.

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 572 was adopted and H.B. No. 809 passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 809 passed Third Reading at 2:14 o'clock p.m.

At 2:15 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

At 2:16 o'clock p.m., the House of Representatives reconvened.

DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

By unanimous consent, H.B. No. 470,

as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, H.B. No. 470, as amended, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 470 had passed Final Reading at 2:18 o'clock p.m.

By unanimous consent, H.B. No. 637, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Yap, seconded by Representative Suwa and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 637, 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 2:29 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 3, 1973.

53RD DAY

Tuesday, April 3, 1973

The House of Representatives of the Seventh Legislature of the State of Hawaii, Regular Session of 1973, was called to order at 11:00 o'clock a.m.

The Speaker presided.

The Divine Blessing was invoked by The Reverend Howard Kishpaugh of St. Timothy's Episcopal Church.

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-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 MESSAGES

The following messages from the Governor (Gov. Mess. Nos. 65 and 66) were read by the Clerk and disposed of as follows:

A message from the Governor (Gov. Mess. No. 65) transmitting copies of "Na Ala Hele" (Trails for Walking) prepared by the Department of Planning and Economic Development and the Department of Land and Natural Resources was placed on file.

A message from the Governor (Gov. Mess. No. 66) transmitting copies of "Community Profiles and Area Profiles for Hawaii" prepared by the Department of Planning and Economic Development was placed on file.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 86 to 106) were read by the Clerk and disposed of as follows:

A communication from the Senate (Sen. Com. No. 86) returning House Concurrent Resolution No. 82 which was adopted by the Senate on April 2, 1973 was placed on file.

A communication from the Senate (Sen. Com. No. 87) returning House Bill No. 1141 which passed Third Reading in the Senate on April 2, 1973 was placed on file.

A communication from the Senate (Sen. Com. No. 88) returning House Bill No. 1875 which passed Third Reading in the Senate on April 2, 1973 was placed on file.

A communication from the Senate (Sen. Com. No. 89) transmitting Senate Resolution No. 228, adopted by the Senate, respectfully requesting the House of Representatives of the Seventh Legislature of the State of Hawaii to return S.B. No. 1024 to the Senate for reconsideration was placed on file.

By unanimous consent, the House honored the request of the Senate.

A communication from the Senate (Sen. Com. No. 90) transmitting Senate Concurrent Resolution No. 37, SD 1 which was adopted by the Senate on April 2, 1973 was placed on file.

A communication from the Senate (Sen. Com. No. 91) transmitting Senate Concurrent Resolution No. 38 which was adopted by the Senate on April 2, 1973 was placed on file.

A communication from the Senate (Sen. Com. No. 92) transmitting Senate Concurrent Resolution No. 39, SD 1 which was adopted by the Senate on April 2, 1973 was placed on file.

A communication from the Senate (Sen. Com. No. 93) transmitting Senate Concurrent Resolution No. 40 which was adopted by the Senate on April 2, 1973 was placed on file.

A communication from the Senate (Sen. Com. No. 94) transmitting Senate Concurrent Resolution No. 41 which was adopted by the Senate on April 2, 1973 was placed on file.

A communication from the Senate (Sen. Com. No. 95) transmitting Senate Concurrent Resolution No. 47 which was adopted by the Senate on April 2, 1973 was placed on file.

By unanimous consent, action on

S.C.R. Nos. 37, 38, 39, 40, 41 and 47 was deferred until later on the calendar.

A communication from the Senate (Sen. Com. No. 96) transmitting Senate Bill No. 227, SD 1, entitled: "A Bill for an Act relating to the relief of certain persons' claims against the State and providing appropriations therefor" which passed Third Reading in the Senate on April 2, 1973 was placed on file.

A communication from the Senate (Sen. Com. No. 97) transmitting Senate Bill No. 228, SD 1, entitled: "A Bill for an Act relating to the compensation for certain persons under the Criminal Injuries Compensation Act and providing appropriations therefor" which passed Third Reading in the Senate on April 2, 1973 was placed on file.

A communication from the Senate (Sen. Com. No. 98) transmitting Senate Bill No. 415 entitled: "A Bill for an Act relating to the transfer of public employment program personnel" which passed Third Reading in the Senate on April 2, 1973 was placed on file.

A communication from the Senate (Sen. Com. No. 99) transmitting Senate Bill No. 748, SD 2, entitled: "A Bill for an Act relating to the bonus for pensioners" which passed Third Reading in the Senate on April 2, 1973 was placed on file.

A communication from the Senate (Sen. Com. No. 100) transmitting Senate Bill No. 931, SD 1, entitled: "A Bill for an Act relating to public employment" which passed Third Reading in the Senate on April 2, 1973 was placed on file.

A communication from the Senate (Sen. Com. No. 101) transmitting Senate Bill No. 1202, SD 1, entitled: "A Bill for an Act relating to post retirement allowances" which passed Third Reading in the Senate on April 2, 1973 was placed on file.

A communication from the Senate (Sen. Com. No. 102) transmitting Senate Bill No. 1221, SD 2, entitled: "A Bill for an Act relating to the Public Employees Health Fund" which passed Third Reading in the Senate on April 2, 1973 was placed on file.

A communication from the Senate

(Sen. Com. No. 103) transmitting Senate Bill No. 1227, SD 1, entitled: "A Bill for an Act relating to the distribution of State tax funds" which passed Third Reading in the Senate on April 2, 1973 was placed on file.

A communication from the Senate (Sen. Com. No. 104) transmitting Senate Bill No. 1283, SD 1, entitled: "A Bill for an Act relating to taxation" which passed Third Reading in the Senate on April 2, 1973 was placed on file.

A communication from the Senate (Sen. Com. No. 105) transmitting Senate Bill No. 1284, SD 1, entitled: "A Bill for an Act relating to special funds of the State" which passed Third Reading in the Senate on April 2, 1973 was placed on file.

On motion by Representative Ushijima, seconded by Representative J. Garcia and carried, S.B. Nos. 227, 228, 415, 748, 931, 1202, 1221, 1227, 1283 and 1284 passed First Reading by title and further action was deferred until later on the calendar.

A communication from the Senate (Sen. Com. No. 106) transmitting Senate Bill No. 1295, SD 1, entitled: "A Bill for an Act relating to the State budget" which passed Third Reading in the Senate on April 2, 1973 was placed on file.

Representative R. Garcia rose on a point of order and inquired from the Chair the vote count of S.B. No. 1295, SD 1 as passed by the Senate. The Chair replied that the vote in the Senate was 15 ayes to 10 noes.

Representative R. Garcia then stated:

"Section III of the State Constitution reads in part: 'Bonds may be issued by the State when authorized by a two-thirds vote of the members to which each House of the Legislature is entitled, provided that such bonds at the time of authorization would not cause the total of the State indebtedness to exceed a sum equal to three and one-half times the average of the general fund.'"

Representative R. Garcia then asked the Chair if S.B. No. 1295, SD 1 contains items of bond authorization. The Chair replied in the affirmative. Representative R. Garcia then inquired if the measure

should then require a two-thirds vote for proper passage of the bill. The Chair then replied that he is not able to speak for the Senate and that the House will accept all transmittals of communications from the Senate.

By unanimous consent, consideration of S.B. No. 1295 was deferred to the end of the calendar.

MISCELLANEOUS COMMUNICATION

A communication from Alan Rosenthal (Misc. Com. No. 43) acknowledging receipt of H.C.R. No. 92 was placed on file.

ORDER OF THE DAY

COMMITTEE REFERRALS

The following bills (S.B. Nos. 227, 228, 415, 748, 931, 1202, 1221, 1227, 1283 and 1284) were disposed of as follows:

S.B. No. 227 was referred to the Committee on Finance.

S.B. No. 228 was referred to the Committee on Finance.

S.B. No. 415 was referred to the Committee on Finance.

S.B. No. 748 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 Finance.

S.B. No. 931 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 Finance.

S.B. No. 1202 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 Finance.

S.B. No. 1221 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 Finance.

S.B. No. 1227 was referred to the Committee on Finance.

S.B. No. 1283 was referred to the Committee on Finance.

S.B. No. 1284 was referred to the Committee on Finance.

DEFERRED RESOLUTIONS

The following resolution (H.R. No. 437) and concurrent resolutions (H.C.R. Nos. 105 and 106 and S.C.R. Nos. 37, 38, 39, 40, 41 and 47) were disposed of as follows:

H.R. No. 437 was referred to the Committee on Water, Land Use and Development and after consideration by it, the Committee was instructed to refer the resolution to the Committee on Finance.

H.C.R. No. 105 was referred to the Committee on Water, Land Use and Development and after consideration by it, the Committee was instructed to refer the concurrent resolution to the Committee on Finance.

H.C.R. No. 106 was referred to the Committee on Judiciary.

S.C.R. No. 37 was referred to the Committee on Agriculture.

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

S.C.R. No. 39 was referred to the Committee on Agriculture.

S.C.R. No. 40 was referred to the Committee on Agriculture.

S.C.R. No. 41 was referred to the Committee on Agriculture.

S.C.R. No. 47 was referred to the Committee on Water, Land Use and Development.

COMMITTEE REASSIGNMENT

H.B. No. 68 which was referred to the Committee on Agriculture and to the Committee on Finance on January 23, 1973 was referred solely to the Committee on Agriculture.

STANDING COMMITTEE REPORTS

Representative Akizaki, for the Committee on Legislative Management,

presented a report (Stand. Com. Rep. No. 573) informing the House that House Resolution Nos. 431 to 437, House Concurrent Resolution Nos. 104 to 106, Standing Committee Report Nos. 570 to 572, and Standing Committee Report Nos. 574 to 595 had been printed and distributed.

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

Representative Wasai, for the Committee on Parks, Fish and Game Management, presented a report (Stand. Com. Rep. No. 574) approving the intent and purpose of H.R. No. 213 and recommending its referral to the Committee on Finance.

On motion by Representative Wasai, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.R. No. 213 was referred to the Committee on Finance.

Representative Wasai, for the Committee on Parks, Fish and Game Management, presented a report (Stand. Com. Rep. No. 575) approving the intent and purpose of H.R. No. 323 and recommending its referral to the Committee on Finance.

On motion by Representative Wasai, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.R. No. 323 was referred to the Committee on Finance.

Representative Sakima, for the Committee on Education, presented a report (Stand. Com. Rep. No. 576) approving the intent and purpose of H.R. No. 396 and recommending its referral to the Committee on Finance.

On motion by Representative Sakima, seconded by Representative Young and carried, the report of the Committee was adopted and H.R. No. 396 was referred to the Committee on Finance.

Representative Sakima, for the Committee on Education, presented a report (Stand. Com. Rep. No. 577) approving the intent and purpose of H.R. No. 409 and recommending its referral to the Committee on Finance.

On motion by Representative Sakima, seconded by Representative Young and carried, the report of the Committee was adopted and H.R. No. 409 was referred to the Committee on Finance.

Representative Sakima, for the Committee on Education, presented a report (Stand. Com. Rep. No. 578) approving the intent and purpose of H.R. No. 137 and recommending its referral to the Committee on Higher Education.

On motion by Representative Sakima, seconded by Representative Young and carried, the report of the Committee was adopted and H.R. No. 137 was referred to the Committee on Higher Education.

Representative Iha, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 579) approving the intent and purpose of H.R. No. 420 and recommending its referral to the Committee on Finance.

On motion by Representative Iha, seconded by Representative Nakama and carried, the report of the Committee was adopted and H.R. No. 420 was referred to the Committee on Finance.

Representative Iha, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 580) approving the intent and purpose of S.B. No. 51, SD 2 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Iha, seconded by Representative Nakama and carried, the report of the Committee was adopted and S.B. No. 51 passed Second Reading and was referred to the Committee on Finance.

Representative Iha, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 581) approving the intent and purpose of S.B. No. 1152, SD 2 and recommending its passage on Second Reading and its referral to the Committee on Judiciary.

On motion by Representative Iha, seconded by Representative Nakama and carried, the report of the Committee was adopted and S.B. No. 1152 passed Second Reading and was referred to the Committee on Judiciary.

Representative Yap, for the Committee on Consumer Protection, presented a report (Stand. Com. Rep. No. 582) approving the intent and purpose of H.B. No. 1768 and recommending its referral to the Committee on Judiciary.

On motion by Representative Yap, seconded by Representative Medina and carried, the report of the Committee was adopted and H.B. No. 1768 was referred to the Committee on Judiciary.

Representative Yap, for the Committee on Consumer Protection, presented a report (Stand. Com. Rep. No. 583) approving the intent and purpose of H.B. No. 129 and recommending its passage on Second Reading with certain amendments.

On motion by Representative Yap, seconded by Representative Medina and carried, the report of the Committee was adopted and H.B. No. 129, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 4, 1973.

Representative Yap, for the Committee on Consumer Protection, presented a report (Stand. Com. Rep. No. 584) approving the intent and purpose of H.B. No. 130 and recommending its passage on Second Reading with certain amendments.

On motion by Representative Yap, seconded by Representative Medina and carried, the report of the Committee was adopted and H.B. No. 130, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 4, 1973.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 585) approving the intent and purpose of H.B. No. 862 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. 862, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 4, 1973.

The Chair here directed the Clerk to

note that H.B. Nos. 129, 130 and 862 had passed Second Reading at 11:16 o'clock a.m.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 586) approving the intent and purpose of H.B. No. 1334, HD 1 and recommending its passage on Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 586 on H.B. No. 1334 was deferred until tomorrow, April 4, 1973.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 587) approving the intent and purpose of H.B. No. 1880 and recommending its passage on Third Reading with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 587 on H.B. No. 1880, as amended, was deferred until tomorrow, April 4, 1973.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 588) approving the intent and purpose of H.B. No. 1147, HD 1 and recommending its passage on Third Reading with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 588 on H.B. No. 1147, as amended, was deferred until tomorrow, April 4, 1973.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 589) approving the intent and purpose of H.B. No. 1155 and recommending its passage on Third Reading with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 589 on H.B. No. 1155, as amended, was deferred until tomorrow, April 4, 1973.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 590) approving the intent and purpose of H.B. No. 1154 and recommending its passage on Third Reading with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 590 on H.B. No. 1154, as amended, was deferred until tomorrow, April 4, 1973.

The Chair here directed the Clerk to note that printed copies of H.B. Nos. 1334, HD 1, 1880, HD 1, 1147, HD 2, 1155, HD 1 and 1154, HD 1 were made available to the members of the House at 11:16 o'clock a.m., in accordance with Article III, Section 16 of the Constitution of the State of Hawaii.

Representative Wasai, for the Committee on Parks, Fish and Game Management, presented a report (Stand. Com. Rep. No. 591) approving the intent and purpose of H.C.R. No. 98 and recommending its adoption.

On motion by Representative Wasai, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.C.R. No. 98 was adopted.

Representative Wasai, for the Committee on Parks, Fish and Game Management, presented a report (Stand. Com. Rep. No. 592) approving the intent and purpose of H.R. No. 402 and recommending its adoption.

On motion by Representative Wasai, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.R. No. 402 was adopted.

Representative Wong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 593) approving the intent and purpose of S.C.R. No. 9, SD 1 and recommending its adoption.

On motion by Representative Wong, seconded by Representative Sakima and carried, the report of the Committee was adopted and S.C.R. No. 9 was adopted.

Representative King, for the Committee on Environmental Protection, presented a report (Stand. Com. Rep. No. 594) approving the intent and purpose of H.B. No. 635 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative King, seconded by Representative Roehrig and

carried, the report of the Committee was adopted and H.B. No. 635, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative King, for the Committee on Environmental Protection, presented a report (Stand. Com. Rep. No. 595) approving the intent and purpose of H.B. No. 1522 and recommending its passage on Second Reading and its referral to the Committee on Judiciary with certain amendments.

On motion by Representative King, seconded by Representative Roehrig and carried, the report of the Committee was adopted and H.B. No. 1522, as amended, passed Second Reading and was referred to the Committee on Judiciary.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 438 and 439) were read by the Clerk and disposed of as follows:

A resolution (H.R. No. 438) congratulating the Waialua Sugar Company, Inc. on their Diamond Jubilee--75th Anniversary was jointly offered by Representatives Oda, Aduja, Ajifu, Aki, Akizaki, Amaral, Carroll, A. Chong, W. Chong, Cobb, de la Cruz, Fong, J. Garcia, R. Garcia, Hapai, Iha, Kato, Kawakami, Kihano, Kimura, King, Kishinami, Kondo, Kunimura, Lee, Leopold, Lunasco, Medeiros, Medina, Morioka, Nakama, O'Connor, Poepoe, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim, Young, Yuen and Bepu.

On motion by Representative Oda, seconded by Representative Lunasco and carried, H.R. No. 438 was adopted.

A resolution (H.R. No. 439) offering condolences to the family of the late John De Mello was jointly offered by Representatives Amaral, Aduja, Ajifu, Aki, Akizaki, Carroll, A. Chong, W. Chong, Cobb, de la Cruz, Fong, J. Garcia, R. Garcia, Hapai, Iha, Kato, Kawakami, Kihano, Kimura, King, Kishinami, Kondo, Kunimura, Lee, Leopold, Lunasco, Medeiros, Medina, Morioka, Nakama, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong,

Yamada, Yap, Yim, Young, Yuen and Beppu.

On motion by Representative Amaral, seconded by Representative Medina and carried, H.R. No. 439 was adopted.

By unanimous consent, the following resolution (H.R. No. 440) was referred to the Committee on Legislative Management and further action was deferred until tomorrow, April 4, 1973:

A resolution (H.R. No. 440) requesting the Hawaii Housing Authority to reconsider its proposed changes in its rules and regulations and not cut back on the percentage of welfare families to be allowed to enter public housing was jointly offered by Representatives Lee, Akizaki, A. Chong, Iha, Kawakami, Kihano, Kimura, Kishinami, Nakama, O'Connor, Roehrig, Ushijima, Wedemeyer, Yap and Beppu.

SUSPENSION OF RULES

On motion by Representative Ushijima, seconded by Representative J. Garcia and carried, 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. 1143.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, H.B. No. 1143 was recommitted to the Committee on Water, Land Use and Development.

Third Reading of S.B. No. 90.

On motion by Representative Suwa, seconded by Representative Akizaki, S.B. No. 90 passed Third Reading by a vote of 51 ayes.

Third Reading of S.B. No. 163.

On motion by Representative Suwa, seconded by Representative Akizaki, S.B. No. 163 passed Third Reading by a vote of 51 ayes.

Third Reading of S.B. No. 125.

On motion by Representative Suwa, seconded by Representative Akizaki, S.B. No. 125 passed Third Reading by a vote of 51 ayes.

Third Reading of H.B. No. 1640.

On motion by Representative O'Connor, seconded by Representative Kimura, H.B. No. 1640 passed Third Reading by a vote of 51 ayes.

Third Reading of H.B. No. 1174.

On motion by Representative O'Connor, seconded by Representative Kimura, H.B. No. 1174 passed Third Reading by a vote of 51 ayes.

Third Reading of S.B. No. 990.

On motion by Representative O'Connor, seconded by Representative Kimura, S.B. No. 990 passed Third Reading of S.B. No. 990.

Third Reading of H.B. No. 2025.

On motion by Representative O'Connor, seconded by Representative Kimura, H.B. No. 2025 passed Third Reading by a vote of 51 ayes.

Third Reading of H.B. No. 1852.

On motion by Representative O'Connor, seconded by Representative Kimura, H.B. No. 1852 passed Third Reading by a vote of 47 ayes to 4 noes, with Representatives Ajifu, Amaral, J. Garcia and Soares voting no.

Third Reading of H.B. No. 877.

By unanimous consent, consideration of H.B. No. 877 on Third Reading was deferred until the end of the calendar.

The Chair here directed the Clerk to note that S.B. Nos. 90, 163, 125, H.B. Nos. 1640, 1174, S.B. No. 990, H.B. Nos. 2025 and 1852 had passed Third Reading no earlier than 12:03 o'clock p.m.

UNFINISHED BUSINESS

Consideration of Stand. Com. Rep. No. 554 on H.B. No. 127 which had been deferred to this day.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, H.B. No. 127 passed Third Reading by a vote of 51 ayes.

Consideration of Stand. Com. Rep. No. 555 on H.B. No. 218 which had been deferred to this day.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, H.B. No. 218 passed Third Reading by a vote of 51 ayes.

Consideration of Stand. Com. Rep. No. 556 on H.B. No. 1326 which had been deferred to this day.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, H.B. No. 1326 passed Third Reading by a vote of 51 ayes.

Consideration of Stand. Com. Rep. No. 557 on H.B. No. 320 which had been deferred to this day.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, H.B. No. 320 passed Third Reading by a vote of 51 ayes.

The Chair here directed the Clerk to note that H.B. Nos. 127, 218, 1326 and 320 had passed Third Reading not earlier than 12:03 o'clock p.m.

DEFERRED MATTER

Consideration of Sen. Com. No. 106 on S.B. No. 1295, SD 1 which had been deferred to this time.

Representative Ushijima moved that S.B. No. 1295, SD 1 pass First Reading, seconded by Representative Wakatsuki.

Representative R. Garcia rose and requested a ruling from the Chair whether S.B. No. 1295, SD 1 was properly and legally transmitted to the House. The Chair replied that, as far as the House is concerned, S.B. No. 1295, SD 1 was properly and legally transmitted to the House.

Representative Wong then rose on a point of information if it is the position of the Chair that this is a legal document to be considered by this Body. The Chair then stated that the House will accept the bill from the Senate as it is.

Representative Wong then moved to defer consideration of Sen. Com. No. 106 on S.B. No. 1295, seconded by Representative R. Garcia.

The motion to defer consideration of Sen. Com. No. 106 on S.B. No. 1295, SD 1 was put by the Chair and failed to carry by a roll call vote of 27 noes to 24 ayes, with Representatives Aduja, Ajifu, Aki, Amaral, Carroll, W. Chong, Cobb, Fong, J. Garcia, R. Garcia, Hapai, Kato, Leopold, Lunasco, Medeiros, Oda, Peopoe, Saiki, Soares, Uechi, Wasai, Wong, Yamada and Yim voting aye.

Representative J. Garcia here rose and spoke against the passage of S.B. No. 1295, SD 1 on First Reading as follows:

"The intent of the House Republicans is not to keep us in session another 60 days longer. The intent of the House Republicans has been, and still is, to expedite the progress of this session towards adjournment on time.

Nevertheless, S.B. No. 1295, SD 1 was transmitted to us from the Senate with a very heavy cloud hanging over it. A judicial question now reposes before this Honorable Body. That judicial question is whether or not we are to accept a bill over which hangs a judicial cloud. The Senate Republicans have written a letter to Attorney General Pai asking for a written opinion to determine the validity of the measure which presently reposes before us for passage on First Reading. We do know that the highest legal authority of this State is the attorney general's office, but we also know that the highest judicial body of this State is the State Supreme Court.

The Republican senators have let it be known that, if the opinion is contrary to what they have stated on the floor, this measure will go before the court. All that we are asking is that this matter be deferred until such time that the attorney general of the State of Hawaii has rendered his opinion on the legality of S.B. No. 1295, SD 1.

We do not want to act on a measure, irrespective of the fact that contained therein is a severability clause, of this importance and consequence to the State. I urge all the members of this Honorable Body to vote down the passage of this measure on First Reading."

Representative Roehrig rose and spoke in favor of the motion as follows:

"Mr. Speaker, as I stated previously, Section III of Article 6 of the Constitution, as amended in the 1968 Constitutional Convention, provides that bonds may be issued when authorized by a two-thirds vote of the two houses. The other provision in Section III provides that bonds over and above the \$60 million bonded limitation may be issued when there is an authorization by a two-thirds vote of both houses.

I think it is crystal clear regarding the constitutional limitations on the passage of such measures. The law says that this is by majority vote; the only question comes out as to whether or not there can be mandated issuances of bonds. In that respect, I would direct the members' attention to S.B. No. 1295 as it came over. The language of the bill in Section 59 merely says that general obligation bonds may be issued as provided by law. There is no mandate in the bill that such eventuality must come to pass. For that reason, I am sure that the attorney general will uphold the Chair."

Representative O'Connor rose and spoke in favor of the motion as follows:

"Section 16 of Article III of our State Constitution, as amended by the 1968 Constitutional Convention, provides that no bill shall become law unless it shall pass three readings in each house on separate days. No bill shall pass Third or Final Reading in either house unless printed copies of the bill in the form to be passed shall have been made available to the members of that House at least 24 hours.

It further provides every bill, when passed by the House in which it originated, or in which amendment thereto shall have originated, shall immediately be certified by the presiding officer and the clerk and sent to the other house for consideration.

Mr. Speaker, we stand here today with a bill having been certified by the President of the Senate and the Senate Clerk and having been sent to this House for consideration. In order to consider such a bill, Mr. Speaker, we must accept the bill and act upon it, in order to determine what the bill is all about. If we

do not do this, we are not upholding our obligation under the Constitution. For that reason, I urge all members of this Body to vote in favor of this measure."

Representative Cobb rose and spoke against the motion to pass S.B. No. 1295, SD 1 on First Reading stating that the budget did not receive a two-thirds vote, although it contains CIP items, and is, therefore, illegal.

The motion to pass S.B. No. 1295, SD 1 on First Reading was put by the Chair and was carried by a roll call vote of 27 ayes to 24 noes with Representatives Aduja, Ajifu, Aki, Amaral, Carroll, W. Chong, Cobb, Fong, J. Garcia, R. Garica, Hapai, Kato, Leopold, Lunasco, Medeiros, Oda, Poepoe, Saiki, Soares, Uechi, Wasai, Wong, Yamada and Yim voting no.

COMMITTEE REFERRAL

The following bill (S.B. No. 1295) was disposed of as follows:

S.B. No. 1295 was referred to the Committee on Finance.

At 12:25 o'clock p.m., on motion by Representative Ushijima, seconded by Representative J. Garcia and carried, the House of Representatives stood in recess until 4:30 o'clock p.m. this afternoon.

AFTERNOON SESSION

The House of Representatives reconvened at 4:53 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Young, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 596) approving the intent and purpose of H.B. No. 92 and recommending its passage on Third Reading with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 596 on H.B. No. 92, as amended, was deferred until tomorrow, April 4, 1973.

Representative Young, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 597) approving the intent and purpose of H.B. No. 91, HD 1 and recommending its passage on Third Reading with certain

amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 597 on H.B. No. 91, as amended, was deferred until tomorrow, April 4, 1973.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 598) approving the intent and purpose of H.B. No. 721 and recommending its passage on Third Reading with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 598 on H.B. No. 721, as amended, was deferred until tomorrow, April 4, 1973.

The Chair here directed the Clerk to note that printed copies of H.B. Nos. 92, 91 and 721 were made available to the members of the House at 5:00 o'clock p.m., in accordance with Article III, Section 16, of the Constitution of the State of Hawaii.

Representative O'Connor, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 599) approving the intent and purpose of H.B. No. 708, HD 1 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. 708, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 4, 1973.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 600) approving the intent and purpose of H.B. No. 2021 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. 2021, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 4, 1973.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 601) approving the intent and purpose of H.B. No. 998 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. 998 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 4, 1973.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 602) approving the intent and purpose of H.B. No. 1000 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. 1000 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 4, 1973.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 603) approving the intent and purpose of H.B. No. 33 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. 33, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 4, 1973.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 604) approving the intent and purpose of H.B. No. 1848 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. 1848 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 4, 1973.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 605) approving the intent and purpose of H.B. No. 662 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. 662, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 4, 1973.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 606) approving the intent and purpose of H.B. No. 659 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. 659, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 4, 1973.

The Chair here directed the Clerk to note that H.B. Nos. 708, HD 2, 2021, HD 1, 998, 1000, 33, HD 1, 1848, 662, HD 1 and 659, HD 1 had passed Second Reading at 5:00 o'clock p.m.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 607) approving the intent and purpose of H.B. No. 1515 and recommending its passage on Third Reading with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 607 on H.B. No. 1515, as amended, was deferred until tomorrow, April 4, 1973.

The Chair here directed the Clerk to note that printed copies of H.B. No. 1515, HD 2 has been made available to the members of the House at 5:00 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 Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 608) approving the intent and purpose of H.B. No. 324 and recommending its passage on Second Reading with certain amendments.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.B. No. 324, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 4, 1973.

The Chair here directed the Clerk to note that H.B. No. 324, HD 1 had passed Second Reading at 5:00 o'clock p.m.

Representative King, for the Committee on Environmental Protection, presented a report (Stand. Com. Rep. No. 609) approving the intent and purpose of H.C.R. No. 75 and recommending its referral to the Committee on Water, Land Use and Development.

On motion by Representative King, seconded by Representative Roehrig and carried, the report of the Committee was adopted and H.C.R. No. 75 was referred to the Committee on Water, Land Use and Development.

Representative King, for the Committee on Environmental Protection, presented a report (Stand. Com. Rep. No. 610) approving the intent and purpose of H.C.R. No. 74 and recommending its referral to the Committee on Water, Land Use and Development with certain amendments.

On motion by Representative King, seconded by Representative Roehrig and carried, the report of the Committee was adopted and H.C.R. No. 74, as amended, entitled: "House Concurrent Resolution to request the Secretary of Defense to prepare and publish an environmental impact statement in compliance with the National Environmental Policy Act respecting the military's long-range master plan and to request the Governor and the Department of Planning and Economic Development to review the feasibility of establishing a joint civilian-military planning committee on such plan" was referred to the Committee on Water, Land Use and Development.

Representative King, for the Committee on Environmental Protection, presented a report (Stand. Com. Rep. No. 611) approving the intent and purpose of H.R. No. 204 and recommending its referral to the Committee on Judiciary.

On motion by Representative King, seconded by Representative Roehrig and carried, the report of the Committee was adopted and H.R. No. 204 was referred to the Committee on Judiciary.

Representative King, for the Committee on Environmental Protection, presented a report (Stand. Com. Rep. No. 612) approving the intent and purpose of H.B. No. 114 and recommending its passage on Second Reading with certain amendments.

On motion by Representative King, seconded by Representative Roehrig and carried, the report of the Committee was adopted and H.B. No. 114, as amended, entitled: "A Bill for an Act relating to a record of State migration patterns" passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 4, 1973.

Representative King, for the majority of the Committee on Environmental Protection, presented a report (Stand. Com. Rep. No. 613) approving the intent and purpose of H.B. No. 1914 and recommending its passage on Second Reading and its referral to the Committee on Judiciary with certain amendments.

On motion by Representative King, seconded by Representative Roehrig and carried, the report of the majority of the Committee was adopted and H.B. No. 1914, as amended, passed Second Reading and was referred to the Committee on Judiciary.

Representative King, for the majority of the Committee on Environmental Protection, presented a report (Stand. Com. Rep. No. 614) approving the intent and purpose of H.B. No. 944 and recommending its passage on Second Reading and its referral to the Committee on Finance with certain amendments.

On motion by Representative King, seconded by Representative Roehrig and carried, the report of the Committee was adopted and H.B. No. 944, 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. 615) approving the intent and purpose of S.B. No. 129, SD 1 and recommending its referral to the Committee on Judiciary.

On motion by Representative Roehrig, seconded by Representative Medina and carried, the report of the Committee was adopted and S.B. No. 129 was referred to the Committee on Judiciary.

The Chair here directed the Clerk to note that H.B. No. 114, HD 1 had passed Second Reading at 5:00 o'clock p.m.

DEFERRED MATTER

Consideration of H.B. No. 877 on Third Reading which had been deferred to this time.

On motion by Representative Suwa, seconded by Representative Akizaki, H.B. No. 877, having been read throughout, passed Third Reading by a vote of 45 ayes, with Representatives Aduja, de la Cruz, Kunimura, Lunasco, Nakama and Wedemeyer being excused.

The Chair here directed the Clerk to note that H.B. No. 877 had passed Third Reading at 5:30 o'clock p.m.

At 5:31 o'clock p.m., on motion by Representative Ushijima, seconded by Representative J. Garcia and carried, the House of Representatives stood in recess until 7:00 o'clock p.m. tonight.

NIGHT SESSION

The House of Representatives reconvened at 7:26 o'clock p.m.

COMMITTEE REASSIGNMENT

H.B. No. 932 which had been referred to the Committee on Education and to the Committee on Finance on February 23, 1973 was referred solely to the Committee on Education.

RECONSIDERATION OF ACTION TAKEN

Representative King moved to reconsider action taken on Stand. Com. Rep. No. 612 on H.B. No. 114, HD 1,

seconded by Representative Roehrig and carried.

Representative King then moved to recommit Stand. Com. Rep. No. 612 on H.B. No. 114, HD 1 to the Committee on Environmental Protection, seconded by Representative Roehrig and carried.

At 7:32 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

At 7:38 o'clock p.m., the House of Representatives reconvened.

INTRODUCTION OF RESOLUTION

The following resolution (H.R. No. 441) was read by the Clerk and was disposed of as follows:

A resolution (H.R. No. 441) welcoming home Specialist Five Thomas T. Horio upon his release from North Vietnam and extending best wishes to him and his family was jointly offered by Representatives Iha, Aduja, Ajifu, Aki, Akizaki, Amaral, Carroll, A. Chong, W. Chong, Cobb, de la Cruz, Fong, J. Garcia, R. Garcia, Hapai, Kato, Kawakami, Kihano, Kimura, King, Kishinami, Kondo, Kunimura, Lee, Leopold, Medeiros, Medina, Morioka, Nakama, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim, Young, Yuen and Beppu.

On motion by Representative Iha, seconded by Representative Kato and carried, H.R. No. 441 was adopted.

STANDING COMMITTEE REPORTS

Representative King, for the Committee on Environmental Protection, presented a report (Stand. Com. Rep. No. 616) approving the intent and purpose of H.B. No. 1089 and recommending its passage on Second Reading and its referral to the Committee on Judiciary with certain amendments.

On motion by Representative King, seconded by Representative Roehrig and carried, the report of the Committee was adopted and H.B. No. 1089, as amended, passed Second Reading and was referred to the Committee on Judiciary.

The Chair here directed the Clerk to note that H.B. No. 1089 had passed Second Reading at 7:40 o'clock p.m.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 617) approving the intent and purpose of H.B. No. 341 and recommending its passage on Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 617 on H.B. No. 341 was deferred until tomorrow, April 4, 1973.

The Chair here directed the Clerk to note that printed copies of H.B. No. 341 had been made available to the members of the House at 7:40 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. 618) approving the intent and purpose of H.B. No. 1162 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. 1162, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 4, 1973.

At this time, Representative Suwa moved to waive referral of H.B. No. 1157 to the Committee on Finance, seconded by Representative Akizaki and carried.

Representative O'Connor, for the joint Committee on Judiciary and Corrections and Rehabilitation, presented a report (Stand. Com. Rep. No. 619) approving the intent and purpose of H.B. No. 1157 and recommending its passage on Second Reading with certain amendments.

On motion by Representative O'Connor, seconded by Representative Cobb, the report of the joint Committee was adopted and H.B. No. 1157, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 4, 1973.

The Chair here directed the Clerk to note that H.B. No. 1157, HD 1 had passed Second Reading at 7:40 o'clock p.m.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 620) approving the intent and purpose of H.B. No. 28, HD 1 and recommending its passage on Third Reading with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 620 on H.B. No. 28 was deferred until tomorrow, April 4, 1973.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 621) approving the intent and purpose of H.B. No. 1322 and recommending its passage on Third Reading with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 621 on H.B. No. 1322, as amended, was deferred until tomorrow, April 4, 1973.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 622) approving the intent and purpose of H.B. No. 1145 and recommending its passage on Third Reading with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 622 on H.B. No. 1145, as amended, was deferred until tomorrow, April 4, 1973.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 623) approving the intent and purpose of H.B. No. 1552 and recommending its passage on Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 623 on H.B. No. 1552 was deferred until tomorrow, April 4, 1973.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 624) approving the intent and purpose of H.B. No. 1142 and recommending its passage on Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 624 on H.B. No. 1142 was deferred until tomorrow, April 4, 1973.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 625) approving the intent and purpose of H.B. No. 1156, HD 1 and recommending its passage on Third Reading with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 625 on H.B. No. 1156, as amended, was deferred until tomorrow, April 4, 1973.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 626) approving the intent and purpose of H.B. No. 1321 and recommending its passage on Third Reading.

By unanimous consent, consideration of H.B. No. 626 on H.B. No. 1321 was deferred until tomorrow, April 4, 1973.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 627) approving the intent and purpose of H.B. No. 1332, HD 1 and recommending its passage on Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 627 on H.B. No. 1332 was deferred until tomorrow, April 4, 1973.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 628) approving the intent and purpose of H.B. No. 1246, HD 1 and recommending its passage on Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 628 on H.B. No. 1246 was deferred until tomorrow, April 4, 1973.

Representative Sakima, for the Committee on Education, presented a report (Stand. Com. Rep. No. 629) approving the intent and purpose of H.B. No. 932, HD 1 and recommending its passage on Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 629 on H.B. No.

932 was deferred until tomorrow, April 4, 1973.

The Chair here directed the Clerk to note that printed copies of H.B. Nos. 28, HD 2; 1322, HD 1; 1145, HD 1; 1552; 1142; 1156, HD 2; 1321, 1332, HD 1; 1246, HD 1 and H.B. No. 932 had been made available to the members of the House at 7:40 o'clock p.m., in

accordance with Article III, Section 16, of the Constitution of the State of Hawaii.

At 7:49 o'clock p.m., on motion by Representative Ushijima, seconded by Representative J. Garcia and carried, the House of Representatives adjourned until 11:00 o'clock a.m. tomorrow, April 4, 1973.